

Regs & ordi
SUPPLEMENT TO
THE
SWAZILAND GOVERNMENT
GAZETTE

VOL. XVI]

MBABANE, Friday, June 23rd., 1978

[No. 894

CONTENTS

No.		Page
PART C — LEGAL NOTICES		
42.	Wages Regulations (Hotel and Catering Trades) Order, 1978 — — — — —	S1
46.	The Cotton (Levy) Regulations, 1978 — — — — —	S19

LEGAL NOTICE NO. 42 OF 1978

THE WAGES ACT, 1964
(No. 16 of 1964)

WAGES REGULATIONS (HOTEL AND CATERING TRADES) ORDER, 1978
(Under section 11(5))

(Date of commencement: 23rd June, 1978)

In exercise of the powers conferred upon 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 Wages Regulations (Hotel and Catering Trades) Order, 1978.

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 subparagraph (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 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 than 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 one 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 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 lapse 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 basconds, 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 as soon as a position becomes available.

Travel arrangements.

13. 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.

14. Every employer shall keep a registration form containing every employee's particulars, and the nature of the form shall be as specified in the Fourth Schedule.

Uniforms.

15. (1) Uniforms shall be provided by the employer to all employees handling foodstuffs 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)

16. 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.

Legal Notice No. 67 of 1977 is hereby repealed.

A. R. SHABANGU
Permanent Secretary.

FIRST SCHEDULE
BASIC MINIMUM WAGE
(Per month)

	Any undertaking licenced under the Casino Proclamation 1963, or having 75 or more bedrooms for guests.	Any hotel or restaurant with a liquor licence or motels or accommodation establishments or caravan park, not in Group A situated in the Mbabane or Manzini urban area, or within eight kilometres radius of the town centres, or within eight kilometres along the road adjoining Mbabane and Manzini.	Any hotel or restaurant with liquor licence or motel or accommodation establishments or caravan park, not in group A and B.	Any Club situated in the Mbabane or Manzini urban areas.	Any club not in Group D	Any restaurant, or motel or accommodation establishment or caravan park, or other undertaking situated in the Mbabane or Manzini urban area.	Any undertaking not in Group A-F inclusive
	GROUP A	GROUP B	GROUP C	GROUP D	GROUP E	GROUP F	GROUP G
Cleaner (Production)	43.00	41.00	36.00	36.00	36.00	30.00	26.00
Food dispensing and preparation Attendant	66.00	44.00	43.00	43.00	43.00	43.00	36.00
Assistant Cook	128.00	92.00	65.00	92.00	65.00	44.00	36.00
Cook	195.00	130.00	97.00	130.00	83.00	50.00	50.00
Trainee Waiter/Waitress	58.00	42.00	37.00	42.00	37.00	35.00	34.00
Waiter/Waitress Grade A	83.00	50.00	44.00	50.00	44.00	42.00	42.00
Waiter/Waitress Grade B	83.00	48.00	42.00	48.00	42.00	29.00	40.00
Head Waiter	163.00	76.00	66.00	76.00	66.00	—	55.00
Trainee/barman	83.00	58.00	55.00	58.00	55.00	—	36.00

	Any undertaking licenced under the Casino Proclamation 1963, or having 75 or more bedrooms for guests.	Any hotel or restaurant with a liquor licence or motel or accommodation establishments or caravan park, not in group A situated in the Mbabane or Manzini urban area, or within eight kilometres of the town centre, or within eight kilometres along the road adjoining Mbabane and Manzini.	Any hotel or restaurant with liquor licence or motel or accommodation establishments or caravan park, not in group A and B.	Any Club situated in the Mbabane or Manzini urban area.	Any club not in Group D	Any restaurant, or motel or accommodation establishment or caravan park, or other undertaking situated in the Mbabane or Manzini urban area.	Any undertaking not in Group A—F inclusive
	GROUP A	GROUP B	GROUP C	GROUP D	GROUP E	GROUP F	GROUP G
Bar dispensing attendant	91.00	72.00	58.00	72.00	58.00	—	58.00
Barman	163.00	111.00	66.00	111.00	66.00	—	66.00
Wine steward	83.00	52.00	44.00	52.00	44.00	42.00	36.00
Trainee Wine Steward	58.00	42.00	37.00	42.00	37.00	35.00	35.00
Porter	91.00	60.00	49.00	49.00	49.00	49.00	49.00
Luggage Porter	44.00	37.00	35.00	35.00	35.00	35.00	35.00
Telephonist	83.00	53.00	48.00	—	—	—	—
Cleaner (Service)	43.00	37.00	36.00	36.00	36.00	30.00	26.00
Laundry worker Grade I	67.00	44.00	42.00	44.00	42.00	41.00	35.00
Laundry worker Grade II	55.00	44.00	42.00	44.00	42.00	36.00	34.00

