

SUPPLEMENT TO
 THE
 SWAZILAND GOVERNMENT
 GAZETTE

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LEGAL NOTICE NO. 90 OF 1989

THE CONTROL OF CEREALS ACT, 1959
(ACT NO. 28 OF 1959)

CONTROL OF PRICES OF MAIZE AND MAIZE MEAL NOTICE, 1989
(UNDER SECTION 4)

In exercise of the powers conferred by section 4 of the Control of Cereals Act, 1959, the Minister for Agriculture and Co-operatives hereby issues the following notice -

Citation and commencement

1. This notice may be cited as the Control of Prices of Maize and Maize Meal Notice, 1989 and shall come into force on the 1st April, 1990.

Interpretation

2. In this Notice -

“bag of maize” means a unit of 70kg net weight of maize fit for human consumption and packed in a sound container;

“burlap bag or jute bag” means a sack made of natural jute fibres;

“plastic bag” or “polypropylene bag” means a sack made of synthetic fibres.

“buyer” means a person who holds a licence to import maize or maize products;

“sound container” means a bag of not less than Grade 1 second hand quality.

Minimum price of white maize produced in Swaziland.

3. (1) Subject to sub-paragraph (6), a buyer who purchases maize produced in Swaziland shall pay to the producer or seller not less than E27.00 per 70kg of white maize.

(2) Producers delivering maize in bags will receive 25 cents for each bag as compensation for wear and tear of the bag.

(3) Producers selling the bag along with the maize will be paid E1.75 for a new Jute bag, and a negotiated price for used bags of all types.

(4) The net weight of a bag under this section shall be computed by subtracting the weight of the empty bag, which weight has been fixed as follows:-

(a) the weight of a burlap bag or jute bag shall be 1 kg;

and

(b) the weight of a synthetic fibre bag shall be 0.150 kg.

(5) Maize delivered to the mill or the government Silos shall be deemed to have a moisture content of 12½% per cent. However, maize with a moisture content up to 14 per cent shall be accepted. A prorata deduction shall be made for maize with a moisture content higher than 12½% per cent, but not more than 14 percent.

- (6) Sub-paragraphs 3 (1), (2), (3) and (4) shall apply -

(a) only in the case of white maize in a sound container;

- (b) for maize of a moisture content up to but not exceeding 14 per centum; and
 (c) for deliveries in lots of not less than 15 bags; in which case the producer may require the buyer to transport the maize.

(7) Where the producer or seller delivers maize to the buyer at Manzini or any other place authorised by the buyer, the price specified in sub-section 3 (1) and (2) shall be increased by the transport charges incurred by him according to the rates specified in Schedule 1.

Revocation of legal notice No. 45 of 1988

5. **The Control of Prices of Maize and Maize Meal Notice of 1988 is hereby revoked.**

N.M. NKAMBULE
Acting Principal Secretary

SCHEDULE 1
MAIZE CARTAGE ALLOWANCE AS FROM 1ST APRIL 1989

Kilometres	Allowance	Kilometres	Emalangen
1 TO 5	4.96	81 TO 85	20.32
6 " 10	5.92	86 " 90	21.28
11 " 15	6.88	91 " 95	22.24
16 " 20	7.84	96 " 100	23.20
21 " 25	8.80	101 " 105	24.16
26 " 30	9.76	106 " 110	25.12
31 " 35	10.72	111 " 115	26.08
36 " 40	11.68	116 " 120	27.04
41 " 45	12.64	121 " 125	28.00
46 " 50	13.60	126 " 130	28.96
51 " 55	14.56	131 " 135	29.15
56 " 60	15.52	136 " 140	30.88
61 " 65	16.48	141 " 145	31.84
66 " 70	17.44	146 " 150	32.80
71 " 75	18.40	151 " 155	33.76
76 " 80	19.36	156 " 160	34.72

LEGAL NOTICE NO. 1 OF 1990

THE WAGES ACT, 1964
(ACT NO. 16 OF 1964)

THE REGULATION OF WAGES (SECURITY SERVICES INDUSTRY)
ORDER, 1990
(Under Section 11)

In exercise of the powers conferred upon him by section 11 of the Wages Act, 1964 the Minister for Labour hereby makes the following Order:-

Citation.

1. This Order may be cited as the Regulation of Wages (Security Services Industry) Order, 1990 and shall come into force on the 1st January, 1990.

