(2) CLAY WORKS

The Clay Works (Welfare) Special Regulations, 1948

1948 No. 1547

Made - - - -	*2nd July*, 1948
Laid before Parliament	*5th July*, 1948
Coming into Operation	*1st October*, 1948

Whereas under Section 46 of the Factories Act, 1937, Special Regulations may be made for the purpose of securing the welfare of persons employed; 1 Edw. 8 & 1 Geo. 6. c. 67.

And Whereas the Factories Act, 1937 (Extension of Section 46) Regulations, 1948(a), made under subsection (6) of that Section, extend the matters to which the Section relates;

And Whereas it appears to the Minister of Labour and National Service that owing to the conditions and circumstances of employment or the nature of the processes carried on in factories to which these Regulations apply, provision requires to be made for securing the welfare of persons employed in such factories;

Now, therefore, the Minister by virtue of the above powers and of the Transfer of Functions (Factories, &c., Acts) Order, 1946(b), hereby makes the following Special Regulations:—

1.—(1) These Regulations may be cited as the Clay Works (Welfare) Special Regulations, 1948, and shall come into force on the 1st day of October, 1948. Short title, commencement, interpretation and revocation.

(2) The Interpretation Act, 1889, applies to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament. 52 & 53 Vict. c. 63.

(3) The Clay Works Welfare Order, 1932(c), is hereby revoked.

2.—(1) Subject to the provisions of paragraph (2) hereof these Regulations apply to all factories in which clay, shale, sand, lime or similar materials are made into bricks, tiles, blocks, slabs, pipes, stilts and spurs, nozzles or similar articles. Application.

(2) There shall be excluded from the factories to which these Regulations apply any factory to which the Regulations(d) made by the Secretary of State on the 2nd January, 1913, for the Manufacture and Decoration of Pottery apply:

Provided that where the latter Regulations apply only to part of a factory this exclusion shall relate only to that part, and provided further that this exclusion shall not relate to a factory if the only

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(a) S.I. 1948 No. 707, p. 952 above.
(b) S.R. & O. 1946 (No. 376) I, p. 1006.
(c) S.R. & O. 1932 (No. 1013) p. 476.
(d) S.R. & O. 1913 (No. 2) p. 131.

obligation imposed on the occupier of the factory in relation thereto by the latter Regulations is an obligation to allow samples of materials to be taken for analysis.

Shelters.

3. Where kiln burning is carried on, a safe and suitable shelter shall (unless the mess room or other accommodation provided in pursuance of Regulation 8 is available for their use and conveniently accessible to them) be provided and maintained for the workers attending the kilns. Every such shelter shall be sufficiently ventilated and warmed and lighted and furnished with chairs or benches. Adequate means of warming food and boiling water shall be provided in or adjacent to the shelter.

Washing facilities.

4.—(1) Without prejudice to the requirements of Section 42 of the Factories Act, 1937, the occupier shall provide and maintain for the use of the persons employed suitable facilities for washing, including a sufficient supply of clean towels, renewed daily, and of soap and nail brushes, and basins or troughs for washing the face, hands and fore-arms. The basins and troughs so provided and maintained shall satisfy the following requirements:—

(*a*) basins and troughs shall have a smooth impervious upper surface;

(*b*) each basin shall be fitted with a waste-pipe and plug and shall have a supply of hot and cold water or of warm water laid on or made readily available at all times when employed persons for whose use the basin is reckoned as provided are in or within the precincts of the factory;

(*c*) each trough shall be fitted with an unplugged waste-pipe and shall have a supply of warm water laid on at points above the trough and at intervals of not more than two feet and available at all times when employed persons for whose use the trough or part thereof is reckoned as provided are in or within the precincts of the factory;

(*d*) basins and troughs shall be so situated as to afford facilities for washing under cover and protected from the weather;

(*e*) basins and troughs shall be sufficient in number and dimensions to provide at least one unit for every 10 persons employed up to a total of 50, and at least one unit for every 20 persons employed above 50. Where the persons employed are employed in shifts the calculation of the number employed shall be according to the largest number at work at any one time.