	Any undertaking licenced under the Casino Proclamation 1963, or having 75 or more bedrooms for guests.	Any hotel or restaurant with a liquor licence or motels or accommodation establishments or caravan park, not in group A situated in the Mbabane or Manzini urban area, or within eight kilometres radius of the town centres, or within eight kilometres along the road adjoining Mbabane and Manzini.	Any hotel or restaurant with liquor licence or motel or accommodation establishments or caravan park, not in group A and B.	Any Club situated in the Mbabane or Manzini urban area.	Any club not in Group D	Any restaurant, or motel or accommodation establishment or caravan park, or other undertaking situated in the Mbabane or Manzini urban area.	Any undertaking not in Group A—F inclusive
	GROUP A	GROUP B	GROUP C	GROUP D	GROUP E	GROUP F	GROUP G
Storeman/Order clerk	177.00	133.00	80.00	133.00	80.00	41.00	44.00
Receptionist	163.00	106.00	91.00	—	—	—	—
Billing clerk	177.00	109.00	89.00	109.00	109.00	59.00	59.00
Departmental clerk	109.00	109.00	67.00	89.00	80.00	55.00	44.00
Assistant Departmental cashier/ caddie-master/clerk/cashier	80.00	67.00	55.00	67.00	55.00	36.00	36.00
Stores/clerk/farm/clerk/storeman	80.00	80.00	55.00	59.00	55.00	44.00	36.00
Clerk	91.00	58.00	50.00	58.00	50.00	42.00	42.00
Assistant housekeeper	72.00	72.00	69.00	—	—	69.00	—
Housekeeper	146.00	91.00	72.00	—	—	—	—

	Any undertaking licenced under the Casino Proclamation 1963, or having 75 or more bedrooms for guests.	Any hotel or restaurant with a liquor licence or motels or accommodation establishments or caravan park, not in group A situated in the Mbabane or Manzini urban area, or within eight kilometres radius of the town centres, or within eight kilometres along the road adjoining Mbabane and Manzini.	Any hotel or restaurant with liquor licence or motel or accommodation establishments or caravan park, not in group A and B.	Any Club situated in the Mbabane or Manzini urban area.	Any club not in Group D	Any restaurant, or motel or accommodation establishment or caravan park, or other undertaking situated in the Mbabane or Manzini urban area.	Any undertaking not in Group A—F inclusive
	GROUP A	GROUP B	GROUP C	GROUP D	GROUP E	GROUP F	GROUP G
Handyman	122.00	81.00	58.00	81.00	58.00	—	—
Driver	91.00	58.00	49.00	49.00	49.00	49.00	49.00
Cleaner (maintenance)	41.00	36.00	—	—	—	—	—
Watchman	43.00	41.00	36.00	36.00	36.00	30.00	26.00
Apprentice Cook 1st year	91.00	58.00	55.00	58.00	55.00	43.00	34.00
Apprentice Cook second year	105.00	68.00	62.00	68.00	62.00	46.00	37.00
Room maid	46.00	38.00	38.00	38.00	38.00	34.00	29.00
Tractor Driver	52.00	—	—	—	—	—	—

<i>Employee</i>	<i>Job Description</i>	<i>Duties</i>
Production Apprentice Cook	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.
Assistant Cook	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 the preparation, cooking or service of food.
Cook	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.
Food Dispensing and Preparation attendant	This position requires no qualifications. Employee may upgrade 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.
Cleaner	This position requires no qualifications.	To carry out all orders given to him in the kitchen or its surroundings by those superior to him.