Application.

2. (1) This Order shall apply to all persons employed in detective, investigative, patrolling and nightwatching services providing protection against Burglary, Fire, Personal Injury and similar services connected with or related to the foregoing.

(2) This Order shall not apply to persons employed by:-

- (a) The Government;
- (b) A local Authority.

Interpretation.

3. In this order, unless the context otherwise requires -

“Clerk” means an employee engaged on full time general Clerical duties;

“Group A” means an employee, other than a patrol supervisor, with three months or less continuous service;

“Group B” means an employee with more than three months’ but less than twelve months’ continuous service;

“Group B1” means an employee with more than twelve months’ continuous service;

“Group C” means a patrol supervisor Grade II;

“Group D” means a patrol supervisor Grade I;

“Telephonist” means any person who is literate, fluent in the siSwati and English Languages and able to operate a telephone in a courteous and efficient manner.

Basic Minimum wage.

4. The Basic Minimum Wage to be paid to an employee to whom this order applies shall be deemed to include a ration allowance and shall be calculated at a rate not less favourable than that specified in the Schedule hereto.

Hours of Work.

5. The Basic Working Week shall consist of seventy two working hours spread over a period of six days.

Overtime.

6. An employee who is required to be on duty and work in excess of the hours specified in section 5 shall be entitled to be paid for such overtime at the rate of one and half times his normal hourly rate of wages. Normal hourly rate shall mean his monthly rate of wage divided by three hundred and twelve.

Annual Leave.

7. (1) On completion of each period of twelve months' continuous service, an employee shall be entitled to an annual leave of twelve days with full pay plus nine days with full pay in compensation for public holidays worked.

(2) Where the employment of an employee is terminated before he has taken his entitlement of leave under this section, he shall be paid, in lieu of such leave, a sum equal to one and three quarter days wages in respect of each month he has earned but not taken leave.

Sick Leave.

8. After three months' continuous service with his employer, an employee shall be entitled to fourteen days sick leave with full pay and a further period of fourteen days on half pay in each of twelve months' employment, subject to him submitting to his employer a medical certificate covering the period of absence, signed by a Medical Practitioner registered in Swaziland.

Day Off.

9. An employee shall be entitled to one day off-work in each week: Provided that the employer and employee may mutually agree that the day-off may be deferred so as to allow the employee to accumulate a total of four days off-work.

Maternity Leave.

10. A female employee who becomes pregnant during the period of her employment shall be entitled to resume duty in the position she occupied prior to such leave. The timing of such leave shall be subject to the mutual agreement of the employer and the employee.

Travelling expenses.

11. (1) Any employee who travels on duty and remains away from his place of residence shall be reimbursed all expenses of lodging and meals incurred through such travel on production of receipts covering the expenditure.

Except where an employee who is required to remain away from his place of employment thereupon the payment of expenses under this section shall cease and the employer shall thereafter provide him with suitable accommodation or payment in lieu thereof.

Lay-off.

12. (1) A lay-off due to circumstances beyond an employer's control shall not exceed fourteen working days. Such lay-off shall be without pay and at the end of such period the employer shall either re-instate an employee or terminate his employment in accordance with the Employment Act, 1980.

(2) During the lay-off the employer shall not engage any other employee to fill a vacancy created by the lay-off.

(3) The employer shall give a lay-off notice of not less than twenty-four hours to an employee before the lay-off.

13. An employee shall be paid not later than three days after the end of a pay period.

Savings.

14. An employee, who, at the commencement of this Order, is entitled to benefits greater than those specified in this order, shall not suffer any reduction in such benefits by reason of this order.

Uniforms Etc.

15. (1) The employer of a guard or watchman shall provide him free of charge with:-

- (a) boots (shoes for female guards) a police whistle, a club and torch; and
- (b) a hat and overcoat when reasonably required under the prevailing weather conditions.

(2) Any clothing or requirement referred to in sub-paragraph (1) shall be of reasonable quality and shall remain the property of the employer.

Revocation of legal Notice 140 of 1988.

