

# SUPPLEMENT TO THE SWAZILAND GOVERNMENT GAZETTE

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VOL. XV]

MBABANE, Friday, August 12th., 1977

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## CONTENTS

No.		Page
<b>PART C — LEGAL NOTICES</b>		
66.	The Pharmacy Act — Prescription of Fees .....	S1
67.	Wages Regulation (Hotel and Catering Trades) Order, 1977 .....	S2
68.	The Regulation of Wages (Mining and Quarrying Industries Wages and Conditions of Employment Order, 1977 .....	S16
69.	The Public Holidays Act, 1938 — Amendment of Schedule .....	S27

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PUBLISHED BY AUTHORITY

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**THE PHARMACY ACT**

(No. 38 of 1929)

**PRESCRIPTION OF FEES**

(Under sections 5, 6 as read with section 15)

*(Date of commencement: 12th August, 1977)*

In exercise of the powers conferred on him by the abovementioned Act the Honourable the Minister for Health has been pleased to prescribe the following fees to be paid by chemists, namely —

- (a) the sum of E5.00 being the annual registration fee to be paid by all chemists in terms of section 5(2) of the Act;
- (b) a fee of E20.00 being the initial registration fee payable by chemists in terms of section 6.

**M. N. DLAMINI**

*Permanent Secretary.*

Mbabane  
1st August, 1977.

## LEGAL NOTICE NO. 67 OF 1977

## THE WAGES ACT, 1964

(No. 16 of 1964)

WAGES REGULATION (HOTEL AND CATERING TRADES)  
ORDER, 1977

(Under section 11(5) )

*(Date of commencement: 12th. August, 1977)*

In exercise of the powers conferred upon him by the above-mentioned Act the Honourable Deputy Prime Minister is pleased to make the following Order —

*Citation.*

1. This Order may be cited as the Wages Regulations (Hotel and Catering Trades) Order, 1977.

*Application (First Schedule)*

2. This Order applies to persons employed as specified in column one of the First Schedule employed in the hotel and catering trades.

*Basic Minimum Wage (First Schedule)*

3. 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 (Second Schedule)*

4. An employer shall as a condition of employment supply at his own expense weekly rations to each employee in accordance with the scale specified in the Second Schedule:

Provided that with the consent of the employee and after notifying the Labour Commissioner the employer may pay in lieu of such rations a cash allowance as is announced by the Labour Commissioner from time to time.

*Hours of work.*

5. The normal working week shall consist of fifty-four working hours, which include six hours for meal breaks, spread over a period of six days.

*Overtime.*

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

(2) For the purpose of calculating payment for overtime in accordance with sub-paragraph (1), the normal hourly rate shall be deemed to be not less than one two-hundred-and-thirty fourth of the employee's basic monthly wage.

*Annual leave.*

7. After twelve months' continuous service with an employer, an employee shall be entitled to fourteen days' paid leave, which shall exclude any statutory public holidays that occur during the said leave period:

Provided that sick leave taken by an employee in terms of regulation 8 of this Order shall not be construed as a break in continuity of service for the purpose of entitlement to paid annual leave with full pay:

Provided further that after two years continuous service with an employer an employee shall be entitled to twenty one days annual leave with full pay.

*Sick leave.*

8. After twelve consecutive months' 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' continuous service subject to the employee producing a certificate of incapacity covering the period claimed as sick leave, signed by a medical practitioner duly registered as such under the Medical and Dental Practitioner's Act No. 3 of 1970:

Provided that an employee shall not be eligible for such leave in respect of any incapacity due to gross neglect on his own part:

Provided further that a female employee who produces a certificate signed by a duly registered medical practitioner recommending her absence from work for reasons of pregnancy shall be entitled to sick leave as set out in this regulation.

*Public Holidays (Third Schedule)*

9. An employee required to work on a public holiday specified in the Third Schedule shall be granted a day's leave with full pay in lieu thereof at a time suitable to his employer.

*Weekly rest days.*

10. An employee shall be entitled to one rest day with full pay in every period of seven days:

Provided that, with the agreement of his employer, he may accumulate two days to be taken in a period of fourteen days:

Provided further that when an employee works on a rest day in order to accumulate it as provided in this regulation, he shall not be entitled to overtime payment in respect of that day except for any part of it that may exceed nine hours of work.

*Casual work (First Schedule)*

11. An employee on a casual basis shall be paid for each hour worked not less than one two hundredth of his basic monthly wage as specified in the First Schedule.

*Artisans.*

12. (1) All apprenticeship agreements shall be in a form approved by the Controller of Apprenticeships and shall make mandatory an examination at the end of the period of apprenticeship.

