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LEGAL NOTICE NO. 219 OF 2023

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

THE REGULATION OF WAGES (MANUFACTURING AND PROCESSING
INDUSTRY) ORDER, 2023
(Under Section 11)

In exercise of powers conferred by Section 11 of the Wages Act, 1964, the Minister for Labour and Social Security makes the following Order -

Citation and Commencement

1. (1) This Order may be cited as the Regulation of Wages (Manufacturing and Processing Industry) Order, 2023.

(2) This Order shall come into force on the date of publication in the gazette.

Application

2. This Order shall apply to persons employed in the Manufacturing and Processing Industries including the Manufacture of Bricks, Concrete, Recycling, Dry Cleaning and Laundry, Timber Processing, Printing and Weaving who are engaged in the occupations specified in the First Schedule.

Interpretation

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

“aligner” means an employee who aligns a finished product before final inspection with the aid of electronic test equipment;

“a.j.s Operator” means an employee who operates an automatic junior sewing machine;

“artisan” means an employee who is in possession of a Trade Test Certificate signed by a Trade Testing Officer appointed by the Government;

“assembler soldering” means an employee who solders and assembles components by hand;

“assembler-bottom components” means an employee who assembles good quality bottom components such as soles and insoles into specific batches according to the box loading plan;

“assembler-socks” means an employee who assembles good quality socks into batches according to article and size;

“assembler-upper components” means an employee who assembles good quality upper components such as vamps, quarters etcetera into specific batches according to the box loading plan;

“assistant foreman baker” means an employee who is capable of manufacturing confectionery, adjusting bakery machinery and supervising the workers under his control;

“assistant foreman confectioner” means an employee who is capable of manufacturing and decorating several lines of confectionery, adjusting bakery machinery and supervising workers under his control;

“baker assistant” means an employee who assists a baker;

“backseam-reducer” means an employee, who reduces the beckon, join on leather quarters by means of a machine;

“binder assistant” means an employee who receive plain or printed material from the machine for collating, stitching, padding, rounding corners, punching, folding, counting, numbering perforating, stapling, binding and basic guillotining;

“boiler operator” means an employee who operates a boiler;

“box folder” means an employee who folds and erect boxes ready for use;

“box labeler” means an employee who labels boxes with the information required to identify the contents thereof;

“box preparer” means an employee who collects and prepares boxes accordingly;

“blower” means an employee who carries out blowing duties in the manufacture of glassware according to specification;

“cabinet fitter” means an employee who fits accessories to a television cabinet;

“canteen assistant” means an employee who assists the canteen supervisor in preparing, cooking and dishing-up food in the employees’ canteen;

“carder” means an employee who operates a carder machine and carries out simple lubrication on it;

“carton sealer” means an employee who seals cartons of finished goods for dispatch to customers;

“casual labourer” means an employee who is not employed for more than twenty-four hours at a time;

“cattle buyer” means an employee who buys livestock for his employer;

“charge hand” means an employee who assists a supervisor to supervise employees;

“chassis fitter” means an employee who fits chassis components to television sets;

“cementer” means an employee who applies adhesive to a surface by means of either a brush or machine;

“chef” means an employee who is responsible for the cooking of food for the employees’ canteen;

“checker” means an employee who check and record outgoing and incoming goods;

“cleaner” means an employee who is responsible for the cleaning of a factory, offices, toilets and canteen and/or tea-making duties;

“clerk/storeman (with Senior Certificate)” means an employee who is engaged in general clerical duties or storekeeping who holds a Senior Certificate of education;

“clerk/storeman assistant” means an employee who is engaged in general clerical duties or storekeeping duties and he is in possession of a Junior Certificate;

“clicker-high frequency” means an employee who cuts and welds high frequency components;

“clicker-insoles/toe puffs/counters” means an employee who cuts insoles, toe puffs or counters by means of a clicking press;

“clicker-linings/trimmings/socks/Velcro” means an employee who cuts linings, trimmings or velcro by means of a clicking press;

“clicker-textile” means an employee who cuts suede split or textile by means of a clicking press;

“coil winder” means an employee mainly engaged in winding coils;

“components-assembler” means an employee engaged in fitting electronic components on PC

boards and include an employee engaged in pre-assembly work;

“compositor” means an employee engaged in the setting of type including the operation of typesetting and typesetting machines and putting into position for printing and the makeup of forms;

“confectioner assistant” means an employee who assists a confectioner;

“cook” means an employee who is engaged in cooking and issuing food to other employees;

“copy-typist” means an employee who is engaged in typing and is capable of typing a minimum of 25 words per minute, filing, checking and recording incoming mail;