<i>Employee</i>	<i>Job Description</i>	<i>Duties</i>
Waiter/Waitress qualified	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 carry out 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 at discretion of his employer.	To carry out all duties given to him by a 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.

<i>Employee</i>	<i>Job Description</i>	<i>Duties</i>
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.
Porter	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.
Luggage porter	No qualifications.	To carry out all duties given to him by the porter, reception staff or management carry luggage.
Telephonist	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.
Cleaner	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.

<i>Employee</i>	<i>Job Description</i>	<i>Duties</i>
Administration Receptionist	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.
Buyer/storeman	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.
Billing Clerk	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.
Assisting Billing Clerk	Must be literate	To carry out all duties given to him by Billing Clerk or his superior.
Departmental Clerk/cashier	Must be literate	To carry out all clerical duties or the department as instructed by management. To be responsible for all dockets and monies under his control. To be able to give training on duty.
Assistant departmental/ clerk/cashier/caddiemaster	Must be literate	To carry out all duties given to him by departmental clerk/cashier or his superior.
Room-maid	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.

<i>Employee</i>	<i>Job Description</i>	<i>Duties</i>
Stores Clerk/farm clerk/ storeman	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.
Assistant Housekeeper	Must have completed two years apprenticeship training and has been certified on completion of his apprenticeship.	Is responsible to the Housekeeper from whom she will receive orders.
Housekeeper	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.
Driver	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.
Watchman		Duty is during the day or night to guard the premises or other belongings of his employer.
Maintenance Handyman	Must be 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 supervise any subordinate staff in his department and to be responsible for the allocation of their work.

<i>Employee</i>	<i>Job Description</i>	<i>Duties</i>
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 tasks 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.
Tradesman	Must have passed a recognised trade test.	To be employed full time in carrying out the work of his trade or work associated therewith above the standard of his trade test without supervision. Responsible for any tools or stores entrusted to him and to be personally liable for any loss; to supervise any subordinate staff in his department and to be responsible for the allocation of their work.

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 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 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.

THIRD SCHEDULE

Christmas Day

Boxing Day

Incwala Day

Umhlanga (Reed Dance) Day

Good Friday

The King's Birthday

Somhlolo (Independence) Day

United Nations Day

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. 46 OF 1978.

THE COTTON ACT 1967

(No. 26 of 1967)

THE COTTON (LEVY) REGULATIONS, 1978.

(Under section 13(8) and 17(j))

(Commencement: 28th February, 1978)

In exercise of the powers conferred upon him by the above-mentioned Act, the Honourable the Minister of Agriculture, after consultation with and with the concurrence of the Cotton Board, is pleased to make the following regulations :—

Citation and commencement.

1. These regulations may be cited as the cotton (Levy) Regulations, 1978 and shall come into operation on the 28th of February, 1978.

Levy for 1977/1978 Season.

2. In respect of the 1977/1978 crop of seed-cotton produced by a cotton grower, there is hereby imposed on him a levy of 0.35 of one cent per kilogram by weight of such seed cotton.

Date before which payment to be made.

3. The date before which payment of a levy imposed by regulation 2 shall be made shall be the 1st December, 1978.

How payment to be made.

4. Payment of a levy imposed by regulation 2 of these regulations and any surcharge due under Section 13(b) of the Cotton Act shall be made, at the option of the grower, to :—

- (a) the Executive Officer of the Cotton Board; or
- (b) any of the following ginnerers who in accordance with Section 13(17) of the Cotton Act have agreed with the Board to deduct the amount of the levy from the purchase price of seed-cotton purchased and to pay the amount to the Executive Officer, namely:—

- (i) Swaziland Cotona Ginning Company Ltd.;

- (ii) J. L. Clark Cotton Company (Pty) Ltd

and

- (iii) Barberton Cotton Cooperative Society Ltd.

Recovery of levy.

5. The Board may recover from a grower any unpaid levy and surcharge due under Section 13(b) of the Cotton Act, as a debt payable to the Board.

Repeal.

6. The Cotton (Levy) Regulations 1977 (Legal Notice No.) of 1977 are hereby repealed.

A. R. V. KHOZA
Permanent Secretary.

Mbabane,
23rd May, 1978.

The Government Printer, Mbabane.