(2) If a candidate has failed an examination once he shall arrange with his employer for the second attempt and shall bear the expenses of this attempt.

(3) An employee who qualified to attend a trade testing course at the Hotel and Catering School, may attend one such course when accepted by the College. During the period of the course the employee shall be entitled to leave of absence from his employment on full pay:

Provided that such employee has presented himself for all examinations of the College and subjected himself to the rules and regulations of the College.

(4) An employee who wishes to attend a second course at the College, because of the examination results at his initial course, shall be himself responsible for his time and expenses at such a course.

(5) An employer shall send an employee who qualifies to go for a training course, at the Hotel and Catering School, to such course during a period which is reasonably convenient to both employer and employee:

Provided that such employee shall be sent for such course not later than one year after having qualified for such course.

(6) Persons who have undergone examinations in their respective departments shall get a rise in basic pay according to their pass marks:

A pass (80 — 100%)	—	20% increase
B pass (70 — 79%)	—	12½% increase
C pass (60 — 69%)	—	7½% increase

(7) An employee who has successfully completed a trade training course at the Hotel and Catering College shall, after twelve months' service with the same employer, or before the elapse of twelve months if he has been discharged through no fault of his own, be paid by his employer the costs incurred by him in attending the said course.

(8) Where an employee, after having attended a course at the Hotel and Catering School and has been paid wages during twelve months preceding, terminates his service with his employer or absconds, he shall be liable to refund the wages paid to him during that period:

Provided that the future employer shall also be liable for repayment of such wages.

(9) An assistant cook, who has passed an approved examination and who has worked for two years in the same establishment shall be promoted to the position of cook at the termination of this period, and be paid the wages of a cook.

#### *Tradesmen.*

13. Tradesmen employed in the hotel and catering industry in their trade shall be paid not less than the minimum specified for the particular work that they are doing as classified in the relevant wages regulation Order pertaining to that particular trade:

Provided that tradesmen shall be subject to all other conditions of service in the hotel and catering trades.

*Travel Arrangements.*

14. If sufficient accommodation is not provided, employees who start work before 7.00 a.m. and are released by their employers from work after 5.30 p.m. shall be transported free of charge to and from work and to and from a place agreed upon between the employers and the employees:

Provided that such a place is within a radius of ten miles from the employees' place of work and accessible by road:

Provided further that should an employer provide neither accommodation nor transport he shall pay to the employee a fare sufficient for public transport to and from work and to and from a place agreed upon between the employer and the employee.

*Registration.*

15. Every employer shall keep a registration form containing every employees particulars, and the nature of the form shall be as specified in the Fourth Schedule.

*Uniforms.*

16. (1) Uniforms shall be provided by the employer to all employees handling food-stuffs or drink or in direct contact with guests, but such uniform shall remain the property of the employer.

(2) Employees shall be entitled to wear the supplied uniforms only during working hours, unless permitted otherwise by the employer

Notwithstanding the foregoing, estate workers shall be provided with protective clothing for the preservation of bodily health.

*Inclement weather (Field Workers only)*

17. An employee who presents himself for work at the correct time but is prevented from working by inclement weather shall receive full basic pay for the first day of such interruption and half basic pay for the second and third days.

*Repeal.*

18. Legal Notice No. 70 of 1975 is hereby repealed.

A. R. SHABANGU

*Permanent Secretary.*

Mbabane,  
25th July, 1977.

**FIRST SCHEDULE**  
**BASIC MINIMUM WAGE**  
*(Per month)*

Cleaner (Production)  Food dispensing and preparation attendant  Assistant cook  Cook	36.00  59.00 120.00 182.00	Group A	Any undertaking licenced under the Casino Proclamation 1963, or having 75 or more bedrooms for guests.
		Group B	Any hotel or restaurant with liquor licence or motels or accommodation establishments or caravan park, not in group A situated in the Mbabane or Manzini urban area, or within five miles radius of the town centres.
		Group C	Any hotel or restaurant with liquor licence or motel or accommodation establishments or caravan park, not in group A and B.
		Group D	Any Club situated in the Mbabane or Manzini urban area.
		Group E	Any club not in Group D
		Group F	Any restaurant, or motel or accommodation establishment or caravan park, or other undertaking situated in the Mbabane or Manzini urban area.
		Group G	Any undertaking not in Group A—F inclusive.

