1969. No. 210 [NC]

WAGES COUNCILS

Wages Regulation (General Waste Materials Reclamation)

ORDER, DATED 6TH AUGUST 1969, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER THE WAGES COUNCILS ACT (NORTHERN IRELAND) 1945.

The Ministry of Health and Social Services, in exercise of the powers conferred on it by Section 10 of the Wages Councils Act (Northern Ireland) 1945(a), hereby makes the following Order to give effect to wages regulation proposals received from the General Waste Materials Reclamation Wages Council (Northern Ireland):—

Citation

1. This Order may be cited as the General Waste Materials Reclamation Wages Regulation Order (Northern Ireland) 1969.

Commencement

2. The wages regulation proposals set out in the Schedule shall come into operation on the specified date and on the day immediately preceding that date the General Waste Materials Reclamation Wages Regulation Order (Northern Ireland) 1964(b) and the General Waste Materials Reclamation Wages Regulation (Amendment) Order (Northern Ireland) 1968(c) shall cease to have effect.

Interpretation

3. In this Order the expression "the specified date" means the 19th day of August 1969, 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.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 6th day of August 1969.

(L.S.) *W. Slinger,*
Assistant Secretary.

(a) 1945. c. 21.
(b) S.R. & O. (N.I.) 1964, No. 52.
(c) S.R. & O. (N.I.) 1968, No. 31.

SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the General Waste Materials Reclamation Wages Regulation Order (Northern Ireland) 1964 (Order N.I.W.R. (69)) as amended by the General Waste Materials Reclamation Wages Regulation (Amendment) Order (Northern Ireland) 1968 (Order N.I.W.R. (79)):-

Statutory Minimum Remuneration

GENERAL MINIMUM TIME RATES

MALE WORKERS

Paragraph 1.

(A) Workers engaged on operations in connection with scrap rubber, scrap iron or other scrap metal, used tins, or broken glass or earthenware and who are aged—

	Per hour		Per week of 40 hours	
	s.	d.	s.	d.
21 years and over	6	0	240	0
20 and under 21 years	5	5	216	8
19 „ 20 „	4	10	193	4
18 „ 19 „	4	2	166	8
17 „ 18 „	3	7	143	4
16 „ 17 „	3	0	120	0
under 16 years	2	5	96	8

(B) Workers engaged on operations in connection with materials other than those specified in (A) and who are aged—

21 years and over	5	9½	231	8
20 and under 21 years	5	3	210	0
19 „ 20 „	4	8	186	8
18 „ 19 „	4	1	163	4
17 „ 18 „	3	6	140	0
16 „ 17 „	2	11	116	8
under 16 years	2	4	93	4

(C) Workers of 21 years of age and over employed as—

(a) power crane drivers will, for all time during which they are so employed, be entitled to 4½d. per hour in addition to the statutory minimum remuneration otherwise payable.

(b) burner cutters will, for all time during which they are so employed, be entitled to 4d. per hour in addition to the statutory minimum remuneration otherwise payable.

(c) drivers of lorries with the carrying capacities set out below will, for all time during which they are so employed, be entitled to the appropriate amount set out hereunder in addition to the statutory minimum remuneration otherwise payable—

Carrying Capacity	Additional Amount per hour
under 2 tons	3½d.
2 tons and under 8 tons	5½d.
8 tons and over	7½d.

"Carrying Capacity" means—

(i) the weight of the load which the vehicle has been designed or constructed to carry and/or haul according to the pay load rating as specified or declared by the manufacturers of the vehicle,

(ii) where a trailer is attached to a vehicle the carrying capacity of that vehicle shall be the carrying capacity of the vehicle and trailer combined.

FEMALE WORKERS

Paragraph 2.	Per hour	Per week of 40 hours
Workers aged—	s. d.	s. d.
20 years and over	*3 2*	*126 8*
18 and under 20 years	*2 8½*	*108 4*
under 18 years	*2 6*	*100 0*

PIECE WORK BASIS TIME RATES

	Per hour s. d.
Paragraph 3.	
(A) MALE WORKERS of the classes specified in paragraph 1(A)	*6 1*
(B) MALE WORKERS of the classes specified in paragraph 1(B)	*5 10½*
Paragraph 4.	
FEMALE WORKERS	*3 4*

SHIFT WORKERS

Paragraph 5.