“counter inserter” means an employee who dips and inserts the counter stiffener into the pocket at the heel of a machine;

“continuous service” has the same meaning as ascribed in section 2 of the Employment Act, 1980 (as amended) or its successor as the case may be;

“counter moulder” means an employee who moulds the newly inserted counter stiffener over a mould by means of a machine;

“darkroom attendant” means an employee who make negatives, positives, contacts, spotting and obliteration of all marks and pinholes and including enlarging and reductions on the camera;

“de-boner” means an employee engaged in dissecting a carcass;

“d-ring inserter” means an employee who inserts d-rings into the shoe facing prior to being stitched;

“design draughtsman’s assistant” means an employee who assists a draughtsman to design mechanical layouts;

“dispatch clerk” means an employee who selects and packs goods according to customers’ orders;

“dispatch clerk” (printing) means an employee who selects, checks and packs goods according to instructions from job cards or any other source and assist with deliveries;

“digital/duplicator (operator)” means an employee engaged in operating a risograph or equivalent digital printer or duplicator;

“divider operator” means an employee who operates a divider machine and who checks the

weight of dough pieces;

“dough mixer” means an employee who operates a divider machine and who checks the weight of dough pieces;

“dough panner” means an employee who places dough pieces into pans;

“driver (Heavy Duty Vehicle)” means an employee in possession of a current heavy duty driving licence who is in charge of a vehicle of over one and one-half tons tare weight whose duties include handling cargo to and from the tailboard, and the daily maintenance and cleaning of such vehicle;

“driver (Light Duty Vehicle)” means an employee in possession of a valid driving licence who is in charge of a motor vehicle of less than one and one-half tons tare weight whose duties include handling cargo to and from the tailboard, and the daily maintenance and cleaning of such vehicle;

“driver messenger” means an employee who is mainly engaged in conveying messages, who delivers and collects goods and/or mail by vehicle or motor cycle and performs simple routine tasks in an office;

“driver salesman” means an employee in possession of a valid driver’s licence who drives, sells and delivers bread, confectionery or other products. He is also responsible for taking written orders for goods from customers and also the collection and safe keeping of cash for C.O.D Sales, and also canvass for orders;

“D.T.P operator” means an employee engaged in typesetting and designing of documents on the computer and being able to operate lazer printers, scanners and allied equipment;

“driver salesman assistant” means an employee who marks components to assist closing department by means of a marking machine;

“electrical maintenance assistant” means an employee who assists an electrician in improving and repairing electrical installation;

“engraver” means an employee who engraves, smoothens, polishes the finished glassware, and carries out duties related thereto;

“engraver assistant” means an employee who engraves, smoothes, polishes the finished glassware and carries out duties given by the engraver;

“entrepreneur assistant grade I” means an employee who is capable of performing the work of an entrepreneur without the assistance of such an entrepreneur;

“entrepreneur assistant grade II” means an employee who assists a person who is capable of carrying out the work of the entrepreneur’s workshop;

“fabric drying/dewatering machine operator” means an employee mainly engaged in loading fabric into machine, setting temperatures, time and monitoring operations and also responsible for removing fabric when operation is finished;

“fabric dying machine operator” means an employee who mix or add dye, water, detergents, or chemicals to tanks to dilute or strengthen solutions, and mounts roll of cloth on machine, using hoist or places textile goods in machines or pieces of equipment;

“final inspector/final tester” means an employee mainly engaged in the final alignment and testing of finished products, using electronic test equipment;

“final inspector/final tester” means an employee mainly engaged in the final inspection or testing of finished products, if necessary, using electronic equipment;

“finisher” means an employee who smoothens, trims carpets and makes knots on the fringes to make such carpets adaptable for sale;

“fitter” means an employee who repairs and maintains machinery;

“foam attacher” means an employee who attaches foam to the top line of the quarters for collar padding;

“foam strip cutter” means an employee who cuts foam into strips by means of a machine;

“folder” means an employee who folds the garment after pressing;

“flour sifter” means an employee who sifts flour;

“foreman baker” means an employee engaged in a supervisory capacity that is capable of carrying out all processes relating to the manufacture of confectionery;

“foreman confectioner” means an employee engaged in a supervisory capacity who is capable of carrying out all processes relating to the manufacture of confectionery;

“forklift operator” means an employee mainly engaged in operating a forklift;

“general labour” means an employee engaged in unskilled work;

“glazier” means an employee who cut, fit and set glass in windows, doors, shop fronts and other frames;

“grinder” means an employee who grinds, smoothens, and polishes a finished glassware product;