Trainee Waiter	52.00	35.00	31.00	35.00	31.00	29.00	36.00
Waiter/Waitress	74.00	42.00	37.00	42.00	37.00	35.00	22.00
Grade A — Waiter/Waitress	74.00	40.00	35.00	40.00	35.00	24.00	22.00
Grade B Head Waiter	152.00	68.00	59.00	68.00	59.00	—	46.00
Trainee/barman	74.00	52.00	46.00	52.00	46.00	—	30.00
Bar dispensing attendant	81.00	64.00	52.00	64.00	52.00	—	52.00
Barman	152.00	104.00	59.00	104.00	59.00	—	59.00
Wine steward	74.00	43.00	37.00	43.00	37.00	35.00	30.00
Trainee Wine Steward	52.00	35.00	31.00	35.00	31.00	29.00	29.00
Porter	81.00	50.00	41.00	41.00	41.00	41.00	41.00
Luggage porter	37.00	31.00	29.00	29.00	29.00	29.00	29.00
Telephonist	74.00	44.00	40.00	—	—	—	—
Cleaner (service)	36.00	31.00	30.00	30.00	30.00	25.00	22.00
Laundry warker							
Grade II	46.00	37.00	35.00	37.00	35.00	30.00	28.00
Storeman order clerk	165.00	124.00	71.00	124.00	71.00	34.00	37.00
Receptionist	152.00	95.00	81.00	—	—	—	—
Billing clerk	165.00	102.00	79.00	102.00	102.00	53.00	53.00
Departmental clerk	102.00	102.00	60.00	79.00	79.00	46.00	37.00



Assistant departmental cashier/caddie- master/clerk							
cashier	71.00	60.00	46.00	60.00	46.00	30.00	30.00
Stores/clerk farm/clerk							
storeman	71.00	71.00	46.00	53.00	46.00	37.00	30.00
Clerk	81.00	52.00	42.00	52.00	42.00	35.00	35.00
Assistant housekeeper	64.00	64.00	62.00	—	—	62.00	—
housekeeper	136.00	81.00	64.00	—	—	—	—
driver	81.00	52.00	41.00	41.00	41.00	41.00	41.00
handyman	114.00	72.00	52.00	72.00	52.00	—	—
cleaner (maintenance)	34.00	30.00					
Watchman	36.00	34.00	30.00	30.00	30.00	25.00	22.00
Apprentice cook 1st year	81.00	52.00	46.00	52.00	46.00	36.00	28.00
Second year	94.00	61.00	55.00	61.00	55.00	38.00	31.00
Room maid	38.00	32.00	32.00	32.00	32.00	28.00	24.00
Tractor driver	43.00	—	—	—	—	—	—
Field supervisor	25% more than thos employees being supervised						
Field labourer	30.00	—	—	—		—	—

<i>Employee</i>	<i>Job Description</i>	<i>Duties</i>
<b>Production</b>	Period of training must be two years. Persons employed in this category must sign an approved apprenticeship Agreement.	Is responsible for carrying out all instructions given to him by the Cook in the kitchen of the establishment.
<b>Assistant Cook</b>	Is a person who has completed his formal apprenticeship and obtained his certification. No person shall be employed as assistant cook unless the establishment employing that person already has in employment a cook.	Is wholly engaged in any question in the preparation, cooking or service of food.
<b>Cook</b>	Is a person who has completed his formal apprenticeship and obtained his certificate.	The compilation of menu in consultation with management, preparation of food, supervision control and allocation of work in the kitchen if instructed by management to check the arrival of all food stuffs; with particular regard to weight and quality, supervision of rations and food to the staff table and, if necessary the preparation thereof.
<b>Food Dispensing and Preparation attendant</b>	This position requires no qualifications. Employee may up-grade to learner cook without lengthy apprenticeship when suitable courses are available.	Is responsible to cook, or in the case of cafes and small restaurants, to prepare basic foods and the service of these at a counter, if necessary, the preparation or rations and foods for the staff table; dispensing of foods as a counter, either to waiting staff or, in the case of self-service restaurants, to the public over the counter.
<b>Cleaner</b>	This position requires no qualifications.	To carry out all orders given to him in the kitchen or its surroundings by those superior to him.
<b>Waiter/waitress qualified</b>	Must be literate. If a person who has completed his formal apprenticeship and obtained his certification.	To carry out all instructions given to him/her by the head waiter; is responsible for the cleaning of his/her station and his/her share of the dining room; receive and order in writing from the customer and to have full knowledge of all items on the menu; prepare sandwiches, and salads, etc. and to carry out service of these and any refreshments to rooms in the hotel.

