(8) COTTON WASTE RECLAMATION (G.B.)

The Cotton Waste Reclamation Wages Council (Great Britain) Wages Regulation Order, 1949

1949 No. 1929

Made - - - - 14*th October*, 1949
Coming into Operation 31*st October*, 1949

C.W. (45)

Whereas the Minister of Labour and National Service (hereinafter in this Order referred to as "the Minister") has received from the Cotton Waste Reclamation Wages Council (Great Britain) (hereinafter in this Order referred to as "the Council")

(*a*) the wages regulation proposals set out in the First Schedule hereto, being proposals for fixing the remuneration to be paid by their employers to workers in relation to whom the Council operates in substitution for the remuneration fixed for those workers by the Cotton Waste Reclamation Wages Council (Great Britain) Wages Regulation Order, 1947(**a**) (hereinafter in this Order referred to as "Order C.W. (43)"); and

(*b*) the wages regulation proposals set out in the Second Schedule hereto being proposals for amending the Cotton Waste Reclamation Wages Council (Great Britain) Wages Regulation (Holidays) Order, 1946(**b**) (hereinafter in this Order referred to as "Order C.W. (41)") which contains provisions requiring workers in relation to whom the Council operates to be allowed holidays by their employers and fixing holiday remuneration to be paid by their employers to those workers;

Now therefore the Minister, by virtue of the powers conferred on him by Section 10 of the Wages Councils Act, 1945(**c**), and of all other powers in that behalf, hereby makes the following Order:—

Short title and interpretation

1.—(1) This Order may be cited as the Cotton Waste Reclamation Wages Council (Great Britain) Wages Regulation Order, 1949.

(2) In this Order the expression "the specified date" means the 31st day of October, 1949, provided that where as respects any worker who is paid wages at intervals not exceeding seven days that date does not correspond with the beginning of the period for which the wages are paid, the expression "the specified date" means, as respects that worker, the beginning of the next such period following that date.

(3) The Interpretation Act, 1889(**d**), applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Fixing of statutory minimum remuneration and revocation of Order C.W. (43)

2.—(1) Effect is hereby given to the said wages regulation proposals set out in the First Schedule hereto.

(2) The provisions of the First Schedule hereto shall have effect as from the specified date and as from that date Order C.W. (43)(**a**) shall cease to have effect.

(a) S.R. & O. 1947 (No. 477) I, 2367.
(b) S.R. & O. 1946 (No. 1549) I, 1857.
(c) 8 & 9 Geo. 6. c. 17.
(d) 52 & 53 Vict. c. 63.

Amendment of Order C.W. (41) as to holidays and holiday remuneration

3.—(1) Effect is hereby given to the said wages regulation proposals set out in the Second Schedule hereto.

(2) The provisions of the Second Schedule hereto shall have effect as from the specified date.

Signed by order of the Minister of Labour and National Service this 14th day of October, 1949.

Godfrey H. Ince,
Secretary of the Ministry of Labour and National Service.

FIRST SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by Order C.W. (43).

STATUTORY MINIMUM REMUNERATION

PART I

GENERAL

Paragraph 1

The minimum remuneration payable to a worker to whom this Schedule applies for all work except work to which a minimum overtime rate applies under Part III is:—

(*a*) in the case of a time worker, the general minimum time rate payable to the worker under Part II of this Schedule;

(*b*) in the case of a worker employed on piece work, piece rates each of which would yield, in the circumstances of the case, to an ordinary worker at least the same amount of money as the general minimum time rate which would be payable to the worker under Part II of this Schedule if he were a time worker.

PART II

GENERAL MINIMUM TIME RATES

MALE WORKERS

Paragraph 2

The general minimum time rates payable to male workers are as follows:—

	Per hour.
	s. d.
Workers aged 21 years or over	*2 0*
„ „ 20 and under 21 years	*1 10¾*
„ „ 19 „ 20 „	*1 9¾*
„ „ 18 „ 19 „	*1 6¼*
„ „ 17 „ 18 „	*1 4½*
„ „ 16 „ 17 „	*1 0½*
„ „ *under 16 years*	*11*

FEMALE WORKERS

Paragraph 3

The general minimum time rates payable to female workers are as follows:—

	Per hour. s.	d.
(*a*) workers aged 18 years or over and employed:—		
(i) in England and Wales	*1*	*4½*
(ii) in Scotland	*1*	*4½*
(*b*) workers employed in any part of Great Britain and aged:—		
17 and under 18 years	*1*	*1½*
16 „ 17 „		*11*
under 16 years		*8¼*

PART III

OVERTIME AND WAITING TIME—ALL WORKERS

MINIMUM OVERTIME RATES

Paragraph 4

(1) Minimum overtime rates are payable to any worker as follows:—

(*a*) On a Sunday or a customary holiday, for all time worked .. .. Double Time

(*b*) In any week, exclusive of any time worked on a Sunday or a customary holiday, for time worked in excess of 45 hours—

(i) For the first 2 hours .. .. Time-and-a-quarter

(ii) Thereafter .. .. Time-and-a-half

(2) In this paragraph the expression "customary holiday" means:—

(*a*) (i) in England and Wales—

Christmas Day (or, if Christmas Day falls on a Sunday, such week day as may be appointed by national proclamation, or, if none is so appointed, the next following Tuesday), Boxing Day, Good Friday, Easter Monday, Whit Monday, and August Bank Holiday.

