

Statutory Instrument No. 158 of 1984

EMPLOYMENT ACT, 1982
(29 of 1982)

EMPLOYMENT (CASUAL EMPLOYEES) REGULATIONS, 1984.

(Published on 28 December, 1984)

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation and application
2. Register of casual employees
3. Casual Employees Advisory Committees

SCHEDULE

IN EXERCISE of the powers conferred on the Minister of Home Affairs by section 175 of the Employment Act, 1982, the following Regulations are hereby made —

1. (1) These Regulations may be cited as the Employment (Casual Employees) Regulations, 1984, and shall apply to every area of Botswana for the time being designated under subregulation (2) for the purposes of these Regulations.

Citation
and
application

(2) The Minister may, by order published in the Gazette, designate any area of Botswana for the purposes of these Regulations.

2. The Register of casual employees to be kept, by virtue of section 37 of the Act, by every employer who employs such employees within an area to which these Regulations apply shall be in the form set forth in the Schedule hereto.

Register
of casual
employees

3. (1) The Minister may, by order published in the Gazette, establish for any area to which these Regulations apply a committee to be known as a Casual Employees Advisory Committee.

Casual
Employees
Advisory
Committees

(2) The following provisions of this regulation shall apply in respect of every Casual Employees Advisory Committee established under subregulation (1).

(3) The Committee shall consist of such number of members as the Minister shall determine in the Committee's own particular case, all of whom shall be appointed by the Minister:

Provided that the Committee's membership shall equally represent —

- (i) the Government;
- (ii) employers employing casual employees within the area for which the Committee is established; and
- (iii) casual employees usually employed within that area.

(4) Every member of the Committee, other than a member representing the Government, shall remain a member thereof for 3 years but shall be eligible for reappointment to the Committee at the expiry of the term of his membership:

Provided that —

- (i) the Minister may revoke the appointment of any such member at any time; and
 - (ii) any such member may, by notice in writing lodged with the Minister, resign his membership of the Committee at any time.
- (5) Every member of the Committee representing the Government

shall remain a member thereof at the Minister's pleasure.

(6) The Minister shall appoint, from among the members of the Committee, persons to be the Chairman and Deputy Chairman respectively of the Committee, each of whom shall hold office as such at the Minister's pleasure.

(7) The Chairman or, in his absence, the Deputy Chairman of the Committee shall preside at every meeting of the Committee.

(8) The functions of the Committee shall be —

- (a) regularly to review, in the context of the Act, the terms and conditions of or affecting the employment of casual employees within the area for which the Committee is established;
- (b) to advise the Minister on the adequacy or otherwise of these Regulations and to make appropriate recommendations for their revision;
- (c) forthwith to bring to the attention of the Minister any abuses that have become apparent in relation to the employment of casual employees within the area for which the Committee is established and to advise the Minister regarding the remedies that appear to be called for;
- (d) to advise the Minister on any matter regarding the further protection of casual employees, either generally or within the area for which the Committee is established; and
- (e) such other functions in relation to the employment of casual employees as the Minister may specify.

(9) At every meeting of the Committee, the Chairman or Deputy Chairman of the Committee (whoever is presiding) shall designate a member of the Committee to record the minutes of the meeting in either Setswana or English and that person shall, as soon as is reasonably practicable, enter those minutes in a book kept for that purpose alone (hereinafter referred to as "the Committee's minute book").

(10) The Committee's minute book shall be kept in safe custody by such member of the Committee as the Committee shall designate and that member shall forthwith produce the book for examination by the Minister or by a labour officer authorized in writing by the Minister in that behalf on being required, at any reasonable time, by the Minister or such a labour officer to do so.

(11) Subject to these Regulations and to any directions that may be given it by the Minister, the Committee shall regulate its own procedure, including the appointment of additional officers of the Committee and the frequency of its meetings.

SCHEDULE

(r.2)

EMPLOYMENT ACT, 1982

(29 of 1982)

(section 37)

EMPLOYMENT (CASUAL EMPLOYEES) REGULATIONS, 1984

(S.I. 58 of 1984)

REGISTER OF CASUAL EMPLOYEES

Full name of employer

Postal and locational addresses of employer

..... Telephone No.....

Nature of undertaking.....

Date	Name of employee	Age	Identification No 1	Description of employee	Wages paid	Number of hours worked

1. This is the identification number, if any, shown on a metal token or otherwise, given the casual employee and serving to identify him for the purpose of paying him his wages.
2. E.g. driver, gardener, cleaner.

Month	Total number of employees of all categories employed	Total number of casual employees employed	Month	Total number of casual employees employed	Total number of employees of all categories employed

MADE this 14th day of December, 1984.

E.M.K. KGABO,
Minister of Home Affairs.

L2/7/34