Waiter/waitress	Same as Grade A above except literacy not required.	To carryout all duties of waiter/waitress Grade A, except that he/she will not be required to receive orders in writing but verbally.
Trainee waiter	Must have served for one year before going for a course and must sign an apprenticeship agreement shall be promoted to waiter on passing tests or 1 at discretion of his employer.	To carry out all duties given to him by a waiter or head waiter.
Trainee Barman	Period of service must be one year before going for a course; shall be promoted to barman when he has passed the training course and examination.	To carry out all duties given to him by the Barman, master Barman or management personally responsible for all stocks under his control.
Barman	Is a person who has completed his formal apprenticeship and obtained his certification.	To carry out all duties given to him by master barman, or in his absence, management responsible for all stocks which are under his control; responsible for the cleanliness of his bar and his surroundings; with particular attention to its attached cloakrooms, and if necessary, to prepare sandwiches and various other light, solid refreshments for service to the guests.
Bar dispensing attendant	No qualifications or training required.	To be responsible for the service of wine, spirits, and malts in a club or restaurant personally responsible for any stocks under his control and liable for any losses thereof.
Service wine Steward	Is a person who has completed his formal apprenticeship and obtained his certification.	To present the wine list to guests and, if necessary, to serve these wines in a correct manner to the customer; serve light refreshments and bar services to any part of the establishment.
Trainee wine Steward	Period of service must be one year before going for a course and must sign an approved apprenticeship agreement.	To carry out all duties given to him by the wine steward.

<b>Porter</b>	Must be literate. Must have served as a porter or cleaner in the hotel field for a period of at least 2 years.	To be responsible for the cleanliness of the establishment; supervise the receiving of goods and the placing of them in a safe place; service of guests requirements to their rooms.
<b>Luggage porter</b>	No qualifications.	To carry out all duties given to him by the porter, reception staff or management carry luggage.
<b>Telephonist</b>	Must be fluent in at least two working languages of the country. Must be literate.	To handle the switchboard in an efficient and courteous manner; keep a complete record of all outgoing calls to ensure that guests' calls are charged out; receiving of messages on behalf of the guests.
<b>Cleaner</b>	No qualifications required.	To carry out all duties required of him by his supervisor, ensure that his duties are carried out in a courteous and efficient manner, especially when coming into contact with the public.
<b>Administration: Receptionist</b>	Must be literate	To carry out all duties entrusted to him/her; receive, and to give account for all monetary transactions affected by him/her; personally responsible for any losses whilst such monies are under his/her control.
<b>Buyer/storeman</b>	Must be literate	Means an employee who, in addition to the duty of a Stores Clerk, is responsible for ordering foodstuffs and/or other items on behalf of his employer.
<b>Billing Clerk</b>	Must be literate	To be responsible for the operation of an accounting machine or hotel "main current" and the preparation of guests account, reconciliation of departmental revenue, preparation of management reports and for the reconciliation of debtor's ledger.
<b>Assistant Billing Clerk</b>	Must be literate	To carry out all duties given to him by Billing Clerk of his superior.
<b>Departmental Clerk/cashier</b>	Must be literate	To carry out all clerical duties on the department as instruct by management. To be responsible for all dockets and monies under his control. To be able to give training on duty.

<b>Assistant departmental clerk/cashier/caddie- master</b>	Must be literate	To carry out all duties given to him by departmental clerk/cashier or his superior.
<b>Room-maid</b>	Must be literate. Must serve two years apprenticeship training and, must sign an approved apprenticeship agreement.	To carry out all duties entrusted to her by the housekeeper.
<b>Stores Clerk/farm Clerk/storeman</b>	Must be literate	To carry out all clerical duties entrusted to him/her; receive, and give account for, all goods coming into the stores; personally responsible for any losses whilst such stores are under his/her control.
<b>Assistant Housekeeper</b>	Must have completed two years apprenticeship training and has been certificated on completion of his apprenticeship.	Is responsible to the Housekeeper from whom she will receive orders.
<b>Housekeeper</b>	Must have had at least 5 years continuous practical experience in the domestic field of the hotel industry.	To be responsible for the state of the establishment responsible for the linen, blankets and soft furnishing and to ensure that they are kept in a good state of repair and cleanliness, supervise and allocate the duties of the various subordinate staff under her; personally responsible for the laundry and the adequate stocking of cleaning materials necessary for internal maintenance.
<b>Driver</b>	Must be in possession of a valid driver's licence.	Main duty is driving a vehicle, but who also may be responsible for cleaning and maintaining it.
<b>Watchman</b>		Duty is during the day or night to guard the premises or other belongings of his employer.
<b>Maintenance Handyman</b>	Must have basic knowledge of maintenance of building and general repairs.	To carry out any repairs required of him in the hotel, bearing in mind the limitations of his qualifications; carry out any painting or maintenance work required of him; responsible for any tools or stores entrusted to him and to be personally liable for any loss thereof supervised and subordinate staff in his department and to be responsible for the allocation of their work.