16. The Regulation of wages (Watching and Protective Services Industry) Order 1988 is hereby revoked.

FIRST SCHEDULE

(Paragraph 4)

(Per Month)

Group A	E213.62
Group B	231.42
Group B1	249.23
Group C	258.13
Group D	304.29
Telephonist	213.62
Clerk	304.29

SECOND SCHEDULE

(Paragraph 7 (1))

New Years Day
Good Friday
Easter Monday
National Flag Day
King's Birthday
Somhlolo Day
Reed Dance Day
Incwala Day
Christmas

A.M. MBINGO

Acting Principal Secretary - Ministry of Labour

LEGAL NOTICE NO 2 OF 1990

THE WAGES ACT, 1964

(Act No. 16 of 1964)

THE REGULATION OF WAGES (HOTEL AND CATERING TRADES)

ORDER, 1990

(Under Section 11)

In exercise of the powers conferred upon him by Section 11 of the Wages Act, 1964, the Minister of Labour hereby makes the following Order -

Citation.

1. This Order may be cited as the Regulation of Wages (Hotel and Catering Trades) Order, 1990 and shall be deemed to have come into force of the 21st December 1989.

Application.

2. This Order applies to persons specified in column one of the First & Second Schedule employed in the Hotel and Catering Trades.
3. In this Order, unless the context otherwise requires -

“Assistant Cook” means a person who assists a cook and who works under his direction, preparing food and carrying out any other duties allocated to him by the cook or by the Management;

“Assistant Housekeeper” means a person who -

- (a) assists and carries out the instruction of a Housekeeper or the Management particularly in regard to the maintenance of linen, blankets and soft furnishings;
- (b) Supervises room maid and similar staff; and
- (c) is responsible for the cleaning of such areas of the establishment as are designated by the management;

“Assistant waiter/waitress” means a person who assists a waiter/waitress and carries out the duties of a waiter/waitress under his direction;

“Barman” means a person other than a junior or a cocktail barman who -

- (a) prepares and serves drinks, other than cocktails, to wine stewards, bar stewards, waiters, and guests in a public bar.
- (b) collects and accounts for the payment of the drinks;
- (c) is responsible for all stocks and monies under his control; and
- (d) is responsible for the cleanliness of the bar and its surroundings

“bar steward” means a person who accepts orders for drinks and snacks and serves them throughout the establishment;

“Basic minimum wage” means the basic minimum wage payable to an employee excluding allowances in cash or in kind and overtime payments;

“Billing clerk” means a person who prepares and controls guests accounts, receives and acts upon reception reports and may also be required to carry out the duties of a receptionist;

"Butcher" means a person who prepares and cuts meat, fish and or poultry in its raw state and carries out associated duties allocated by Head Chef or Assistant Chef.

"Cashier" means a person who prepares bills of accounts, operates an accounting machine, cash register or a manual accounting system and is responsible for all cash under his control;

"Casino waiter" means a person who serves food, beverages and cigarettes etc ordered by guests, prepares and polishes casino tables, empties ashtrays and assists in setting.

"Cleaner" means a person who carries out the cleaning of any area or item required by a supervisor;

"Cocktail Barman" means a person other than a barman who -

- (a) prepares and serves cocktails and drinks;
- (b) collects and accounts for the correct payment of the drinks;
- (c) is responsible for all stocks and monies under his control; and
- (d) is responsible for the cleanliness of the bar and its surroundings.

"Chef de partie/cook" means a person who -

- (a) compiles menus in consultation with the management;
- (b) prepares food;
- (c) supervises and allocates work in the kitchen;
- (d) checks the arrival of the foodstuffs and raw materials to be used in the kitchen particularly in regard to weight and quality; and
- (e) is responsible for the cleanliness and general hygiene of the kitchen;

"Clerk" means a person who carries out clerical duties and is responsible for all monies and documents under his control;

"Dressmaker" means a person with a working knowledge of material in common use including their cost, and designs, layout cuts and sews uniforms, and carries out the duties of a seamstress when so required;

"Driver" means a person who is in possession of a licence to drive a vehicle allocated to him and who cleans the vehicle and carries out simple maintenance tasks on it;

"Handyman" means a person who carries out maintenance of work and supervises and allocates tasks to employees under his supervision and is responsible for all tools and stores under his control;

"Head porter" means a person in charge of the porters desk who supervises porters and luggage porters and carries out all duties allocated to him by reception staff or management.