Notwithstanding the provisions of paragraphs 1 and 3 male workers employed on a shift system are entitled—

(a) in the case of workers employed on a shift which commences not earlier than 6 a.m. and finishes not later than 10 p.m. on any day, to an amount of 3d. per hour for all time so worked in addition to the statutory minimum remuneration otherwise payable,

(b) in the case of workers employed on a shift which commences not earlier than 10 p.m. on one day and finishes not later than 6 a.m. on the next following day, to the appropriate minimum rate set out in Paragraph 1 or 3 increased by twenty per cent.

"Shift system" means a system of working which involves successive turns of duty for different groups of workers in the establishment in which they are employed.

OVERTIME—ALL WORKERS

Paragraph 6.

(1) Overtime rates are payable to workers employed on time work as follows:—

(a) On any day other than Saturday (or the weekly short day substituted therefor), Sunday or a customary holiday—

(i) For the first two hours worked in excess of 8 hours .. .. TIME-AND-A-QUARTER

(ii) Thereafter .. .. TIME-AND-A-HALF

Provided that, where it is the established practice of an employer to require attendance on only five days in the week, the said overtime rates shall be payable on those five days after 9 and 11 hours' work respectively.

(b) On Saturday (or the weekly short day substituted therefor)—

(i) For the first two hours worked in excess of 4 hours .. .. TIME-AND-A-QUARTER

(ii) Thereafter .. .. TIME-AND-A-HALF

(c) On Sunday or a customary holiday—

For all time worked .. .. .. DOUBLE TIME

(d) In any week—

For all time worked in excess of 40 hours .. TIME-AND-A-QUARTER except in so far as higher overtime rates may be payable under the provisions of sub-paragraph (1) (a), (b) or (c).

Provided that overtime rates shall be payable in respect of overtime worked on any day, notwithstanding that the number of hours worked in the week does not exceed 40.

Provided also that, where it is the established practice of an employer to require attendance on Saturday in alternate weeks only, the overtime rate shall be payable in the week in which attendance on Saturday is required only after 43 hours have been worked.

(2) Where it is the established practice of an employer to require attendance on Sunday instead of Saturday, the overtime rates apply to workers in like manner as if the word "Saturday" were substituted for "Sunday" and the word "Sunday" for "Saturday."

(3) Workers employed on piece work are entitled to receive, in respect of each hour of overtime worked, in addition to 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 appropriate piece work basis time rate

an amount equivalent to one-quarter, one-half or the whole of the appropriate piece work basis time rate according as the overtime rate payable under the foregoing provisions, if the worker had been employed on time work, would have been equivalent to time-and-a-quarter, time-and-a-half or double time respectively.

Paragraph 7.

The expression "customary holiday" means—

(a) Christmas Day (or, if Christmas Day falls on a Sunday, such other weekday as may be appointed by national proclamation or, if none is so appointed, the next following Tuesday), Boxing Day, Easter Monday, Easter Tuesday and two other days (being days on which the worker normally works) in the course of a calendar year to be mutually agreed between the employer and the worker or his representative; or

(b) a day substituted by the employer for any one of the said days, being a day recognised by local custom as a day of holiday in substitution for the said day.

Paragraph 8.

For the purposes of paragraph 6, 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 rate otherwise applicable.

GENERAL

Application of Statutory Minimum Remuneration to Piece Workers

Paragraph 9

In the case of male or female workers employed on piece work, each piece rate paid must be such as will yield, in the circumstances of the case, to an ordinary worker, at least the same amount of money as the appropriate piece work basis time rate. In determining whether any piece rate satisfies the foregoing condition regard shall be had only to the earnings of workers of ordinary skill and experience in the class of work in question and not to the earnings of workers of less than ordinary skill and experience.

Employment of Juvenile Workers on Piece Work

Paragraph 10.

An employer will, in any case where a learner or other juvenile worker is employed on piece work during the first six months of his employment in the trade, be deemed to pay wages at less than the minimum rate unless he shows that such worker has received, in respect of his employment on piece work in each week during that period, at least the same amount of money as such worker would have been entitled to receive if employed on time work.