“guillotine operator (printing)” means an employee engaged in cutting paper/board to be printed and trimming of jobs to finish size for packing including working out paper cuts from full sheets, maintenance of machine and knowledge of paper and board stocks;

“handyman” means an employee who does not hold a trade test certificate, who carries out simple repairs and supervises and allocates work to subordinate staff under the employee’s control;

“hand trimmer” means an employee who trims by means of a pair of scissors, all excess threads, binding and tapes after all closing operations have been done;

“heel seat laster” means an employee who lasts the heel part of a shoe by means of a machine;

“hole perforator” means an employee who punches holes by means of a press;

“hole perforator” means an employee who punches holes by means of a press machine;

“hoist perforator” means an employee who operates a dough hoist;

“insole attacher” means an employee who attaches the insole to the last by means of a tacking machine;

“insole moulder/stamper” means an employee who moulds to stamp insoles by means of a machine;

“inspector” means an employee with not less than six months experience as an assembler who inspects the work on a production line;

“invoice clerk” means an employee who prepares and issues invoices and statements to customers for goods supplied;

“jumper” means an employee who has knowledge of several jobs and who is able to relieve any other worker on a production line;

“kardex clerk/storeman” means an employee who operates a kardex system of stock control;

“kiln operator” means an employee who is capable of operating and maintaining a kiln;

“knitting operator” means an employee who threads twine from bobbins and spools through

guides and rollers and also monitors the fabric and performs routine cleaning of the machine;

“laboratory assistant” means an employee who generally carries out unskilled work in a laboratory or who assists a laboratory technician;

“laboratory technician” means an employee qualified to carry out all duties allocated to him in a laboratory;

“lacer” means an employee who inserts and ties laces for footwear;

“last preparer” means an employee who prepares and loads lasts onto the conveyor according to the uppers loaded;

“last transporter” means an employee who returns last to last-bins after delasting;

“layer” means an employee who lays the material for cutting for a garment manufacture;

“leaner finisher” means an employee who is learning on the job to become a finisher and who has not completed six months in the case of the weaving industry or three months for other industries;

“learner craftsperson” means an employee who is learning on the job to become a potter, screen printer, silversmith or any craftwork for a period of not less than three months;

“learner machine operator” means an employee with three months or less continuous service of operating a machine for other industries or not more than six months in the weaving and printing industry;

“learner machine minder (printing)” means an employee with six months or less continuous service of operating a printing machine;

“learner spinner” means an employee who is learning on the job to become a weaver and who has not completed six months in the case of the weaving industry or three months for other industries;

“leather baler” means an employee who bales leather for storage purposes;

“leather sorter” means an employee who sort leather by means of the point system;

“line feeder” means an employee mainly engaged in feeding the assembly line with components;

“loader” means an employee who loads goods on to vehicle by hand;

“loader/packer” means an employee who packs bread or confectionery into or off a vehicle or

who packs finished products into cartons;

“lubricator” means an employee who has the responsibility of lubricating and greasing machines;

“machinist” means an employee who operates an electrical sewing machine to manufacture clothing/garment;

“machine attendant” means an employee, other than a learner machine operator, who attends and operates a guillotine machine, bending machine, spot welding machine or any other machine requiring similar skills;

“machine minder” (printing)” means an employee engaged in operating a printing machine and capable of full colour printing, numbering and perforating, maintenance and cleaning;

“machine operator” means an employee, other than a learner operator, engaged in operating a machine;

“master screen printer” means an employee who is capable of cutting screen, mixing pigments and has thorough knowledge of screen-printing techniques;

“master potter” means an employee who is skilled in making pots to any specification, who has a general knowledge of glazing and firing techniques;

“master silversmith” means an employee who is capable of working on silver to any specification;

“mechanical assistant” means an employee mainly engaged in the mechanical assembly of television and radio accessories and placement of products in the appropriate area of assemble or dispatch;

“melter” means an employee who melts glasses in a glass factory;

“messenger” means an employee engaged in carrying messages, banking, collecting and delivering mail or carrying out simple tasks in an office;

“mono caster attendant” means an employee who attends a monotype caster under the supervision of a key board operator;

“office clerk” means an employee who does general clerical duties;

“painter” means an employee who cleans and paints equipment, machines and buildings;

“packer” means an employee who packs garments which are finished into cartons;

“personnel clerk” means an employee who control and updates personnel records;

“pc board trimmer” means an employee mainly engaged in trimming excess components lead on soldered board;

“photo lithographer” means an employee who is capable of doing make-up, imposition and pasting (from artwork provided) darkroom work and plate making;