"Head waiter" means a person who -

- (a) is in charge of the dining room, and supervises waiters and dining room staff;
- (b) arranges table reservations for individual customers or parties;
- (c) ensures that a high standard of service is maintained and deals with customer's complaints concerning the food or service; and
- (d) may also be required to take customer's orders and pass them to the waiter;

"Housekeeper" means a person who -

- (a) is responsible for cleaning bedrooms and public areas in a hotel and for the cleanliness and repair of all linen, blankets and soft furnishings under his control and advising management on the durability and replacement thereof; and
- (b) supervises room maids and other staff;

“Labourer” means a person who, under supervision, carries out manual work including irrigation, and who if so required, works as a pump house attendant;

“Laundry worker Grade 1” means a person who carries out laundry work involving the use of machinery other than flat irons;

“Linen keeper” means a person who is responsible for the control and issue of linen and other stocks and cleaning materials in a linen room;

“Lounge/Pool waiter/waitress” means a person who serves food, beverages cigarettes etc. and clears/cleans tables in the lounge or pool area.

“Luggage porter” means a person who carries out instructions given to him by a head porter, porter or reception staff, or the management and carries luggage;

“Porter” means a person who -

- (a) carries out the duties allocated to him by reception staff;
- (b) conducts guests to their rooms;
- (c) performs other duties as may be required by the management including the cleaning of shoes, selling newspapers and the collection of mail;

Receptionist” means a person who checks guests into and out of the establishment, and allocates rooms to guests and submits accounts to them for payment;

“Room maid” means a person who cleans and prepares rooms for use by guests and who carries out associated duties allocated by the management, a housekeeper or assistant housekeeper;

“Room service person” means a person who has knowledge of all items on the room service menu, who sets up room service tray, prepares the room area for service, delivers food and beverage orders to guests’ bedrooms and offices, and clears bedrooms, corridors and offices of dirty crockery, cutlery, glasses and trays;

“Seamstress” means a person who repairs and alters uniforms, soft linen and furnishings and who carries out associated duties allocated by the management, a house keeper or assistant housekeeper;

“Security guard” means a person with a working knowledge of the laws relating to the sale of liquor and the hotel industry, who is responsible for the security of premises belonging to the establishment in which he is employed and carries out and prepares report on investigations as required by the management;

“Short order cook” means a person who is responsible for the preparation and production of short orders and simple food on the instruction of the management or cook;

“Stores assistant” means a person who, under instructions, checks and accounts for all items coming into, or being issued from a store and is responsible for the receipt and custody of all stores under his control;

“Supervisor” means a person responsible for the supervision of any employees placed under his control by the management;

“Telephonist” means a person who operates a switchboard, who keeps a record of all outgoing calls, insuring that they are correctly charged to the person responsible for their payment and who receives and records guests’ messages;

“Tractor driver” means a person who operates a tractor and implements allocated to him in order to carry out given Tasks and who carries out simple maintenance of the tractor;

“Waiter/waitress” means a person who -

- (a) has knowledge of all items on the menu, and receives orders from customers in dining room; and
- (b) prepares and serves sandwiches, salads, snacks and other light refreshments throughout the establishment;

“Wine steward” means a person who presents a wine list to guests, and advises on and serves wine and other drinks and serves light refreshments and snacks throughout the establishment;

“Valet” means a person who is responsible for ironing, pressing, collection and the delivery of the guests garments.

“Watchman” means a person who guards the property of his employer against fire, theft and illegal entry and who watches or guards against any other irregularities.

Basic minimum wage.

4. The employees specified in the First Schedule shall be paid a basic minimum wage not less favourable than that specified therein, which shall not be reduced by any amount for housing or accommodation.

Rations.

5. (1) **At his own expense, an employer shall supply weekly rations to employee in accordance with the scale specified in the Third Schedule.**

(2) Notwithstanding sub-section (1) an employer, with the consent of the employee and after notifying the Labour Commissioner, may pay the employee in lieu of rations, such allowances as may be approved by the Labour Commissioner from time to time.

Hours of work.

6. **The normal working week shall consist of forty-eight hours (which shall exclude six hours duty free for meal breaks) spread over a period of six days.**

Overtime.

7. (1) Overtime for all employees, other than those employed on a casual basis, shall be paid for time worked in excess of forty-eight hours in any week, at one and half times the normal hourly rate.

(2) The normal hourly rate shall be not less than one two hundred and thirty fourth 1/(234) of the employee's basic minimum wage.

