(9) FUR (G.B.)

The Fur Wages Council (Great Britain) Wages Regulation Order, 1948

1948 No. 1233

Made - - - - 10*th June*, 1948

Z. (46)

[This Order was revoked and replaced (March 14th, 1949) by the Fur Wages Council (Great Britain) Wages Regulation Order, 1949 (S.I. 1949 No. 268), and is therefore omitted from this volume.]

The Fur Wages Council (Great Britain) Wages Regulation (Holidays) Order, 1948

1948 No. 1234

Made - - - - 10*th June*, 1948

Z. (47)

Whereas the Minister of Labour and National Service (hereinafter referred to as " the Minister ") has received from the Fur Wages Council (Great Britain) (hereinafter referred to as " the Council ") the wages regulation proposals set out in the Schedule hereto being proposals for requiring workers in relation to whom the Council operates to be allowed holidays by their employers and for fixing holiday remuneration to be paid by their employers to those workers in substitution for the holidays provided for by a direction given and the holiday remuneration fixed under the Holidays with Pay Act, 1938, and confirmed by the Order of the Minister of Labour dated the 3rd day of May, 1939 (hereinafter referred to as " Order Z. (33) ") as amended by the Fur Wages Council (Great Britain) Wages Regulation Order, 1947(a), (hereinafter referred to as " Order Z. (43) ");

1 & 2 Geo. 6. c. 70.

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

8 & 9 Geo. 6. c. 17.

Short title and interpretation.

1.—(1) This Order may be cited as the Fur Wages Council (Great Britain) Wages Regulation (Holidays) Order, 1948.

(2) In this Order the expression " the specified date " means the 28th day of June, 1948, 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.

52 & 53 Vict. c. 63.

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

(a) S.R. & O. 1947 (No. 1735) I, p. 2411.

2.—(1) Effect is hereby given to the said wages regulation proposals set out in the Schedule hereto. Fixing of holidays and holiday remuneration and revocation of Order Z. (33).

(2) The provisions of the Schedule hereto shall have effect as from the specified date and as from that date Order Z. (33) as amended by Order Z. (43) (a) shall cease to have effect.

Signed by order of the Minister of Labour and National Service this 10th day of June, 1948.

H. H. Wiles,
Deputy Secretary of the
Ministry of Labour and National Service.

SCHEDULE

The following provisions as to holidays and holiday remuneration shall be substituted for the provisions as to holidays and holiday remuneration set out in Order Z. (33) as amended by Order Z. (43).

PART I

APPLICATION

Paragraph 1

This Schedule applies to every worker for whom statutory minimum remuneration has been fixed.

PART II

CUSTOMARY HOLIDAYS

Paragraph 2

(1) An employer shall allow to every worker to whom this Schedule applies a holiday (hereinafter referred to as a " customary holiday ") in each year on the days specified in the next following sub-paragraph, provided that the worker has been in his employment for a period of not less than four weeks immediately preceding the holiday, and has worked for the employer during the whole or part of that period, and (unless excused by the employer or absent by reason of the proved illness of, or accident to, the worker) has worked for the employer throughout the last working day on which work was available to him immediately prior to the holiday.

(2) The said customary holidays are :—

(*a*) (i) In England and Wales—

Christmas Day (or, if Christmas Day falls on a Sunday, such other 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 four 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 therefor, being either a day recognised by local custom as a day of holiday in substitution for the said day, or a day agreed between the employer and the worker or his representative.

(a) S.R. & O. 1947 (No. 1735) I, p. 2411.

(3) Notwithstanding the preceding provisions of this paragraph, an employer may (except where in the case of a woman or young person such a requirement would be unlawful) require a worker who is otherwise entitled to any customary holiday under the foregoing provisions of this Schedule to work thereon, and, in lieu of any holiday on which he so works, the worker shall be entitled to be allowed a day's holiday (hereinafter referred to as a "holiday in lieu of a customary holiday") on a week day on which he would normally work within the period of three weeks next ensuing.

(4) A worker who is required to work on a customary holiday shall be paid :—

(*a*) for all time worked thereon at the minimum rate then appropriate to the worker for work on a customary holiday ; and

(*b*) in respect of the holiday in lieu of the customary holiday, holiday remuneration in accordance with paragraph 6 of this Schedule.