“picture tube assembler” means an employee mainly engaged in preparing picture tubes for the assembly line;

“plant attendant” means an employee mainly in operating a galvanizing plant and if necessary, taking of the plant;

“plate filer (printing)” means an employee who is responsible for the gumming and filing of printing plates;

“potter” means an employee who makes pots by hand or on pot wheels;

“presser attendant” means an employee who operates a pressing machine to iron materials or clothing;

“printers grade 1, 2 and 3” means an employee who is in possession of a trade test certificate signed by a trade testing officer appointed by the government;

“printing machine minder(junior)” means an machine minder only able to operate printing machines for single or spot colour work;

“proof controller” means an employee mainly engaged in checking the quality and making reports of finished products;

“proof reader” means an employee who edits documents before final presentation, checking spelling, grammar and lay-out;

“quality section controller” means an employee who checks and controls the quality of goods leaving their section;

“rebate clerk” means an employee who controls the stocks and documentation for a rebate store;

“receiver-second stock” means an employee who checks, receives and controls the stock of factory seconds;

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“reception clerk (printing)” means an employee who attends to customers, answering calls and queries, acting as a telephonist, filing, opening job-cards, faxing and general office duties;

“repairs assistant” means an employee with a basic knowledge of electronics mainly engaged in making simple repairs on PC board;

“recutter” means an employee who arranges, re-cuts and repairs poor quality work;

“riveter/buckler” means an employee who attaches rivets or bucklers;

“rougher-upper” means an employee who reduces the bumps on the lasting margin by means of roughing machine;

“rougher-sole margin” means an employee who roughs the sole margin on rubber soles;

“rubber stamp maker” means an employee engaged in the making of rubber stamps;

“runner” means an employee who performs unskilled duties such as conveying from one point to the other, materials and knitted fabric;

“saw sharpener” means an employee who sharpens saws and carries out simple maintenance work on them;

“salesman” (senior) means an employee who packs erected boxes into cartons and stacks, ready for transportation to the factory;

“seasonal labourer” means an employee engaged for the duration of a season to carry out unskilled work, canning fruit or vegetables;

“security guard or watchman” means an employee mainly engaged in the protection and security of his employer’s premises;

“senior watchman” means an employee who supervises watchmen or security guard;

“sewer/binder” means a binder capable of doing thread sewn books;

“sewing machinist, I” means an employee who has more than six months experience in sewing and turns stitches collars, stitches toecaps, facing, o/s counters, d-rings and attaches bindings;

“sewing machinist II” means an employee who has more than six months experience in sewing and stitches back seams, side flashes, collar toughies, Velcro, brand tags and zigzags pieces together;

“screen printer” means an employee who screen prints by hand pulling a squeegee;

“semi-skilled kiln hand” means an employee who has limited knowledge in operating kiln and packs it according to specification;

“silver-smith” means an employee who is capable of working on silver by hand;

“seasonal labourer” means an employee engaged for the duration of a season to carry out unskilled work, canning fruit and vegetables;

“side-laster” means an employee who lasts the waist section of shoe by means of a shoe;

“size painter” means an employee who colour-codes components according to size by means of a brush;

“skiver-upper/toepuffs” means an employee who skives or reduces the thickness of the edge of components by means of skiving machine;

“slaughter man” means an employee engaged in stunning, bleeding, skinning eviscerating and splitting livestock;

“slitting machine operator” means an employee who operates a slitting machine to remove excess water after dyeing process, open tube fabric and crease freeing fabric in preparation for stenter processing;

“spinner” means an employee who carries out spinning operation of wool or other materials according to specification;

“soaking attendant” means an employee who operates solder bath, prepares fluxes, and checks solder levels;

“soaker” means an employee who applied adhesives and inserts socks into finished footwear;

“sole chlorinator” means an employee who chlorinates or halogenates a sole prior to cement application;

“sole presser” means an employee who, by means of a press, ensures that there is good bond between sole and upper;

“sole spotter” means an employee who places the precedent upper and sole accurately together prior to pressing;

“sorter R” means an employee who sorts goods into racks by item and size ready for dispatch;

“sorter” means an employee who puts together according to sizes the material, which is to be sewn;

“shoe boxer” means an employee who packs finished footwear into boxes;

“shoe repairer” means an employee who repairs sub quality footwear;

“shop assistant” means an employee who assists a shop supervisor in the stock control, displays and selling of products in a retail shop;

“stone hand” means an employee with the knowledge of composition who places jobs set out by a compositor into steel frames locking them into printing machines ready for printing;

“stamper” means an employee who stamps logos/information onto components by means of stamping machine;