An employer will, in any case where any such worker is so employed at any time subsequent to the first six months of his employment in the trade, be deemed to pay wages at less than the minimum rate unless he shows that such worker has, in respect of his employment on piece work, been paid at piece rates which would yield, in the circumstances of the case, to an ordinary worker (not being a juvenile worker) at least the same amount of money as the appropriate piece work basis time rate.

WAITING TIME

Paragraph 11.

(1) A worker is entitled to payment of statutory minimum remuneration as aforesaid during all the time during which he is present on the premises of his employer unless he is so present either without his employer's consent, express or implied, or for some purpose unconnected with his work and other than that of waiting for work to be given to him to perform.

(2) During any time during which a piece worker is present as aforesaid and is not doing piece work he is entitled to payment of the general minimum time rate applicable to the workers of the class to which he belongs.
Provisions (1) and (2) do not apply when—

(a) a worker is present on his employer's premises by reason only of the fact that he is resident thereon, or

(b) a worker is present on his employer's premises during normal meal times in a room or place in which no work is being done and is not waiting for work to be given to him to perform.

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

Paragraph 12.

The statutory minimum remuneration applies, subject to the provisions of the Wages Councils Act (Northern Ireland) 1945, to workers in relation to whom the General Waste Materials Reclamation Wages Council (Northern Ireland) operates, that is to say, workers employed in Northern Ireland in the trade specified in the Trade Boards (General Waste Materials Reclamation Trade, Northern Ireland) (Constitution, Proceedings and Meetings) Regulations 1924(d), dated 19th November 1924, namely:—

(1) The collecting, sorting or grading of the following materials:—rags; waste paper, paper stock; woollen, worsted, cotton, jute, flax, hemp or other textile waste; textile clippings or cuttings; used bags, sacks or sacking; scrap rubber; scrap iron or other scrap metal; fur cuttings; rabbit skins, bones or fat; used tins; broken glass or earthenware.

(2) The collecting, sorting or grading of the following articles when collected, sorted or graded in association with or in conjunction with the collecting, sorting or grading of the waste materials specified above:—discarded clothing (including head-gear or foot-gear); discarded textile articles; old ropes; used bottles or used jars.

(3) The following operations when carried on in association with or in conjunction with the collecting, sorting or grading of any or all of the waste materials specified in (1) above:—the ripping of worn clothes for rags; the picking of old ropes; the trimming of paper salvage; the washing of used bottles or used jars; the washing of used tins; the breaking of scrap metal; the drying of rabbit skins; the making or repairing of sacks or bags; the willowing, pulling, scouring, carbonising or putting down mixings of textile waste.

(4) The operations of receiving, packing, compressing, teagling, craning, despatching or warehousing when carried on in association with or in conjunction with any of the above-mentioned operations;
BUT EXCLUDING:—

(a) Any of the above-mentioned operations when carried on in the establishment in which waste materials are produced or in which they are used as raw materials for further manufacture;

(b) The making or repairing of sacks or bags when carried on in a factory or workshop engaged solely or mainly in the making or repairing of sacks or bags;

(d) S.R. & O. (N.I.) 1924, No. 93.

(c) The collecting, sorting, grading or drying of rabbit skins when carried on in an establishment in which such operations are the main or principal business or when carried on in or in association with or in conjunction with any business, establishment, branch or department engaged in the manufacture of hatter's fur;

(d) (i) The collecting, sorting or grading of cotton waste when carried on in an establishment in which such operations are the main or principal business.

(ii) Any of the operations included in sub-paragraphs (1), (2), (3) and (4), other than the operations specified in (d) (i), when carried on in or in association with or in conjunction with any establishment of the kind specified in (d) (i).

EXPLANATORY NOTE

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

This Order which comes into operation on 19th August 1969, sets out the statutory minimum remuneration payable in substitution for that fixed by the General Waste Materials Reclamation Wages Regulation Order (Northern Ireland) 1964 (Order N.I.W.R. (69)) as amended by the General Waste Materials Reclamation Wages Regulation (Amendment) Order (Northern Ireland) 1968 (Order N.I.W.R. (79)), which Orders are revoked.

New provisions in the Schedule are printed in italics.