Laundry worker Grade I	Must be literate	To be responsible for the control of the laundry or for the operation of machinery in the laundry.
Laundry Worker Grade II	No qualification	To do all laundry work not involving the use of machines (except the use of flat irons).
Tractor driver	Must be in possession of a valid tractor driver's licence.	To take complete charge of a tractor; operate it and all its implements to complete given task in the field without supervision; and carry out the daily care of such tractor.
Field supervisor	Need not be literate	Is responsible for a number of employees of any category.
Field Labourer	Need not be literate	Does the work of a general labourer, irrigator, or plant/pump house attendant as his superiors direct.

## SECOND SCHEDULE

*Weekly Ration Scale*1. *Minimum Ration Scale*

Mealie meal	14 lbs.
Meat	3 lbs.
Sugar	1 lb.
Dry beans, peas or groundnuts	1½ lbs.
Fresh vegetables	2 lbs.
Salt	4 ozs.

2. *Alternatives.*

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

## (a) mealie meal —

for every 2 lbs of mealie meal, 1 lb of bread,  
12 ozs of rice or ½ lb of ordinary or sweet potatoes;

## (b) Meat —

(i) for the first 8 ozs of meat, 8 ozs of offal; or

(ii) for the first 1 lb. of meat, 1 lb. of fish or 8 ozs. of cheese.

## (c) fresh vegetables —

for every 1 lb. of fresh vegetables, 1 lb. of fresh fruit or a proportionate ration of dehydrated vegetables.

3. *Permitted Variations.*

The rations of mealie meal shown in paragraph 1 may be reduced by an amount not exceeding 6 lbs equivalent to the amount of meal used in the preparation of —

(a) the drink known as "mahewu"; or

(b) a proprietary vitaminized drink,

if either is issued in the week to the employee by the employer.

if either is issued in the week to the employee by the employer.

## THIRD SCHEDULE

Christmas Day

Boxing Day

Incwala Day

Umhlanga (Reed Dance) Day

Good Friday

The King's Birthday

Somhlolo (Independence) Day

United Nations Day.

**S15**

**FOURTH SCHEDULE**

**HOTEL AND CATERING TRADES  
EMPLOYEES REGISTRATION FORM**

Name of establishment .....

Date .....

Name of Employee .....

Home Address .....

Graded Tax No. ....

Male/Female ..... Age ..... Married/Single .....

Number of children .....

Previous Experience .....

Initially employed as .....

Salary .....

Present Position .....

Accommodation arrangement .....

Transport Arrangement .....

Agreed Transport Delivery area .....

Signed .....

*Employer*

*Witness (1)*

*Employee*

*Witness (2)*



LEGAL NOTICE NO. 68 OF 1977

---

THE WAGES ACT, 1964

(No. 16 of 1964)

THE REGULATION OF WAGES (MINING AND QUARRYING  
INDUSTRIES WAGES AND CONDITIONS OF EMPLOYMENT)  
ORDER, 1977

(Under section 11(5) )

(Commencement: 12th August 1977)

In exercise of the powers conferred on him by the abovementioned Act, the Honourable Deputy Prime Minister is pleased to make the following Order:

*Citation.*

1. This Order may be cited as the Regulation of Wages (Mining and Quarrying Industries' Wages and Conditions of Employment) Order, 1977.

*Interpretation.*

2. In this Order unless the context otherwise indicates:—

“clerk A1” means a clerical worker capable of simple reading, minimal writing, collecting and carrying items, for example, date stamps, keeping calendars up to date, recording times of arrival and departure, receiving and carrying documents and correspondence internally and acting as messenger;

“clerk A2” means a clerical worker capable of performing all the functions of a clerk A1 and writing, copying, simple filing and operating simple office machines, for example, entering petty cash payments and receipts transcribing information into registers and on to forms and cards without analysis, also sorting mail, photostating and duplicating;

“clerk B1” means a clerical worker capable of analysing, accounting, operating office machines, scrutinising and utilizing information not directly available but based on past experience, interviewing according to prescribed procedure, inducting according to prescribed procedure, interpreting and supervising the works of clerks A1 and A2;

“driver of a light vehicle” means an employee entrusted with the driving of transport vehicles of a carrying capacity not in excess of five tons;

“handyman (general)” means a worker without trade qualifications, who undertakes tasks as rough glazing, painting and similar uncomplicated work, requiring skill below the artisan standard;

“mechanic B1” means a person without trade qualifications, who does simple mechanical work on rock drills and locos and who can undertake basic vehicle service and attend to pumps;

"supervisor" means a person who oversees the work of gangs working in gardens, slimes, dams, lamp rooms, screening plants, washing plants, siding mills, forests and stones and on aerial ropeways, conveyors, tiplers and on construction work and painting;

"artisan Grade 2" means a tradesman without a certificate of competence or other trade qualifications.