PART III

ANNUAL HOLIDAYS

Paragraph 3

(1) In addition to the holidays specified in Part II of this Schedule an employer shall, before the 31st day of October, 1948 and between the 1st day of April and the 31st day of October in each subsequent year allow a holiday (hereinafter referred to as "an annual holiday") to every worker in his employment to whom this Schedule applies who was employed by him during the twelve months immediately preceding the commencement of the holiday season for any of the periods specified below, and the duration of the holiday shall be related to his period of employment during that twelve months as follows :—

(*a*) in the case of workers who are under 18 years of age when they enter the employment of the employer and who are under 19 years of age at the commencement of their first annual holiday under this Schedule :—

Period of employment	*Duration of holiday*
At least 24 weeks' employment calculated in accordance with the provisions of paragraph 11 of this Schedule	6 days
At least 20 weeks' such employment	5 ,,
,, ,, 16 ,, ,, ,, ...	4 ,,
,, ,, 12 ,, ,, ,, ...	3 ,,
,, ,, 8 ,, ,, ,, ...	2 ,,
,, ,, 4 ,, ,, ,, ...	1 day

Provided that this provision shall apply only to a worker who is in his first employment since leaving school and in respect of his first annual holiday under this or any other wages regulation order and

(*b*) in the case of all other workers :—

Period of employment	*Duration of holiday*
At least 48 weeks' employment calculated in accordance with the provisions of paragraph 11 of this Schedule	6 days
At least 40 weeks' such employment	5 ,,
,, ,, 32 ,, ,, ,, ...	4 ,,
,, ,, 24 ,, ,, ,, ...	3 ,,
,, ,, 16 ,, ,, ,, ...	2 ,,
,, ,, 8 ,, ,, ,, ...	1 day

(2) Notwithstanding the provisions of the last foregoing sub-paragraph :—

(*a*) The number of days of annual holiday to which a worker is entitled in any holiday season shall not exceed in the aggregate the period constituting the worker's normal working week.

(*b*) The worker shall not be entitled to be allowed an annual holiday during the season ending on the 31st day of October, 1948, if he has been duly allowed an annual holiday by the employer under the provisions of the Minister of Labour's confirming Order Z.(33) as amended by Order Z.(43) between the 1st day of April, 1948 and the date on which this Schedule becomes effective.

(3) In this Schedule the expression " holiday season " means in relation to an annual holiday during the year 1948 the period commencing on the 1st day of April, 1948 and ending on the 31st day of October, 1948, and in relation to each subsequent year, the period commencing on the 1st day of April and ending on the 31st day of October in that year.

Paragraph 4

Annual holidays under this Schedule shall be allowed on consecutive working days, being days upon which the worker is normally called upon to work for the employer, and days of holiday shall be treated as consecutive notwithstanding the intervention of a Sunday or some other holiday or a day on which the worker does not normally work for the employer. Provided that the last day of the annual holiday to which a worker is entitled may be allowed on a non-consecutive working day (other than the worker's weekly short day) falling within the holiday season where the said annual holiday is allowed immediately after a customary holiday or so that such a holiday intervenes.

Paragraph 5

An employer shall give to a worker reasonable notice of the commencing date and duration of his holiday. Such notice shall be given at least 28 days before the first day of the holiday and may be given individually to the worker or by the posting of a notice in the place where the worker is employed.

Part IV

HOLIDAY REMUNERATION

CUSTOMARY HOLIDAYS

Paragraph 6

(1) Subject to the provisions of this paragraph for each day of holiday to which a worker is entitled under Part II of this Schedule he shall be paid by the employer holiday remuneration equal to the amount which would be payable in accordance with the provisions of paragraph 7 of this Schedule if the day had been a day of annual holiday.

Provided, however, that payment of the said holiday remuneration is subject to the condition that the worker (unless excused by the employer or absent by reason of the proved illness of, or accident to, the worker) presents himself for employment at the usual starting hour on the first working day following the holiday.