Annual leave.

8. (1) After twelve months' continuous service with an employer, an employee shall be entitled to twelve working days paid leave which period shall exclude any public holidays specified in the Fourth Schedule which occur during that leave:

Provided that:-

- (a) **after two years** of continuous service with an employer an employee shall be entitled to eighteen working days annual leave with full pay; and
- (b) **After three years** of continuous service with an employer an employee shall be entitled to twenty one working days annual leave with full pay.

(2) **An employee who goes on annual leave, in addition to the payment for that leave shall be paid an amount in cash equivalent in value to the rations he would have received during the period of his annual leave had he remained on the employer's premises**

Sick leave.

9. (1) After three months' continuous service with an employer an employee shall be entitled to sick leave up to a maximum of fourteen days with full pay, and thereafter to sick leave up to a maximum of fourteen days with half pay, in each period of twelve months of continuous service, subject to the employee producing a certificate of incapacity covering the period claimed a sick leave, signed by a medical practitioner registered under the Medical and Dental Practitioners Act, 1970:

Provided that an employer may accept such other evidence he deems appropriate.

(2) An employee may, on production of evidence that she is about to give birth to a child, take the sick leave provided for in this section as part of maternity leave.

(3) Where an employer grants 4 or more weeks paid maternity leave, an employee may not take sick leave provided for in this section as part of maternity leave.

Public holidays.

10. (1) The public holidays specified in the Fourth Schedule shall be holidays with full pay.

(2) Where an employee is required to work on a day which is a paid holiday he shall be given seven days notice of such requirement, thereafter by mutual agreement, he shall either be given a working day off with full pay within thirty days of such public holidays or be paid in respect of the hour worked on that public holiday at one and half times his basic wage.

(3) In the absence of the mutual agreement referred to in sub-paragraph (2), the employer shall in his discretion decide whether the employee receive payment for the public holiday or whether he should be given a day off in lieu of thereof.

(4) Notwithstanding any provision of this section, no employee shall be compelled to take more than half the paid holidays in any calendar year in the form of days off work in lieu of such public holidays.

Weekly rest days.

11. (1) An employee shall be entitled to either one rest day with full pay in every period of seven days, provided that with the agreement of his employer, he may accumulate two such rest days in any period of seven days.

(2) Where an employee works on a rest day in order to accumulate two rest days as provided in sub-section (1), he shall be entitled to overtime payment for that day except for such time worked thereon as exceeds nine working hours.

Casual work.

12. A person employed on a casual basis shall be paid for each hour worked not less than one two hundredth of the basic minimum wages as specified in the First Schedule.

13. Where an employer does not provide accommodation for an employee and such employee is required to start work on or before 7.00 a.m. or to remain on duty after 5.30 p.m. the employer shall either:-

- (a) provide free transport between the place of work and such other place not exceeding sixteen kilometres and accessible by road, as may be agreed by the employer and the employee concerned; or
- (b) pay to the employee in addition to wages, an amount to the cost of public transport between the place of work and such other place as may be agreed by the employer and the employee.

Registration.

14. Every employer shall keep a registration form as specified in the fifth schedule containing every employee's particulars.

Uniforms.

15. (1) Uniforms shall be provided by the employer to all employees who are handling foodstuffs or drinks who are in direct contact with guests, but such uniforms shall remain the property of the employer.

(2) An employee shall, unless otherwise permitted by the employer, wear the supplied uniforms only during working hours.

Inclement weather (field workers only).

16. An employee who reports for work at the normal time, but who is prevented from working by inclement weather, shall receive full basic wage for the first day of such interruption and half basic wage for the subsequent two days of such interruption and shall thereafter receive no wage for the duration of the interruption if it continues.

Training period.

17. No employee shall be engaged as a trainee for more than six months for jobs appearing in the second schedule, which shall also include the probation period of three months.

Revocation of Legal Notice No. 141 of 1989.

18. The Wages Regulation (Hotel and Catering Trades) Order, 1988 is hereby revoked.

FIRST SCHEDULE

For the purposes of the Schedules -

Group A shall mean any undertaking licenced under the Act, 1963 or having 75 or more bedrooms for guests;

Group B shall mean any hotel, motel, restaurant bar or club with a liquor licence; or which serves food, which is not included in Group A; and which is situated in Mbabane or Manzini urban areas or within 8 km of the road joining Mbabane and Manzini.