#### *Application.*

3. This Order shall apply to all persons other than articulated apprentices employed in any undertaking or any part of an undertaking which carries on for gain one or more of the following activities:—

- (a) Mining and quarrying operations,
- (b) Winning of sand and general gravel from whatsoever source, or
- (c) All auxiliary work connected with the running of a mineral extraction operation.

Provided that it shall not apply to any individual employed in terms hereof who is in receipt of a basic remuneration aggregating E400.00 or more per month in cash, and who has authority to give orders to those for whose work he is responsible and, in the interest of the employer, to recommend transfer, suspension, discipline, discharge or promotion of the workers under his control or to adjust or make recommendation in connection with their grievances.

#### *Hours of work.*

4. The basic working week shall be a maximum of six days and shall consist of:—

- (a) 72 hours in the case of watchmen or security guards and
- (b) 48 hours in all other cases affected by this order.

Provided that where shifts are maintained the working week shall be divided into not more than:

- (i) six shifts of a maximum of 12 hours each or
- (ii) six shifts of a maximum of 8 hours each, as the case may be.

#### *Work Stoppage.*

5. In the event of permanent or temporary stoppage of an employer's operation whether partial or complete, occasioned by circumstances beyond the control of the employer or of the employee, but excluding stoppages occasioned by strikes lockouts, go-slows, sit-ins or other form of labour action, or dispute, whether concerted or individual, an employee who is present, available, capable and willing to work for the normal period during normal working hours, at times appointed by the employer, shall

be entitled to be paid for a minimum of forty-eight hours work in any week at the full rate applicable to the job.

Provided that he shall perform any task appointed by the employer and that such task shall not expose or subject him to peculiar risks or substantially more arduous conditions than pertained to his original or normal form of employment and that the provision of such alternative work shall in no way prejudice the employer's right to terminate the employee's contract of service in terms of his normal condition of employment and in accordance with the law.

Provided further that where the employer cannot appoint a productive task and the employee is present, available, capable and willing as aforesaid, he shall pay to the employee, full daily wages for two days immediately succeeding the day upon which work was stopped as aforesaid and thereafter the employee shall be paid at half his daily rate until work is resumed or his employment is lawfully terminated.

#### *Static and worsening Conditions.*

6. (1) The rates of pay and other conditions of employment set forth in this order are the least or minimum permitted by the Government of Swaziland and shall not be represented as otherwise and no part of this order shall be construed or quoted as justifying or denying advancement to, or freezing the wages of any employee.

(2) No employer affected by this order shall, in any way, reduce his rates of remuneration or other conditions of service from those which were applicable to his employee at the effective date of this order, except where the nature of the work has been changed.

#### *Categories of work.*

7. The employees affected by this order shall be graded into categories A1, A2, B1, B2, B3 and C1 which said categories are defined and described in the Schedule hereto.

#### *Basic Minimum Wage.*

8. The basic minimum wages for the various categories set forth in regulation 7 hereof shall be in respect of a shift of eight hours, except in the case of watchmen, when the shift shall be 12 hours and shall be as set out in the table hereunder and shall apply for a period of twelve calendar months from the date upon which the order shall become effective.

A1	A2	B1	B2	B3	C1
2.30	2.80	3.32	3.96	4.70	5.58

#### *Overtime.*

9. Overtime shall be paid to daily rated workers only at the following rates:—

- (a) for time in excess of 15 minutes after the basic hours per shift as specified in regulation 4, at one and one half times the basic rate reduced to an hourly rate, save as provided in sub-regulation (b).

- (b) for time worked on Sundays, where Sunday is not a working day, or on an employee's rest day when Sunday is a normal working day, or on a holiday specified in regulation 10, at double the basic wage reduced to an hourly rate.

*Public Holiday.*

10. The following public holidays shall be observed and the employees shall be entitled to full basic pay in respect thereof:—

CHRISTMAS DAY  
BOXING DAY  
GOOD FRIDAY  
EASTER MONDAY  
SOMHLOLO NATIONAL DAY  
INCWALA DAY  
KING'S BIRTHDAY

Provided that in respect of any two of the said holidays, to maintain production, the employee shall work extra shifts at basic rates, if so required upon two days to be appointed by the employer.