(2) The holiday remuneration in respect of any customary holiday shall be paid by the employer to the worker on the pay-day on which the wages for the first working day following the holiday are paid.

(3) The holiday remuneration in respect of any holiday in lieu of a customary holiday shall be paid on the pay-day on which the wages are paid for the first working day following the holiday in lieu. Provided that the said payment shall be made immediately upon the termination of the worker's employment in the case where he ceases to be employed before being allowed a holiday in lieu of a customary holiday to which he is entitled, and in that case the condition specified in sub-paragraph (1) of this paragraph shall not apply.

ANNUAL HOLIDAYS

Paragraph 7

(1) Subject to the provisions of paragraph 10 of this Schedule, a worker entitled to be allowed an annual holiday under this Schedule shall be paid by his employer in respect thereof, on the last pay day preceding such annual holiday, remuneration in accordance with the following table :—

TABLE OF HOLIDAY REMUNERATION

A. Time workers.

Col. 1 Period of holiday	Col. 2 Holiday remuneration for workers with a normal working week of—		Col. 3 Holiday remuneration for full normal working week
	6 days	5 days or less	
6 days ...	The amount in Col. 3	—	The amount which the worker would be entitled to receive from his employer, at the date of the holiday, for a week's work, if working his normal working week and the number of daily hours usually worked by him (exclusive of overtime) and if paid at the appropriate statutory minimum remuneration for time work, fixed by a wages regulation order in respect of the worker, for work to which that order applies and at the same rate for work (if any) to which that order does not apply.
5 days ...	Five-sixths of the amount in Col. 3	The amount in Col. 3	
4 days ...	Two-thirds of the amount in Col. 3	Four-fifths of the amount in Col. 3	
3 days ...	One-half of the amount in Col. 3	Three-fifths of the amount in Col. 3	
2 days ...	One-third of the amount in Col. 3	Two-fifths of the amount in Col. 3	
1 day ...	One-sixth of the amount in Col. 3	One-fifth of the amount in Col. 3	

B. Piece workers.

Period of holiday	Workers other than fleshers, shavers and unhairers	Fleshers, shavers and unhairers	
		Males	Females
		£ s. d.	£ s. d.
6 days ...	The amount which the worker would be entitled to receive from his employer, at the date of the holiday, for a week's work, if he were employed as a time worker at a time rate equal to the piece work basis time rate (being statutory minimum remuneration) then applicable to him as a piece worker or where no piece work basis time rate is applicable, at the appropriate hourly general minimum time rate, and if he worked his normal working week and the number of daily hours usually worked by him (exclusive of overtime).	6 15 0	4 15 0
5 days ...	Five-sixths of the amount above	5 12 6	3 19 2
4 days ...	Two-thirds of the first amount above	4 10 0	3 3 4
3 days ...	One-half " " " " "	3 7 6	2 7 6
2 days ...	One-third " " " " "	2 5 0	1 11 8
1 day ...	One-sixth " " " " "	1 2 6	0 15 10

(2) Where under the provisions of paragraph 4 of this Schedule an annual holiday is taken in two periods the holiday remuneration shall be apportioned accordingly.

Paragraph 8

When a worker ceases to be employed after the provisions of this Schedule become effective, accrued holiday remuneration shall, immediately on the termination of the employment, be paid to him by his employer in accordance with the next following paragraph for periods of employment in respect of which he has not been allowed or has not become entitled to be allowed an annual holiday under this Schedule. Provided that where a worker ceases to be employed after being allowed (whether before or after the date on which the provisions of this Schedule become effective) a part of the annual holiday for which he has qualified by reason of his employment during any of the periods of twelve months referred to in the next following paragraph, but before being allowed the rest of the annual holiday for which he has so qualified, the accrued holiday remuneration payable to him in respect of his employment during the said period of twelve months shall be reduced by the amount of holiday remuneration received by him in respect of the part of the annual holiday he has been allowed.