“staple extractor” means an employee who removes staples from the insole of a shoe;

“stenter operator” means an employee who apply finishing chemicals into the padding mangle, set heat and speed as per the type of fabric specification and also observes any defects of fabric before or during the process;

“stenter layer/feeder” means an employee who stitches fabric in preparations for feeding it into the stenter;

“stenter quality controller” means an employee who ensures that fabric width is in proportion;

“sticker attacher” means an employee who attaches stickers to indicate size or customer code;

“stitching machine operator (printing)” means an employee engaged in the operation of an automatic stitching machine including adjustments, changing wire thickness and maintenance;

“storeman (printing)” means an employee engaged in storekeeping who holds a senior certificate of education and a recognized certificate in storekeeping and competent knowledge of all printing papers, materials and sundries;

“string lacer” means an employee who strings uppers for toe lasting;

“strips cutter” means an employee who cuts material into strips by means of a machine;

“supervisor” means an employee who supervises other employees under his/her control;

“switchboard operator” means an employee whose duties consist wholly or mainly in the

operation of a telephone switchboard;

“tablehand” means an employee who prepares material and places them on the table for cutting or weaving according to specification;

“tester” means an employee who tests the function of assembled PC Boards using electronic equipment;

“toecap positioner” means an employee who precements toecaps into position prior to toecap stitching;

“toelaster” means an employee who supplies the toelaster with uppers;

“toelaster feeder” means an employee who supplies the toelaster with uppers and on completion replaces them back on the conveyer;

“toepuff positioner” means an employee who positions and presses a toepuff onto the upper by means of a heated press;

“tool setter” means an employee who fits and sets tools on a machine;

“unlaster” means an employee who removes the last from the finished shoe;

“upper brusher” means an employee who brushes finished footwear so as to clean and improve the look of the shoe;

“upper cleaner” means an employee who cleans finished footwear by means of various cleaning material;

“upper primer” means an employee who primes the nylon upper at the lasting margin to ensure cement adhesion;

“upper splitter clerk” means an employee who splits uppers by means of a splitting machine;

“upper spotter” means an employee who places the correct upper onto the last prior to elasting;

“upper/bottom preparer” means an employee who loads the sewn and corresponding bottom components onto the making conveyor;

“utility” means an employee who has the knowledge of jobs and who is able to relieve other workers on production line;

“weaver” means an employee who carries out duties either by operating hand loom or other equipment to manufacture the required goods;

“wage clerk” means an employee who prepares and controls wage payments according to the time worked taken from clock cards or any other source and keeping relevant records related to pay;

“washer” means an employee who washes and dries material or wool and if necessary, mothproofs to wool;

“weight clerk” means an employee who weighs cartons of finished goods prior to dispatch;

“workshop assistant” means an employee who assists to fitter and handyman in general maintenance.

“yarn loader” means an employee who places and replaces spools of twine on machine spindles and inserts wound bobbins in shuttle containers; and

“yarn dewatering/drying machine operator” means an employee who loads yarn into the machine, sets the time and temperatures and also monitors operation of the machine.

Basic Minimum Wage

4. The Basic Minimum wage inclusive of rations or cash in lieu to be paid to employees specified in the First Schedule shall be calculated at a rate not less than that specified therein provided that-

- (a) an employee who, at the date of commencement of this Order, is in receipt of a higher wage than that prescribed by this Order, shall not suffer any reduction in such wage by reason of this Order;
- (b) where no definition of an employee duties exists, such employee shall be paid a basic minimum wage not less than that applicable to a general labourer; and
- (c) nothing in this regulation shall prevent an employer, if he so wishes from-
 - (i) supplying cooked or uncooked food to an employee in addition to the basic wage; and
 - (ii) providing free transport or free accommodation to an employee.
- (d) The basic hourly wage of an employee on a weekly wage shall be calculated by dividing such wage by the number of hours the employee normally works in a week.
- (e) The basic hourly wage of a casual labourer shall be calculated by dividing the daily wage by eight (8).

Written Particulars of Employment to be provided

5. (1) The employer shall within two (2) calendar months of appointed day, give an employee a completed copy of the form at the Second Schedule. The employer shall explicitly state the conditions of the employee's employment, the starting wage, including the learning period.

(2) The learning period referred to in sub-regulation (1) shall be three (3) months.

Hours of work

6. (1) The normal working week for employees other than security guards and casual labourers shall consist of not more than forty-five (45) hours of work spread over five (5) days.

(2) The normal working week for employees on shifts other than security guards shall consist of not more than five (5) shifts of twelve (12) hours each.

