

Statutory Instrument No. 110 of 1974

REGULATION OF WAGES AND CONDITIONS OF EMPLOYMENT ACT, 1969
(22 of 1969)

**REGULATION OF WAGES (HOTEL AND CATERING TRADES) ORDER,
1974**

IN EXERCISE of the powers conferred by section 8 of the Regulation of Wages and Conditions of Employment Act, 1969, the Minister of Health, Labour and Home Affairs hereby makes the following order —

1. This Order may be cited as the Regulation of Wages (Hotel and Catering Trades) Order, 1974, and shall be deemed to have come into operation on 15th July, 1974. Citation and commencement

2. (1) This Order shall apply to all persons employed in any undertaking or part of an undertaking licensed under Liquor Proclamation 1960. Application

(2) In this Order "undertaking" includes any person, firm, business, company or club, and the activities of any body whether corporate or incorporate, whether carried on by way of trade or not:

Provided that —

(i) persons employed in any undertaking or part of an undertaking which is operated by the Government, a charitable or religious organisation, or by an educational or medical institution; and

(ii) persons employed to watch over any property in the industry, shall be excluded.

(3) Casual employees shall be entitled to the minimum wages and overtime remuneration or the rates as prescribed in this Order.

3. There shall be paid to employees in the Industry a basic minimum wage of 90 cents per day, but nothing shall prevent payment of a higher wage than the basic minimum wage at the discretion of the employer. Basic minimum wage

4. (1) There shall be paid an increment at the rate of 6 cents per day above the basic minimum wage for each completed year of service up to a maximum of 3 years. Increments

(2) On the coming into force of this Order, an employee with more than one year of service with his employer shall be granted an increment equivalent to the completed years of service, up to a maximum of 3 years.

5. No employee shall be required to work more than 8½ hours in any one working day or a total of 51 working hours in any one week of 6 days. Hours of work

6. An employee shall be given one period of at least 24 consecutive hours rest in the course of each week at the employer's absolute discretion to determine when this period is taken: Rest days

Provided that the employee shall be notified at least 7 days before the proposed rest period.

7. The following Public Holidays shall be treated as paid Public Holidays: Paid Public Holidays

New Year's Day
Good Friday
President's Day
Botswana Day
Christmas Day

- Overtime **8.** (1) If any employee works for any period in excess of $8\frac{1}{2}$ hours in a working day or 51 hours in a working week of 6 days he shall be paid at an overtime rate of his normal hourly rate plus one half of such rate (otherwise known as "time-and-a-half").
- (2) If an employee works on any Public Holiday or rest period as prescribed in this Order, he shall be paid an overtime rate of twice his normal hourly rate (otherwise known as "double-time").
- (3) Any overtime work shall be at the discretion of the employee only, or that of the employer during emergency for the preservation of the industry.
- Annual paid leave **9.** (1) An employee shall be entitled to a paid leave of at least 18 working days in respect of the first period of 12 months, calculated at the rate of one-and-a-half working days per every completed month of service.
- (2) After completion of the first period of 12 months, an employee shall be entitled to at least 24 working days in respect of each period of 12 months service, calculated at the rate of two working days per every completed month of service.
- Protection of existing wages and conditions of employment **10.** The wages and conditions of employment in force between employers and employees at the commencement of this Order shall not be altered for the worse as in respect of employees but to the extent that the same are not in conflict with this Order shall be deemed to be made under this Order and the parties thereto shall be subject to and entitled to the benefit of the provisions of this Order.

MADE this 15th day of July, 1974.

D.L. PILANE,
Permanent Secretary,
Ministry of Health, Labour and Home Affairs.

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