Paragraph 9

(1) Subject to the provisions of this paragraph, holiday remuneration shall accrue to a worker during the period of twelve months commencing on the 1st day of April, 1947, and thereafter in each successive period of twelve months commencing on the 1st day of April and such holiday remuneration shall accrue in accordance with the provisions of the next following table :—

TABLE OF ACCRUED HOLIDAY REMUNERATION

A. Time workers.

Col. 1 Period of employment	Col. 2 Accrued holiday remuneration for workers with a normal week of		Col. 3 Accrued holiday remuneration for full normal working week
	6 days	5 days or less	
After 48 weeks' employment calculated in accordance with the provisions of paragraph 11 of this Schedule	The amount in Col. 3	—	The amount which the worker would be entitled to receive from his employer, at the date of the termination of his employment, for a week's work, if working his normal working week and the number of daily hours usually worked by him (exclusive of overtime), and if paid at the appropriate statutory minimum remuneration for time work, fixed by a wages regulation order in respect of the worker, for work to which that order applies and at the same rate for work (if any) to which that order does not apply.
After 40 weeks' such employment	Five-sixths of the amount in Col. 3	The amount in Col. 3	
After 32 weeks' such employment	Two-thirds of the amount in Col. 3	Four-fifths of the amount in Col. 3	
After 24 weeks' such employment	One-half of the amount in Col. 3	Three-fifths of the amount in Col. 3	
After 16 weeks' such employment	One-third of the amount in Col. 3	Two-fifths of the amount in Col. 3	
After 8 weeks' such employment	One-sixth of the amount in Col. 3	One-fifth of the amount in Col. 3	

B. Piece workers.

Period of employment	Workers other than fleshers, shavers and unhairers	Fleshers, shavers and unhairers	
		Males	Females
		£ s. d.	£ s. d.
After 48 weeks' employment calculated in accordance with the provisions of paragraph 11 of this Schedule	The amount which the worker would be entitled to receive from his employer, at the date of the termination of the employment, for a week's work, if he were employed as a time worker at a time rate equal to the piece work basis time rate (being statutory minimum remuneration) then applicable, to him as a piece worker or, where no piece work basis time rate is applicable, at the appropriate hourly general minimum time rate, and if he worked his normal working week and the number of daily hours usually worked by him (exclusive of overtime).	6 15 0	4 15 0
After 40 weeks' such employment	Five-sixths of the amount above	5 12 6	3 19 2
After 32 weeks' such employment	Two-thirds of the first amount above ...	4 10 0	3 3 4
After 24 weeks' such employment	One-half ,, ,, ,, ,, ,, ...	3 7 6	2 7 6
After 16 weeks' such employment	One-third ,, ,, ,, ,, ,, ...	2 5 0	1 11 8
After 8 weeks' such employment	One-sixth ,, ,, ,, ,, ,, ...	1 2 6	0 15 10

(2) The amount of any accrued holiday remuneration payable on the termination of the worker's employment in respect of any of the periods of twelve months mentioned in sub-paragraph (1) of this paragraph shall be reduced by the amount of any previous payment of accrued holiday remuneration made by the employer to the worker in respect of the period for which the accrued holiday remuneration is payable.

Paragraph 10

Where any accrued holiday remuneration has been paid by the employer to the worker, in respect of employment during any of the periods of twelve months referred to in sub-paragraph (1) of the last preceding paragraph, the amount of holiday remuneration payable by the employer in respect of any annual holiday for which the worker has qualified by reason of employment during the said period of twelve months shall be reduced by the amount of the said accrued holiday remuneration unless that remuneration has been deducted from a previous payment of holiday remuneration made under the provisions of this Schedule or of the Schedule to Order Z. (33) as amended by Order Z. (43).

PART V

GENERAL

Paragraph 11

For the purposes of calculating any period of employment entitling a worker to an annual holiday or to any accrued holiday remuneration under this Schedule, the worker shall be treated :—

(*a*) as if he were employed for a week in respect of any week in which—

(i) he has worked for the employer for not less than 12 hours and has performed some work to which statutory minimum remuneration applies ; or

(ii) he has been absent throughout the week by reason of proved illness or accident but not exceeding eight weeks in the aggregate in the period of twelve months immediately preceding the commencement of the holiday season ; or

(iii) he is absent from work owing to suspension due to shortage of work but not exceeding two weeks at any one time ;

(iv) he has been absent throughout the week owing to a stoppage of work due to a trade dispute but not exceeding three weeks in the aggregate in the period of twelve months last mentioned ;

or (*b*) as if he were employed on any day of holiday allowed under the provisions of this Schedule or of the Schedule to Order Z.(33) as amended by Order Z.(43), and for the purpose of the provisions of sub-paragraph (*a*) of this paragraph, a worker who is absent on such a holiday shall be treated as having worked thereon for the employer the number of hours ordinarily worked by him on that day of the week on work to which statutory minimum remuneration applies.

