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LEGAL NOTICE

132 Labour Code Wages Order, 2005 1075

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LEGAL NOTICE NO. 132 OF 2005

LABOUR CODE WAGES ORDER, 2005

Pursuant to section 51 (1) of the Labour Code Order, 1992¹, and acting after considering the recommendations of the Wages Advisory Board, and informing the Board of my decision, I,

MPEO MAHASE-MOILOA

Minister of Employment and Labour make the following Wages Order:

Citation and commencement

1. This Order may be cited as the Labour Code Wages Order, 2005 and shall come into operation on 1st October, 2005.

Interpretation

2. In this Order, unless the context otherwise requires -

“clothing, textile and leather manufacturing sector” means manufacturing of clothing or footwear apparel as well as processes leading to their manufacturing from weaving, dressing, dying, turning inclusive of manufacturing of luggage, handbags, belts, shoes, and apparatus for export purposes as well as for marketing in Lesotho through formal wholesale and retail businesses. It does not include the informal sector where manufacturing of these items employs less than five people and/or for marketing on the premises or streets or house to house;

“construction machine operator” means a person operating machinery with an engine from mobile crane, excavator, bull dozer, jack hammer, front-end loader, caterpillar and side scraper;

“construction sector” means any business or undertaking operating in the building of infrastructure or structures, e.g. roads, footpaths, houses, bridges, walls or related structures, and this includes those undertakings operating in the manufacture and collection of such building material used in construction e.g. crush stones and brick-making;

“construction worker” means a person employed in construction undertaking as a manual labourer;

“general minimum wage” applies to any person employed in any other sector other than those that appear herein;

“hospitality sector” means businesses involved in tourism, receiving and accommodating guests, with or without provision of food, drinks and beverages and includes Hotels, Lodges, Motels and Guest houses;

“restaurant and caterers” means businesses or enterprises providing food, drinks and beverages on the premises or away from the premises;

“retailers” includes the following undertakings other than Small Businesses, Mini-supermarket, Basotho Owned Bakeries, Cafes (with more than five employees);

“security” means any business or undertaking operating in the business of providing protection of goods, property and or persons to other businesses or property or persons;

“small business” means an undertaking which does not employ more than five (5) persons and are wholly owned by Basotho companies or partnerships with majority shareholding of Basotho as natural persons, and includes;

1. butchery
2. café or snack bar
3. coal and wood dealer
4. general café
5. green grocer
6. caterer
7. guest house

“textile general worker” means a person employed in the clothing, textile and leather manufacturing sector doing all manner of tasks other than textile machine operator;

“textile machine operator-trained” means a person who operates machinery within the clothing, textile and leather manufacturing sector and who has completed more than six months within the industry or who has been certified as such. It also includes a person who operates standard or specialized single or multiple needle sewing machine in garments, glove and miscellaneous products in textile and kindred material including shoe sewing;

“textile machine operator- trainee” means a person who is a machine operator in clothing, textile and leather manufacturing industry but who has not completed six months within the industry or who has not been certified as such;

“trained security guard” means a person who has completed more than six months service within the security industry or who has been certified as such;

“trainee security guard” means a person who has not completed six (6) months service within the security industry or who has not been certified as such;

“wholesalers” includes the following undertakings; Wholesalers, Supermarket and Furniture shops;

“wholesale and retail sector” means any business or undertaking operating in the business of purchasing goods or products with the sole aim of re-sale and includes those businesses which manufacture for public consumption e.g. bakery;

Minimum Wages

3. The Minimum Wages shall be as prescribed in the schedule:

“SCHEDULE MINIMUM WAGES

Sector	Minimum Monthly (Maloti)	Minimum weekly (Maloti)	Minimum Daily (Maloti)
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**A. CLOTHING, TEXTILE AND LEATHER
MANUFACTURING SECTOR**

(i)	Textile General Worker	643.00	160.00	34.00
(ii)	Textile Machine operator – Trained	686.00	172.00	36.00
(iii)	Textile Machine Operator Trainee	643.00	160.00	34.00

B. CONSTRUCTION SECTOR

(i)	Construction machine operator	1400.00	331.00	76.00
(ii)	Construction worker	794.00	198.00	42.00

C. WHOLESALE AND RETAIL SECTOR

(i)	Wholesalers- Wholesalers, Supermarkets and Furniture Shops	779.00	195.00	41.00
(ii)	Retailers other than small Business			
	(a) Mini-supermarket			
	(b) Bakeries			
	(c) Cafes	758.00	190.00	40.00

D. HOSPITALITY SECTOR

(i)	Hotels	779.00	195.00	41.00
(ii)	Restaurants and caterers	758.00	190.00	40.00

E. SERVICE SECTOR

(i)	Trainee Security guard	750.00	188.00	39.00
(ii)	Trained Security guard	934.00	234.00	48.00

(iii)	Funeral Parlour	779.00	195.00	41.00
F.	SMALL BUSINESS	466.00	116.00	24.00
G.	DOMESTIC WORKER	230.00	60.00	13.00
H.	GENERAL MINIMUM WAGE	673.00	169.00	37.00.”.

Conditions of Employment

Clothing, Textile and Leather Manufacturing Sector

4. (1) An employee who has completed more than one year of continuous service with the same employer shall be entitled to receive two (2) weeks paid maternity leave.
- (2) The benefit in subsection 4 (1) shall be limited to two confinements.

Repeal

5. The Labour Code Wages (Amendment) Order 2004 is repealed.

MPEO MAHASE-MOILOA
MINISTER OF EMPLOYMENT AND LABOUR

NOTE

1. Order No. 24 of 1992

1981

1981

1982

1983

1984

1985

1986

1987