Group C shall mean any hotel, bar, motel, restaurant or club with a liquor licence, which is not included in Group A or B.

Group D shall mean any hotel, motel restaurant or club undertaking without a liquor licence and any accommodation establishment or caravan park not included in Group A, B or C.

	A	B	C	D
Assistant Cook	334.65	262.20	197.73	164.97
Housekeeper	247.25	218.79	209.43	209.43
Assistant Waiter/Waitress	187.20	164.97	149.76	149.76
Barman	363.40	299.00	202.41	-
Barsteward	202.41	157.95	149.76	-
Billing Clerk	448.50	293.25	258.75	-
Butcher	519.80	355.35	270.25	180.18
Cashier	264.50	262.26	255.30	255.30
Clerk	255.30	244.95	229.32	229.32
Cleaner	171.99	161.46	149.76	149.76
Cocktail Barman	405.95	341.55	316.25	-
Cook/Chef de partie	519.80	355.35	270.25	180.18
Dressmaker	286.35	230.00	187.20	-
Driver	247.25	232.83	224.64	224.64
Head Porter	270.25	262.20	244.95	-
Handyman	320.85	230.00	195.39	195.39
Head Waiter	405.95	230.00	204.75	204.75
Housekeeper	405.95	257.60	222.30	222.30
Junior Barman	292.10	222.30	195.39	-
Labour	171.99	161.46	149.76	149.76
Laundry Worker Grade I	204.41	164.97	149.76	149.76
Laundry Worker Grade II	180.18	157.95	147.76	147.76
Linen Keeper	196.56	187.20	184.86	184.86
Luggage Porter	171.99	161.46	149.76	-
Porter	255.30	202.41	167.31	-
Receptionist	412.85	296.70	262.20	-
Room Maid	171.99	161.46	149.76	149.76
Room Service Person	235.75	171.99	149.76	149.76
Seamstress	196.56	196.56	196.56	-
Security Guard	247.25	224.64	207.09	204.75
Short Order Cook	196.56	180.18	157.95	157.95
Storeman	463.45	357.65	238.05	215.28
Stores Assistant	231.66	234.60	186.03	184.86
Supervisor	202.41	187.20	180.18	180.18
Telephonist	235.75	175.50	164.97	164.97
Tractor Driver	187.20	204.75	202.41	176.67
Waiter/Waitress	235.75	180.18	164.97	164.97
Watchman	171.99	168.48	164.97	164.97
Wine Steward	232.83	180.18	164.97	-
Valet	247.25	149.76	149.76	-

TRAINING PERIOD
SECOND SCHEDULE (EMALANGENI PER MONTH)

	A	B	C	D
Trainee Assistant Housekeeper	191.88	184.86	181.35	164.97
Trainee Bar Steward	180.18	149.76	149.76	-
Trainee Billing Clerk	231.15	196.56	195.39	-
Trainee Cashier	215.28	202.41	195.39	-
Trainee Handyman	226.98	211.77	173.16	173.16
Trainee receptionist	232.30	211.77	195.39	-
Trainee Telephonist	191.88	161.46	149.76	149.76

THIRD SCHEDULE
(WEEKLY RATION SCALE)

1. Minimum Ration Scale

Mealie Meal	6.36 kg.
Meat	1.36 kg.
Sugar	0.45 kg.
Dry Beans, Peas or Groundnuts	0.68 kg.
Fresh Vegetables	0.90 kg.
Salt	0.114 kg.
2. Alternative -

The following weekly rations may be supplied in lieu of the items of food mentioned in paragraph 1:-

 - (a) Mealie Meal -

For every 21lbs of Mealie, 1lb, of Bread, 12 ozs, of Rice or ½lb, or sweet potatoes:
 - (b) meat
 - (i) For the First 8 ozs, of Offal; or
 - (ii) **For the First 1 lb, or Fish or 8 ozs, of Cheese:**
 - (c) Fresh Vegetables -

For every 1 lb, of Fresh Vegetables, 1 lb of Fresh Fruit or a proportionate ratio of Dehydrated Vegetables.
3. Permitted Variations,
 - (a) The Drink known as "Mahewu"; or
 - (b) A proprietary vitamized drink, if either drink is issued in the week to the employee by the Employer.