(3) The normal hours of work for a casual labourer shall consist of eight (8) hours per day.

Overtime

7. (1) An employee who is engaged other than on a shift work or as a security guard and is required to work in excess of the normal hours specified in regulation 6 shall be paid overtime as follows -

(a) for time worked in excess of the normal hours on a weekday, payment shall be at one and a half times the basic hourly wage;

(b) for time worked on a Sunday, where Sunday is not his normal day, an off-day or a public holiday, payment shall be at twice the hourly rate; and

(c) for time worked on a paid public holiday, payment shall be two (2) times or double the hourly rate for each hour worked plus the normal rate applicable to all other employees whether at work or not on that paid public holiday.

(2) An employee employed as a security guard who is required to work on the rest day or on a public holiday, may be paid for such overtime or alternatively, be given an equivalent amount of time off in lieu of overtime payment.

(3) No employee shall be required to work overtime against his will unless it is understood and agreed that such overtime is necessary.

Transport

8. An employee, who by nature of the employment is required on any day to remain on duty

from 6.00 pm or is required to start work before 6.00 am shall be provided free of charge with transport between the place of work and the normal place of residence, home or such point on a public road as may be mutually agreed upon between the employer and the employee.

Public Holidays

9. (1) Public holidays shall be observed in line with the Public Holidays Act, No. 71 of 1938 as may be determined by the Minister responsible for public holidays from time to time.

(2) In this Order, employees shall be paid full days' wage on all designated public holidays if it falls on their normal working day.

(3) Where a Public Holiday falls on a Sunday, the following Monday shall be deemed to be a Public Holiday.

Annual Leave

10. (1) An employee shall have two (2) weeks annual leave with full pay after each period of twelve (12) months continuous employment with the same employer as follows;

(a) fifteen (15) working days in the case of an employee who works a six-day week; or

(b) thirteen (13) working days in the case of an employee who works a five-day week.

Provided that in the case of a security guard annual leave shall be twenty-one (21) calendar days with full pay after each period of twelve (12) months continuous service with an employer.

(2) Where the employment of an employee is terminated after a period exceeding three (3) months but amounting to one (1) year from the date of its commencement the employer shall pay to the employee a sum not less than one (1) day's pay for each completed month of such period.

Sick Leave

11. (1) An employee taken into the employment of the employer shall be considered for payment during the absence on sick leave as follows-

(a) in the case of an employee who is absent from work for reason of sickness during the first three (3) months of his or her employment and who on return from sick leave produces a medical certificate signed by a Medical Practitioner, as defined in the Medical and Dental Practitioners Act, 1970, payment shall be at the discretion of the employer;

(b) in the case of an employee who has completed three consecutive months of

continuous service with the same employer and subject to the production of a medical certificate signed by the Medical Practitioner, an employee shall be entitled to sick leave of up to a maximum of fourteen (14) days on full wages and thereafter to a maximum of fourteen (14) days on half wages on in each period of twelve (12) months continuous service.

(2) Notwithstanding Sub-Regulation (1) a certificate issued by a registered nurse shall be accepted in place of a medical certificate where a Medical Practitioner is not available.

Compassionate leave

12. (1) An employee who has completed his probation period shall be entitled to compassionate leave with full pay as follows-

- (a)Widow - Thirty (30) working days
- (b)Widower - Seven (7) working days
- (c)Biological Child - Seven (7) working days
- (d)Biological parents - Seven (7) working days

(2) Entitlement to compassionate leave or other relatives in addition to the above shall be at the discretion of the employer.

Maternity Leave

13. (1) A female employee, whether married or unmarried, who has completed probation shall be entitled to maternity of up to twelve weeks (84 calendar days), with at least eight (8) weeks full pay upon delivering to her employer-

- (a) certificate issued by a medical practitioner or a midwife setting forth the expected date of her confinement.
- (b) a certificate issued by a medical practitioner or a midwife setting forth the actual date of her confinement; or
- (c) such other evidence in support of the entitlement to maternity leave as is reasonable, having regard to all circumstances of the case

(2) Notwithstanding subsection (1), a female employee entitled to maternity leave by virtue of subsection (1), shall be so entitled at least once after the lapse period of Twenty four (24) months from the last maternity leave.

(3) A female employee shall be entitled to one (1) hour nursing break with pay for three (3) months after maternity leave.

Continuous service

14. Where, following upon a change of establishment or undertaking, an employee enters the service of a new owner without interruption, his service shall be deemed to be continuous service in the employment of the new owner.