*Annual Leave.*

11. On completion of each period of twelve calendar months of continuous service with an employer, an employee shall be entitled to annual leave of not less than fifteen working days with full pay;

Provided that should one or more of the said fifteen days be a public holiday the employee shall not be entitled to more than fifteen days annual leave, but shall be paid at double the basic rate in respect of each public holiday.

*Sick Leave.*

12. If an employee becomes ill through no fault of his own and is incapable of performing his duties, he shall on production of a certificate issued by a medical practitioner registered under the Medical and Dental Practitioners' Act No. 3 of 1970, be entitled, after six calendar months continuous service with his employer to one or other of the undermentioned sick benefits:—

- (a) fourteen days leave with full pay and thereafter fourteen days with half pay.
- (b) thirty days leave whereof the three days in any period of sickness shall be without pay and the remainder with pay.
- (c) thirty days of free hospitalisation and medical treatment with free food whilst in hospital and a daily sum of money equivalent to the cash value of an employee's rations as specified by the Labour Commissioner in terms of Section 98(1) of the Employment Act No. 51 of 1962.

*Maternity Leave.*

13. If a woman employee becomes pregnant she shall be entitled to a total of thirty days leave in each period of twelve calendar months continuous service on full basic pay, in respect of prenatal care, confinement at the option of the employer, to free medical treatment and all medicine prescribed by the physician in charge and a period of three weeks after delivery to recover, without any payment of wages.

*Rations.*

14. (1) The minimum rates of pay shall be deemed to include a ration element and the value and quality of such ration element shall be determined by the Labour Commissioner from time to time. It shall not be incumbent on any employer to provide actual rations in lieu of cash but shall be entitled at all times to do so provided that he shall have procured the prior consent of the Labour Commissioner.

(2) Upon notice issued by the Labour Commissioner, specifying an increase in the ration allowance such increase shall be added to the basic minimum wage not later than the pay-day following the date of such notice.

*Redundancy Payment.*

15. In the case of redundancy an employee shall be paid a minimum of three months wages, plus one month's wages in lieu of notice, immediately at the time of retrenchment regardless of the length of service.

*Pay Advances.*

16. Any employee affected by this order shall be entitled on a day to be appointed by his employer, which shall be approximately half-way through the pay month, to draw an advance of his wages to an amount of E20.00 if his basic wage does not exceed E100.00 per month or E40.00 where his basic wages exceeds E100.000 per month.

Provided :—

- (a) that there shall be funds available to such employee to meet the amount of the required advances;
- (b) his acceptance of such advance is deemed to be an authorisation to the employer to deduct from the employee's monthly salary the full amount advanced to him at the end of the pay month.

*Repeal.*

17. Legal Notice No. 76 of 1975 is hereby repealed.

A. R. SHABANGU

*Permanent Secretary.*

Mbabane  
9th August,

## SCHEDULE

Category A1 shall mean and include all general labourers and others whose duties comprise the functions involved in any of the following occupations:—

Asbestos Packers  
Beer makers  
Block Makers  
Belt Maintenance Helpers  
Belt sorters  
Bag Printers  
Blaster's Labourers  
Boiler Attendants  
Chimney Sweepers  
Conveyor Attendants  
Clerks A1  
Cleaners  
Changehouse Attendants  
Coal Cutters Grade 3  
Dracco Plant Attendants  
Fuel issuers  
Haulage Labourers  
Haulage Maids  
Kitchen Hands  
Lashers  
Laundry Workers  
Messengers  
Siding Labourers  
Sweepers  
Samplers (Supervised)  
Survey Assistants (Grade 2)  
Sanitation Workers  
Stone Sorters

S22

Tippler Attendants

Trammers

Tally Check Tip Attendants

Tamping Makers

Ventilation Labourers

Whitewashers

Waiters

Watchmen

Underground Transport Labourers

Category A2 shall mean and include all general labourers and others, whose duties, comprise the functions involved in any of the following occupations:—

Artisan's Assistants

Battery Charging Attendants

Blasting Licence Holders' Assistants

Box Operators

Clerk A2 (as defined in regulation 2)

Cooks

Compressor Attendants

Coal Samplers

Drillers' Assistants

Drifter Assistants

Ellison Feeder Attendants

Forklift Operators

First Aid Attendants

Geological Sampling Assistants (Grade A2)

Geological Sampling Assistants/Drivers

Golf Club Attendants

Greaser

Handymen (General) (as defined in regulation 2)