FOURTH SCHEDULE

- Christmas Day
- Boxing Day
- Incwala Day
- Umhlanga (Reed Dance) Day
- Good Friday
- The King's Birthday
- National Flag Day
- Somhlolo (Independence) Day
- Public Holiday (22nd July)

FIFTH SCHEDULE

WRITTEN PARTICULARS OF EMPLOYMENT RECORDS

1. Name of employer.....
2. Name of employee.....
3. Date of Employment began.....
4. Wage and method of Calculation.....
5. Interval at which wages are paid.....
6. Normal Hours of work.....
7. Short Description of Employees's work.....
.....
.....
.....
8. Probation Period.....
9. Annual Holiday Entitlement.....
10. **Paid Public Holidays**.....
11. Payment During Sickness.....
12. Maternity Leave (if employee female).....
13. Notice Employee entitled to receive.....
14. Notice Employee required to give.....
15. Pensions Scheme (if any, other than NPF Scheme).....
.....
16. Any other matter either party wishes to include.....
.....
17. Accommodation Arrangement.....
.....
18. Transport Arrangement.....
19. Agreed Transport delivery.....

NOTES:

- (a) An Industry Union is recognised by this undertaking any employee is free to join it, the address of the Industry is.
.....
.....
- (b) The grievance procedure in this undertaking required that a grievance should be First referred to.....
.....
- (c) When any hearing is inapplicable enter Nil

Signature: Employer
..... Employee
..... Witness
..... Date

A.M. MBINGO
Acting Principal Secretary - Ministry of Labour

THE WAGES ACT, 1964

(Act, No. 16 of 1964)

THE REGULATION OF WAGES (MOTOR ENGINEERING TRADES)
ORDER, 1990

(Under Section 11)

In exercise of the powers conferred on him by Section 11 of the Wages Act, 1964 the Minister of Labour hereby makes the following Order:—

Citation and Commencement.

1. This Order may be cited as the Regulation of Wages (Motor Engineering Trades) Order, 1990 and shall come into force on the 1st February, 1990.

Interpretation.

2. In this Order unless the context otherwise requires:

“Artisan” means an employee who has undergone a trade test and obtained a certificate showing his grade;

“Artisan Assistant” means an employee who has been assisting an artisan for three continuous years in the workshop or who can show proof of three years relevant experience with a previous employer;

“Assistant Batteryman” means an employee who assists a batteryman;

“Assistant Greaseman” means an employee who assists a greaseman;

“Assistant Tyreman” means an employee who assists a Tyreman;

“Batteryman” means an employee wholly or mainly engaged in the servicing and maintenance (including charging) of batteries either solely or in charge of the employees;

“Casual labourer” means an employee whose wages are actually paid to him at the end of the day or shift;

“Clerk (without a certificate)” means an employee who does not possess a Junior Certificate of education or Form III, and who is engaged in general clerical duties;

“Clerk (with Junior Certificate)” means an employee who is a holder of a Junior Certificate of education and who is engaged in general clerical duties;

“Clerk (with Senior Certificate)” means an employee who is holder of the Senior Certificate of education and who is engaged in general clerical duties;

“Driver” means an employee whose duties, in addition to being in charge of a motor vehicle, includes the handling to and from the tailboard, and the daily maintenance and cleaning of such vehicle;

“General labourer” means a person employed as a sweeper, cleaner, or spannerman;

“Greaseman” means an employee who lubricates vehicles including operating the necessary equipment either solely or in charge of other employees;

“Petrol pump attendant” means a person wholly or mainly employed at a petrol pump selling fuel and oil;

“Semi-skilled labourer” means a person who is employed to perform duties other than sweeping and cleaning;

“Switchboard operator” means an employee whose main duties consists in the operation of telephone switchboard;

“Tyreman” means an employee wholly or mainly engaged in repairing tyres and tubes;

“Trainee switchboard operator” means an employee whose main duties consist in the operation of telephone switchboard under training instructions for a period not exceeding three months;

“Watchman” means an employee who is engaged during the day or night guarding and protecting premises, property or other belongings as directed by the employer.

Application.

3. This Order shall apply to all persons employed in any undertaking or part of an undertaking which consists in the carrying on for gain of one or more of the following activities:-

- (1) The retail supply of motor vehicles.
- (2) The retail supply of agricultural or mobile construction plant.
- (3) The repair, servicing or assembly or adaptation of such vehicles, machinery or plant on behalf of other person or undertaking.