Short Time

15. (1) Where an employer finds it necessary for reasons beyond his control to employ an employee on short time, the employer may do so subject to the Commissioner of Labour consenting in writing to such an arrangement, having satisfied himself that the employees organization recognized in the undertaking has been fully consulted and is fully aware that the employer intends resuming full time work within three (3) weeks.

(2) Where an employee has been placed on short time under sub-regulation (1) the employee shall be paid not less than fifty percent of the employee's weekly wages where the employee is employed to periods which, in aggregate, are equivalent to or less than fifty (50%) percent of the employee's normal weekly hours of work.

(3) No reduction shall be made in an employee's earnings where the employee has been placed on short time, and works in aggregate more than fifty (50%) percent of his normal weekly hours of work during any week he has been placed on short time.

Piece Work

16. An employee engaged on piece work shall be entitled to wages and conditions of employment not less than those specified in this Order.

Re-imbusement of expenses

17. A salesman, driver or salesman assistant shall be re-imbursed all expenses reasonably incurred on lodging and meals for the period of absence from his normal place of residence while on duty.

Lay-Off

18. (1) Due to proven circumstances beyond the employer's control, the employer may lay off employees for up to fourteen (14) working days, on condition that no lay-off may be effected without the written consent of the Commissioner of Labour. Such consent shall be granted after a meeting between the employer and the workers or recognized workers organization.

(2) During the period of any lay-off, the employer shall not engage other employees to replace the employees he has laid off.

(3) The employer shall give-

(a) a permanent employee fourteen (14) days' notice before the layoff; and

(b) a seasonal employee twenty-four (24) hours notice before the lay-off.

(4) An employer may apply to the Minister responsible for Labour for a temporary exemption for a specified period according to the circumstance of the enterprise, from the application of regulation 18(3), (a), after negotiating with the employees' organization, for a reduction of the period of notice to be given to employees, before lay-off.

Trade Testing

19. (1) An employer shall grant paid leave to an employee who requests to undergo a trade test at the Directorate of Industrial & Vocational Training (DIVT) or any similar institution to enable the employee to take the tests.

(2) An employee undergoing a trade test shall furnish the employer with the results of the examination.

Revocation of Legal Notice No.258 of 2022

20. The Regulation of Wages (Manufacturing and Processing Industry) Order, 2022 promulgated under Legal Notice No.258 of 2022 is hereby revoked.

FIRST SCHEDULE

BASIC MINIMUM WAGE

(Emalangen per week)

CATEGORY 1

Learner Craftsperson
Learner Finisher
Learner Spinner
Learner Weaver
Casual Employee
Seasonal Labourer

454.14

Carder
 Checker
 Cleaner
 Cook

Engraver's Assistant
 Entrepreneur's Assistant
 Finisher
 Grinder
 Loader
 Potter 454.14
 Trimmer
 Bagger
 Learner Machine Operator

Screen printer
 Semi skilled kiln hand
 Silversmith
 Spinner
 Tablehand
 Presser (garment)
 Washer
 Layer 479.37
 Presser
 Folder
 Packer
 Box folder
 Canteen Assistant
 Cartoon Sealer
 Painter
 Dispatch Clerk (Printing)

Upper Printer
 Backstream Reducer
 D-ring inserter
 Foam attacher
 Hand trimmer
 Lacer
 Stacker 499.72
 Receiver-Second Stock
 Sorter
 Textile preparer
 Toecap positioner

Toelaster feeder
 Upper brusher
 Workshop assistant

Assemble socks
 Box preparer
 Cementer
 Edward maker
 Foam strip cutter
 Hole perforator
 Lubricator/Riveter/Buckler
 Sewing Machinist II
 Shoe Boxer
 Sole Chlorinator
 Stamper
 Staple extractor
 String lacer
 String cutter
 Toepuff positioner
 Unlaster
 Upper cleaner
 Plate filer (printer)

501.92

Assembler-Button Components

Box labeler
 Canteen assistant/Cashier
 Insole Moulder/stamper
 Last Preparer
 Last Transporter
 Rougher-sole Margin
 Shoe Repairer
 Sticker attacher
 Upper splitter
 Weighs Clerk
 Yarn loader

511.50

Coil Winder
 Component Assembler
 Copy Typist
 Dough Panner
 Driver Salesman's Assistant
 Entrepreneur's Assistant Grade 1
 Flour sifter