Jackhammer Operators' Assistants

Laborator Attendants (Grade A2)

Lamproom Attendants (uncertificated)

Loco Shunters

Loading Hands

Nursing Aids

Onsetters

Pest Control Workers

Power Station Maintenance Crew (Supervised)

Portable Saw Operators

Pump Attendants

Receptionists

Rock Boilers

Rotary and Drifter Helpers

Spotters

Scaper Winch Drivers

Section Rail Workers

Section Timber Workers

Section Bar Workers

Stockpile Attendants

Sawmill Assistants (Supervised)

Sample Plant Attendants

Security Guards

Survey Helpers (Grade 1)

Toolroom Attendants

Tracers

Torch Cutters

Tower Dryer Attendants

Typists (copy)

Tub Leaders

Tyre Inspectors

Winch Operators

Water Purification Plant Attendants

X-Ray Orderlies



Category B1 shall mean and include all employees whose duties comprise the functions involved in any of the following occupations:

Accounting Machine Operators

Analysts

Artisans (Grade 3)

Barman

Boiler Operators (Power Station)

Blocklayers (without Trade qualification)

Beer Makers (Chargehands)

Crusher Shiftsmen

Clerks (Grade B1)

Carpenters (without trade qualification)

Coal cutter (Grade 2)

Drivers of light vehicles (as defined in regulation  
sec. 2)

Drivers of Secondary Hoists

Drivers of Rocker Arm Loaders

Drivers of Tractors

Driver of Locos

Domestic Science Instructors

Electric Drill Operators

Gardening Supervisors

Guesthouse Attendants

Geologists' Assistants (Senior)

Geological Samplers (other than Coal)

Gang Bosses (Grade 2, Surface)

General Gang Supervisors

Hospital Clerks

Jack Hammer Operators

Lampmen (coal, certificated)

Mechanics B1

Plant Operators

Rock Mechanics Observers

Rotary/Drifter Operators

Supervisors (as defined hereunder)

Service by Attendants

Security Sergeant

Stenographer Typists

Switchboard Operators (internal and external)

Telex Operators

Training Instructors

Theatre Orderlies

Welfare Assistants

Category B2 shall mean and include all employee whose duties comprise the functions involved in any of the following occupations:—

Blasting Licence Holders

Coal Cutters (Grade 1)

Drillers (Mobile Ring and Core)

Dyke Gang Supervisors

Drivers (heavy duty vehicle)

Drivers earth (moving)

Electricians (To 380 volts)

Gangbosses (Grade 11 surface)

Gangbosses (Grade 11 underground)

Hoist Drivers (main winders)

Laborator Assistants (asbestos)

L.H.D. Drivers

Mechanics (Grade 1)

Medical Orderlies

Truck Busters

Village Administration Clerks

Welders

Weighbridge Clerks

Category B3 shall mean and include all employees whose duties comprise the functions involved in any of the following occupations:—

Artisan (Grade 2) as defined in regulation 2  
 Electricians (To Volts)  
 Gangbosses (Grade 1 Underground)  
 Hospital Clerks  
 Ambulance Drivers  
 Personnel Assistants  
 Section Bosses (Surface/Village Induna)  
 Stores Accountant Clerks  
 Section Blasters (Coal)  
 Transport Controllers  
 X-Ray Clerks  
 Blasting Supervisors (Iron Ore)  
 Drill Supervisors  
 Washing Supervisors (Iron Ore)

Category C1 shall mean and include all employees whose duties comprise the functions involved in any of the following occupations other than formally qualified artisans who have served the prescribed period of apprenticeships and/or passed a Government recognised Trade Test:—

Carpenters  
 Mason/Furnace Bricklayers  
 Mechanics (Vehicle Maintenance)  
 Plumber/Sheet Metal Workers  
 Ropeway Servicemen  
 Sewage/Water Supervisors  
 Section Bosses (Underground)  
 Storekeepers

LEGAL NOTICE NO. 69 OF 1977

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THE PUBLIC HOLIDAYS ACT 1938

(No. 71 of 1938)

AMENDMENT OF SCHEDULE

(Under Section 3)

*(Date of commencement: 12th August, 1977)*

In exercise of the powers conferred upon him by the above-mentioned Act, the Honourable the Deputy Prime Minister is pleased to amend the Schedule to the Act by substituting Friday the 9th of September, 1977 for Monday 22nd of August, 1977 as Umhlanga (Reed Dance) Day.

A. R. SHABANGU

*Permanent Secretary,*

*Deputy Prime Minister's Office.*

Mbabane  
11th. August, 1977.