

CONDITIONS FOR THE EMPLOYMENT OF NON-CITIZENS AS DRIVERS FOR HEAVY MOTOR VEHICLES (LORRIES/TRUCKS); EXCAVATORS, LOADERS, TRACTORS, MOBILE CRANES ON SITES AND ON ROADS; MOTORCYCLES; PRIVATE VANS/PRIVATE BUS/CONTRACT VANS/CONTRACT BUSES; PRIVATE CARS FOR COMPANIES/INDIVIDUALS

- 1) Employers should demonstrate that all efforts have been made to recruit local drivers, including drawing from the pool of relief drivers for bus companies before resorting to foreign recruitment.
- 2) Employers should ensure that each foreign driver has at least three years' experience in operating the relevant category of vehicle. Relevant Testimonials to be submitted at the time of application.
- 3) Employers should ensure that the non-citizen holds a valid international driving permit or a driving licence issued by a competent foreign authority for the vehicle the worker will be driving in Mauritius. An attestation should also be produced to ensure the authenticity of the driving licence. In case the licence is not in English or French, a certified translation or an International Driving Permit or equivalent may be required.
- 4) Where the permit or licence is valid for more than 3 years, it shall be recognized to be valid in Mauritius for a maximum period of three years. After the expiry of this three-year period, if the person remains in Mauritius and wishes to continue driving, his foreign driving licence must be converted into a domestic driving licence, subject to the prescribed conditions.
- 5) For foreign workers operating forklifts, excavators, loaders, tractors, mobile cranes, and similar machinery used within worksites, a certificate of competency attesting that the person has been trained and is competent to operate the machine is sufficient instead of a driving licence. However, if any of these vehicles are fitted with pneumatic and are to be driven on public roads, the operator must hold an appropriate driving licence. Employers may contact

Driving examiners from the Traffic Branch to proceed to the relevant site to conduct the driving test.

- 6) The foreign drivers should not have been involved in serious road accidents such as those having caused severe injuries or deaths.
- 7) The driver must not have had his driving licence suspended or cancelled.
- 8) Employers should ensure that the minimum age of the expatriates is 25 years and they should not be more than 45 years at the time of recruitment.
- 9) Employers should ensure that the duration of the first contract is for a maximum period of 3 years, which may be renewed thereafter for a further maximum period not exceeding 10 years.
- 10) Employers should provide suitable accommodation to the foreign drivers in compliance with the applicable legislations and guidelines.
- 11) Employers should ensure that the foreign drivers employed by them work exclusively for them and do not operate vehicles for another employer.
- 12) Employers should make arrangements for their foreign drivers operating vehicles on the road to undergo an initiation course, comprising theoretical and practical parts spanned over 3.5 days, with the Mauritius Institute of Training and Development (MITD) in order to familiarise themselves with the Mauritian context including traffic signs/situations and relevant legislations. In this context, an observation report would be submitted by the MITD to the employer, prior to the foreign drivers being allowed to operate the vehicles. Employers should submit a copy of the Certificate issued by the MITD to the Ministry.
- 13) Employers should ensure that a medical report including eyesight tests issued by a recognised medical institution in the source country, is submitted during the application process to confirm that the incumbent is physically apt to safely operate vehicles. They would also need to abide by such guidelines as issued by the Ministry of Health and Wellness as regards medical assessment;
- 14) The foreign drivers must be able to communicate in English or French in a satisfactory manner. In the event the foreign driver does not hold any certificate demonstrating his proficiency in English or French, he would be required, upon his arrival to Mauritius, to follow a training course with the Mauritius Institute of

- Training and Development for him to acquire an adequate level of communication skills in English or French so as to enable them to communicate with passengers and read road signage, amongst others. An assessment will also be carried out by the MITD at the end of the training to assess the communications skills acquired by them.
- 15) Employers should submit a Certificate of character, issued by a competent authority in the source country in respect of the foreign drivers.
 - 16) The recruitment of foreign drivers would be subject to compliance to the prevailing regulations and governed in accordance with guidelines issued by the Ministry of Labour and Industrial Relations. To that effect, an employer willing to recruit foreign drivers should apply for a work permit and follow all the processes required in terms of medical clearances, lodging and accommodation permits, vetting of contract and obtention of entry permit/residence permit, as applicable.
 - 17) The terms and conditions of work of the foreign drivers would be governed by the applicable remuneration orders and foreign drivers need to be treated on the same footing as local drivers including rest time.
 - 18) Employers should ensure that safety standards regarding the vehicles are maintained and that adequate insurance covers the vehicles.
 - 19) Employers should ensure that the drivers do not drive under influence and are duly informed of the provisions of national laws.
 - 20) In case a foreign driver is involved in a major road accident and convicted as a result thereof or in the event his licence is suspended or revoked, he would be liable to repatriation. Similarly, in case the foreign driver is found by the Disciplinary Committee of NLTA that he is not a fit and proper person on reason of his conduct and character, he would also run the risk of being repatriated and the costs thereof would have to be borne by his employer.