(2) For the purposes of this Regulation

(*a*) a " unit " means one basin or two feet of the length of a trough or, in the case of circular or oval troughs, two feet of the circumference of a trough;

(*b*) in dividing by 10 for the purpose of finding the number of units required any remainder shall be counted as 10, and in dividing by 20 for the like purpose any remainder shall be counted as 20;

(*c*) a unit shall not be reckoned as provided for a number of persons unless that unit is conveniently accessible to every one of that number;

(*d*) a basin or other receptacle shall not be reckoned as a trough unless it measures internally at least four feet over its longest or widest part.

5.—(1) The occupier shall provide suitable protective clothing for workers who are wholly or mainly employed in the open air or on work in which they are exposed to substantial quantities of dust, and for persons employed at machines where oil is used on the brick material. In the case of the latter class of persons the protective clothing provided shall include oilproof aprons. Protective clothing.

(2) All protective clothing provided in pursuance of this Regulation shall be maintained by the occupier in good repair. The occupier shall have the protective clothing washed or cleaned or renewed weekly, such washing or cleaning to be done at the factory or at a laundry.

6. The occupier shall provide and maintain adequate and suitable accommodation for overalls and other protective clothing worn during working hours, whether provided in pursuance of Regulation 5 or not, and adequate and suitable arrangements for drying such clothing. Clothing accommodation.

7.—(1) In the case of factories at which more than 500 persons are employed there shall be provided and maintained in good order and in a clean condition a properly constructed ambulance room with equipment, which shall include at least the equipment specified in the Schedule to these Regulations. The room shall be used only for purposes of treatment and rest and shall be in charge of a suitably qualified person who shall always be readily available during working hours, and a record shall be kept of all cases of accident or sickness treated at the room. First aid.

(2) In the case of factories at which not more than 500 persons are employed, there shall be a suitable room promptly made available for the reception of persons injured or taken ill while at work, and equipped with a suitable couch or stretcher. Where the room is used for other purposes there shall be, in a part of the room, suitable accommodation for first-aid requisites, partitioned off or otherwise suitably protected.

8.—(1) In the case of factories at which more than 50 persons are employed, there shall be provided at or in the immediate vicinity of the factory, for the use of persons employed, an adequate and suitable canteen where they may purchase appropriate meals. Canteens and mess rooms.

(2) In the case of factories at which not more than 50 persons are employed there shall be provided at or in the immediate vicinity of the factory, for the use of persons employed, an adequate and suitable mess room with adequate means of warming food and boiling water.

(3) The accommodation provided in pursuance of this Regulation shall be adequately ventilated and lighted and sufficiently warmed for use at meal times, shall include sufficient tables and chairs or benches, shall be kept in a clean and orderly condition, and in a good state of repair, and shall be separate from the accommodation provided for clothing, whether clothing not worn during working hours or protective clothing worn during working hours. In the case of a canteen or mess room newly constructed or reconstructed after the date of the making of these Regulations, the floor shall be constructed of material impervious to water and with a readily washable surface.

(4) Mess room or canteen facilities shall not be treated as adequate for the purpose of this Regulation if they are not sufficient for all the persons employed at the factory whom it is reasonable to regard as desirous of availing themselves of such facilities.

Supervision.

9. The occupier shall appoint a person or persons whose name or names shall be recorded in the general register to be specially charged with the duty of supervising the cleaning and maintenance of the accommodation and facilities provided in pursuance of these Regulations.

Dated this second day of July, 1948.

G. A. Isaacs,
Minister of Labour
and National Service.

SCHEDULE

EQUIPMENT SPECIFIED FOR AMBULANCE ROOM

(*a*) A glazed sink with hot and cold water always available while any persons are at work.

(*b*) A table with a smooth top.

(*c*) Means of sterilising instruments.

(*d*) A supply of suitable dressings, bandages and splints.

(*e*) A couch.

(*f*) A stretcher.

(*g*) A foot-bath.

EXPLANATORY NOTE

(*This Note is not part of the Regulations, but is intended to indicate their general purport.*)

These Regulations supersede the Clay Works (Welfare) Order, 1932, and apply (with the exception of certain factories or parts of factories which are subject to the Regulations made by the Secretary of State on the 2nd January, 1913, for the manufacture and decoration of pottery) to factories in which clay, shale, sand, lime or similar materials are made into bricks, tiles, blocks, slabs, pipes, stilts and spurs, nozzles or similar articles.

They amplify and extend the provisions of that Order with regard to washing facilities, clothing accommodation and other welfare matters, and contain new requirements as to the provision of protective clothing and (in certain cases) of ambulance rooms and canteens.