Paragraph 12

Where any day of annual holiday allowed to any worker under this Schedule falls upon a day of holiday or half-holiday to which the worker may be entitled under any enactment other than the Wages Councils Act, 1945, that day of holiday or that half-holiday shall be in addition to the annual holiday allowed under this Schedule.

Paragraph 13

(1) In this Schedule, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say :—

" normal working week " means the number of days on which it has been usual for the worker to work in a week in the employment of the employer in the twelve months immediately preceding the commencement of the holiday season, or where under paragraphs 8 and 9 of this Schedule, accrued holiday remuneration is payable on the termination of the employment, in the twelve months immediately preceding the date of the termination of the employment.

Provided that—

(i) part of a day shall count as a day ;

(ii) no account shall be taken of any week in which the worker did not perform any work for which statutory minimum remuneration has been fixed.

" statutory minimum remuneration " means statutory minimum remuneration (other than holiday remuneration) which has been fixed by a Wages Regulation Order made by the Minister pursuant to proposals submitted to him by the Fur Wages Council (Great Britain).

(2) " week " in paragraphs 3 and 11 means " pay week ".

Paragraph 14

The provisions of this Schedule are without prejudice to any agreement for the allowance of any further holidays with pay or for the payment of additional holiday remuneration.

EXPLANATORY NOTE

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

1. This Order, which has effect from the 28th June, 1948, fixes the annual holidays and certain other days of holiday (referred to as " customary holidays ") which an employer is required to allow to a worker in relation to whom the Fur Wages Council (Great Britain) operates, and the holiday remuneration payable in respect of such holidays.

2. The provisions of Order Z. (33) (as amended) cease to have effect when the provisions of this Order come into force.

(10) HAT, CAP AND MILLINERY

(i) *England and Wales.* | (ii) *Scotland*, p. 4519.

(i) ENGLAND AND WALES

The Hat, Cap and Millinery Wages Council (England and Wales) Wages Regulation Order, 1948

1948 No. 2000

Made - - - - 1st *September*, 1948
Coming into Operation 17th *September*, 1948

H.M. (38)

Whereas the Minister of Labour and National Service (hereinafter referred to as " the Minister ") has received from the Hat, Cap and Millinery Wages Council (England and Wales) (hereinafter referred to as " the Wages 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 Wages Council operates in substitution for the remuneration fixed for those workers by the Hat, Cap and Millinery Wages Council (England and Wales) Wages Regulation (No. 2) Order, 1946(**a**) (hereinafter referred to as " Order H.M. (34) ") as amended by the Hat, Cap and Millinery Wages Council (England and Wales) Wages Regulation Order, 1947(**b**) (hereinafter referred to as " Order H.M. (36) ");

(*b*) the wages regulation proposals set out in the Second Schedule hereto, being proposals for amending the Hat, Cap and Millinery Wages Council (England and Wales) Wages Regulation (Holidays) Order, 1946(**c**) (hereinafter referred to as Order H.M. (32)), which contains (amongst other provisions) provisions requiring workers in relation to whom the Wages 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, and of all other powers in that behalf hereby makes the following Order:—

8 & 9 Geo. 6. c. 17.

Short title and interpretation.

1.—(1) This Order may be cited as the Hat, Cap and Millinery Wages Council (England and Wales) Wages Regulation Order, 1948.

(2) In this Order the expression " the specified date " means the 17th day of September, 1948, 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.

52 & 53 Vict. c. 63.

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

(**a**) S.R. & O. 1946 (No. 1788) I, p. 1924.
(**b**) S.R. & O. 1947 (No. 2285) I, p. 2475.
(**c**) S.R. & O. 1946 (No. 815) I, p. 1917.