(ii) In Scotland—

New Year's Day (or, if New Year's Day falls on a Sunday, the following Monday);

the local Spring holiday;

the local Autumn holiday; and

three other days (being days on which the worker normally works) in the course of a calendar year to be fixed by the employer and notified to the worker not less than three weeks before the holiday; or

(*b*) in the case of each of the said days (other than a day fixed by the employer in Scotland and notified to the worker as aforesaid) a day substituted by the employer therefor, being a day recognised by local custom as a day of holiday in substitution for the said day, or a day substituted by agreement between the employer and the worker or his representative.

(3) In this paragraph the expressions "time-and-a-quarter", "time-and-a-half" and "double time" mean respectively one and a quarter times, one and a half times, and twice the minimum remuneration payable to the worker for work to which a minimum overtime rate does not apply.

WAITING TIME

Paragraph 5

(1) A worker is entitled to payment of the minimum remuneration specified in this Schedule for all time during which he is present on the premises of his employer, unless he is present thereon in any of the following circumstances:—

(*a*) without the employer's consent, express or implied;

(*b*) for some purpose unconnected with his work and other than that of waiting for work to be given to him to perform;

(*c*) by reason only of the fact that he is resident thereon;

(*d*) during normal meal times, in a room or place in which no work is being done, and he is not waiting for work to be given to him to perform.

(2) The minimum remuneration payable under sub-paragraph (1) of this paragraph to a piece worker when not engaged on piece work is that which would be payable if he were a time worker.

PART IV

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

Paragraph 6

This Schedule applies, subject to the provisions of the Wages Councils Act, 1945, to workers in relation to whom the Cotton Waste Reclamation Wages Council (Great Britain) operates, that is to say workers employed in Great Britain in the Cotton Waste branch of the Waste Materials Reclamation trade as specified in the Schedule to the Trade Boards (Waste Materials Reclamation Trade, Great Britain) (Cotton Waste Branch) (Constitution and Proceedings) Regulations, 1929(a), which Schedule reads as follows:—

"1. For the purposes of this Schedule the expression 'reclamation' means all operations (including the operations of willowing and garnetting) performed on any waste material or waste article.

The expression 'cotton waste establishment' means an establishment in which the operations specified in paragraphs 2 (*a*) and 2 (*b*) hereof and operations connected therewith constitute the principal business carried on.

The expression 'establishment' means any establishment or any branch or department of an establishment.

2. Subject to the provisions of this Schedule the Cotton Waste branch of the Waste Materials Reclamation trade consists of the following operations:—

(*a*) reclamation wherever performed of cotton waste;

(*b*) making engine cleaning waste;

(*c*) reclamation of any other waste material or article where performed in or in connection with a cotton waste establishment;

(*d*) making (whether from new or waste material) or repairing sacks or bags in a cotton waste establishment except where the bags are made or repaired:—

(i) otherwise than for use in the establishment; and

(ii) in an establishment wholly or mainly engaged in the making or repairing of sacks or bags;

and operations connected therewith.

3. Notwithstanding anything in this Schedule the following operations are not operations in the Cotton Waste branch of the Waste Materials Reclamation trade:—

(*a*) reclamation of any waste material or waste article in an establishment (other than a cotton waste establishment) in which that

(a) S.R. & O. 1929 (No. 3) p. 1378.

material or article is produced or is used as material for manufacture or as a container or wrapper for other articles manufactured in the establishment, and operations connected therewith ;

(*b*) production of shoddy or mungo or woollen flock or any operations performed in an establishment in which the production of shoddy or mungo or woollen flock is the principal business carried on ;

(*c*) repairing or overhauling machinery or plant ;

(*d*) collecting, transporting, packing, warehousing, or despatching when performed by workers in the direct employment of an employer who is not otherwise engaged in the Waste Materials Reclamation trade ;

(*e*) cleaning or washing when performed in an establishment where the cleaning or washing is mainly of articles other than those specified in paragraph 2 hereof ;

(*f*) cleaning of premises by charwomen ;

(*g*) caretaking ;

(*h*) clerical work ;

(*i*) reclamation of cotton waste and making engine cleaning waste when performed in, or in connection with, a general waste materials establishment (as defined in the Schedule to the Trade Boards (Waste Materials Reclamation Trade, Great Britain) (General Waste Branch) (Constitution and Proceedings) Regulations, 1929(a)), except where performed in or in connection with :—

(i) a branch or department of a general waste materials establishment which constitutes a cotton waste establishment, or

(ii) a branch or department of a cotton waste establishment which constitutes a general waste materials establishment."

SECOND SCHEDULE

HOLIDAYS AND HOLIDAY REMUNERATION

Order C.W. (41) shall have effect as if in paragraph 11 (1) (a) of the Schedule thereto " thirty-six hours " were substituted for " twenty-four hours ".

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

The First Schedule to this Order sets out the statutory minimum remuneration payable as from the 31st October, 1949, to workers in relation to whom the Cotton Waste Reclamation Wages Council (Great Britain) operates. It supersedes the Schedule to Order C.W. (43).

The Second Schedule amends the Schedule to Order C.W. (41) by increasing the minimum period of work required to constitute " employment in a week " for the purpose of calculating periods of employment entitling a worker to an annual holiday or accrued holiday remuneration.

New provisions are printed in italics.

(a) S.R. & O. 1929 (No. 4) p. 1382.