General Labourer	
Hoist Operator	521.24
Loader/Packer	
Messenger	
PC Board Trimmer	
Plant Assistant	
Security Guard/Stonehand	
Machinist	
Learner Machine Minder (Printing)	
Assistant Receptionist	
Digital/Duplicator Operator (Riso)	
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Assembler (soldering)	
Binder Assistant	
Compositor	
De-Boner	
Dark Room Attendant	
Mechanical Assembler	
Proof Reader	
AJS Operator	
Assembler Upper-Components	541.99
Counter inserter	
Counter Moulder	
Leather Baler	
Loader F.O.F	
Recutter	
Sewing Machinist 1	
Shop Assistant	
Clerk/Storeman (Printing)	
Rubber Stamp maker	
Stitching Machine operator (Printing)	
Sewer/ Binder	
Skiver- Upper/toepuffs	
Soaker	
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Slaughter man	
Driver/Messenger	
Laboratory Assistant	
Presser Attendant	
Electrical Maintenance Assistant	
Office Clerk	
Rougher Uppers	565.13
Senior Watchman	

Sole Presser
 Printing Machine Minder (Junior)
 Photo lithographer
 Reception Clerk (Printing)
 Sales Assistant
 Wages Clerk
 Glazier
 Knitting operator
 Runner
 Stenter layer/feeder
 Stenter Quality Controller

CATEGORY 2

Cabinet Fitter
 Chassis Fitter
 Clerk/ Stores Assistant
 Driver (L.D.V)
 Forklift Operator
 Picture Tube Assembler 542.17
 Soakline attendant
 Switchboard Operator
 Utility
 D.T.P Operator
 Printers Grade 111

Baker's Assistant
 Blower
 Confectioner's Assistant 545.07
 Dough Mixer
 Engraver
 Divider Operator

Click-High Frequency
 Clicker- Insolers/ toepuffs/ counters
 Clicker- Linings/ Trims/ Socks/ Velcro
 Dispatch Clerk
 Heelseat Laster 553.86
 Invoice Clerk
 Leather Sorter
 Quality Controller
 Sole Spotter

Kiln Operator	
Melter	
Saw Sharpener	
Design Draftsman's Assistant	
Inspector	
Machine Operator	622.94
Machine Attendant	
Solder Bath Attendant	
Tester	
Guillotine Operator (Printing)	
Machine Minder (Printing)	
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Boiler	
Driver (H.D.V)	
Kardex Clerk / Storeman	564.40
Aligner	
Final Inspector / Tester	
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Clicker-textile	
Rebater Controller	584.22
Repairers' Assistant	
Fabric drying/dewatering machine operator	
Yarn dewatering and drying machine operator	
Slitting machine operator	
Stenter operator	
Fabric dyeing machine operator	
Yarn dyeing machine operator	
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Liner Feeder	
Repairer's Assistant	601.49
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Baker	
Confectioner	
Handy-Man	631.74
Chef	
Clicker- Suede Split	
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Charge hand	
Final Aligner and Tester	
Jumper	
Plant attendant	
Tool Setter	654.67
Fitter	

Personal Secretary
 Sewing Mechanic
 Toelaster

Printers Grade 11	666.37
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CATEGORY 3

Clerk / Storeman Assistant (with junior certificate)

Driver

Artisan Grade 111

Cattle buyer

Master Screen printer	641.18
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Master Potter

Master Silversmith

Salesman

Salesman (Senior)	
Storeman (Printing)	610.14

Assistant foreman Confectioner

Assistant foreman Baker	777.34
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Clerk/ Storeman (with senior certificate)

Printers Grade 1	932.29
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Artisan Grade 11

Foreman Baker	1142.28
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Foreman Confectioner	1222.60
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Artisan Grade 1	1675.22
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Laboratory Technician	1771.15
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Supervisor 25% above the wage to the highest paid employee under his
 direct supervision

SECOND SCHEDULE
(Regulation 5)
WRITTEN PARTICULARS OF EMPLOYMENT

1. Name of Employer
2. Name of Employee
3. Date Employment began
4. Wage and method of calculation
5. Interval and which wages are paid
6. Short description of employees' work
-
-
7. Probation Period
8. Annual Leave Entitlement
9. Paid Public Holiday
10. Payment during sickness
11. Notice employee entitled to receive
12. Notice employer required to give
13. Pension Scheme (if any, other than E.N.P.F. Scheme).....
14. Any other matter either party wishes to include.....

(a) An Employee is free to join an industry union which is recognized by the undertaking.

The address of the Industry Union is:

.....

(b) The grievance procedure in this undertaking requires that a grievance
Should be first referred to

.....

(c) When any heading is inapplicable enter nil

(d) Please give a copy of this form to the employee after it has been duly signed.

Signed.....Employer

..... Employee

..... Witness

..... Date

PHILA W. BUTHELEZI
MINISTER FOR LABOUR & SOCIAL SECURITY