Basic Minimum Wage.

4. (1) The basic minimum wage which shall include the ration element to be paid to the employees specified in the First Schedule shall be calculated at a rate not less favourable than that specified in the said Schedule.

(2) An employee who, at the date of the commencement of this Order is in receipt of a higher wage, or enjoys better conditions of employment than those prescribed by this Order shall not suffer diminution in such wage or condition by reason of this Order.

(3) The normal hourly rate for a watchman shall be deemed to be not less than one hundred and twelfth of his monthly wage.

Hours of work.

5. (1) The normal weekly hours of work for an employee other than a watchman, shall not be more than forty-five hours of work exclusive of meal breaks, spread over five days each of nine hours.

(2) The normal weekly hours of work for a watchman shall be seventy two hours spread over six shifts, each of twelve hours.

Overtime.

6. (1) Overtime in excess of the normal hours by employees other than watchman shall be paid for at the following rate:-

- (a) Any normal working day on a Saturday before 1.00 p.m. at one and one half times the employee's normal rate of wages;
- (b) After 1.00 p.m. on Saturdays, or public holidays specified in the Second Schedule at twice the employee's normal wages.

(2) Overtime in excess of the normal hours worked by a watchman shall be paid for at one and one half times the employee's normal rate of wages; but where such overtime is worked on a rest day or on a public holiday specified in the Second Schedule, the overtime shall be paid for at twice the employee's normal rate of wages.

(3) An employee shall not be required to work overtime against his will unless it is understood by both parties that such overtime is of absolute necessity.

Annual Leave

7. (1) An employee shall be entitled after each period of twelve months continuous service with an employer to annual leave for a period totalling ten working days with full pay.

(2) Where the employment of an employee is terminated after a period exceeding three months from the date of commencement or after a period following his return from annual or sick leave, the employee shall be paid in addition to any other entitlement an amount equal to one day's pay for each month of service during which he has earned, but has not taken annual leave.

Sick Leave

8. (1) After three months' service with an employer, an employee shall be entitled to sick leave with full pay up to a maximum of fourteen days in each period of twelve months' continuous service.

(2) An employee shall not be entitled to such payment under sub-regulation (1) unless he produces to the employer a certificate of incapacity covering the period of sick leave signed by a medical practitioner's registered under the Medical and Dental Practitioner's Act, 1970.

(3) An employee shall not be entitled to sick leave under sub-regulation (1) if his incapacity is due to gross negligence on his part.

Subsistence Allowance

9. For period of absence away from his normal place of employment on journey undertaken in the performance of his duties, an employee shall be re-imbursed all expenses reasonably incurred on lodging and or meals during each period of such absence on production of receipts covering such expenditure.

Paid Public Holidays

10. (1) The Public Holidays specified in the Second Schedule shall be holidays with full pay.

(2) No employee shall be entitled to payment under sub-regulation (1) unless he is available for work on a working day immediately before and after the public holiday.

Revocation Legal Notice No. 14 of 1989.

11. The Regulation of Wages (Motor Engineering Trades) Order, 1989 is hereby revoked.

FIRST SCHEDULE
(Paragraph 4)

Occupation	Rate per hour
Casual Labourer	.89
General Labourer	1.24
Semi-skilled Labourer	1.32
Driver (up to 2 tons pay load)	1.32
Driver (between 2½ tons pay load)	1.42
Greaseman	1.36
Assistant Greaseman	1.32
Batteryman	1.32
Assistant Batteryman	1.24
Tyreman	1.32
Assistant Tyreman	1.24
Clerk (without Certificate)	1.28
Clerk (with Junior Certificate)	1.32
Clerk (with Senior Certificate)	1.36
Trainee (Switchboard Operator)	1.21
Switchboard Operator	1.28
Artisan Assistant	1.28
Artisan (Trade Tested) Grade III	1.44
Artisan (Trade Tested) Grade II	2.04
Artisan (Trade Tested) Grade I	3.09
Watchman	246.39 per month
Petrol Pump Attendant	226.60

SECOND SCHEDULE

Incwala Day
Good Friday
Christmas Day
Reed Dance Day
Somhlolo Day
King's Birthday

F. KUHLASE (MRS)
Acting Principal Secretary-Ministry of Labour