1954 No. 571

The Hairdressing Undertakings Wages Council (Great Britain) Wages Regulation (Amendment) Order, 1954

Made - - - -	*3rd May*, 1954
Coming into Operation	*21st May*, 1954

Whereas the Minister of Labour and National Service (hereafter in this Order referred to as "the Minister") has received from the Hairdressing Undertakings Wages Council (Great Britain) (hereafter in this Order referred to as "the Wages Council") the wages regulation proposals set out in the Schedule hereto;

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

1. This Order may be cited as the Hairdressing Undertakings Wages Council (Great Britain) Wages Regulation (Amendment) Order, 1954.

2.—(1) In this Order the expression "the specified date" means the 21st day of May, 1954, 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.

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

3. The wages regulation proposals set out in the Schedule hereto shall have effect as from the specified date.

Signed by order of the Minister of Labour and National Service this 3rd day of May, 1954.

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

SCHEDULE

STATUTORY MINIMUM REMUNERATION

The Hairdressing Undertakings Wages Council (Great Britain) Wages Regulation Order, 1953(c) (Order H.U. (12)), shall have effect as if in the First Schedule thereto:—

1. for paragraph 7 there were substituted the following paragraph:—

"MINIMUM OVERTIME RATES

7.—(1) Subject to the provisions of this paragraph, minimum overtime rates are payable to any worker as follows:—

(*a*) On a Sunday or customary holiday—for all time worked	DOUBLE TIME
(*b*) (i) *On the weekly short day (not being the weekly short day to which* (ii) *applies)*—*for all time worked after 1.30 p.m.* ...	*TIME-AND-A-HALF*

(a) 8 & 9 Geo. 6. c. 17. (b) 52 & 53 Vict. c. 63. (c) S.I. 1953/1501 (1953 II, p. 2426).

(ii) *On the weekly short day in any week during which, under section 40 of the Shops Act, 1950*(a), *the employer is relieved of his obligation to allow the worker a weekly half-holiday—*

for all time worked after 1.30 p.m. ... *DOUBLE TIME*

(*c*) In any week, exclusive of any time in respect of which an overtime rate is payable under the provisions of (*a*) *and* (*b*) of this sub-paragraph:

(i) for the first four hours worked in excess of 46 ... ... TIME-AND-A-QUARTER

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

Provided that in any week which includes one customary holiday '38 hours' shall be substituted for '46 hours' where it occurs in the foregoing provisions of this sub-paragraph and in any week which includes two customary holidays '30 hours' shall be substituted for the said '46 hours'.

(2) Where it is, or becomes, the established practice in a Jewish undertaking for the employer to require attendance on Sunday instead of Saturday, the provisions of this paragraph shall apply in like manner as if in such provisions the word 'Saturday' were substituted for 'Sunday', except where such substitution is unlawful."

2. for paragraph 9 there were substituted the following paragraph:—

"GUARANTEED WEEKLY REMUNERATION PAYABLE TO A FULL-TIME WORKER

9.—(1) Notwithstanding the other paragraphs of this Schedule, where in respect of any week the total remuneration (*excluding the amount specified in sub-paragraph* (*2*) *of this paragraph*) payable to a full-time worker

(*a*) under those other paragraphs; and

(*b*) by way of holiday remuneration under a wages regulation order made by the Minister to give effect to proposals of the Wages Council

is less than the guaranteed weekly remuneration provided under this paragraph, the minimum remuneration payable to that worker for that week shall be that guaranteed weekly remuneration *with the addition of any amount which may be payable in respect of remuneration excluded from the total remuneration referred to in this sub-paragraph.*

(2) *The amount to be excluded from the total remuneration referred to in the foregoing sub-paragraph is in the case of all workers the whole of the remuneration payable in respect of overtime for work on a Sunday or on the weekly short day (other than on a weekly short day occurring during the Christmas period) and one half of the remuneration payable in respect of overtime for work on a customary holiday.*

For the purposes of this sub-paragraph—

'Christmas period' means the week in which Christmas day falls and the week immediately preceding that week and the week immediately succeeding that week.

(3) The guaranteed weekly remuneration payable in respect of any week to a full-time worker is the remuneration to which he would be entitled under paragraph 2, 3 or 5 of this Schedule for 46 hours' work in his normal occupation, or for 44 hours' such work in the case of a worker under 16 years of age:

Provided that—

(i) *where the worker normally works for the employer on work to which this Schedule applies for less than 46 hours in the week, or for less than 44 hours in the case of a worker under 16 years of age, by reason only of the fact that he does not hold himself out as normally available for work for more than the number of hours he normally works in the week, and the worker has informed his employer in writing that he does not so hold himself out,*

(a) 14 Geo. 6. c. 28.

the guaranteed weekly remuneration shall be the remuneration to which the worker would be entitled for the number of hours in the week normally worked by the worker for the employer on work to which this Schedule applies;

(ii) where in any week a worker at his request and with the written consent of his employer is absent from work during any part of his normal working hours on any day (other than a holiday allowed in pursuance of a wages regulation order, made by the Minister to give effect to proposals of the Wages Council, or a customary holiday or a holiday allowed to all persons employed in the undertaking or branch of an undertaking in which the worker is employed), the guaranteed weekly remuneration payable in respect of that week shall be reduced in respect of each day on which he is absent as aforesaid by one-sixth where the worker's normal working week is six days or by one-fifth where his normal working week is five days.

(4) Guaranteed weekly remuneration is not payable in respect of any week unless the worker throughout his normal working hours in that week (excluding any time allowed to him as a holiday or during which he is absent from work in accordance with proviso (ii) to sub-paragraph (3) of this paragraph) is

(*a*) capable of and available for work; and

(*b*) willing to perform such duties outside his normal occupation as the employer may reasonably require if his normal work is not available in the establishment in which he is employed.

(5) Guaranteed weekly remuneration is not payable in respect of any week if the worker's employment is terminated before the end of that week.

(6) If the employer is unable to provide the worker with work by reason of a strike or other circumstances beyond his control and gives the worker four clear days' notice to that effect, guaranteed weekly remuneration shall not be payable after the expiry of such notice in respect of any week during which or during part of which the employer continues to be unable to provide work as aforesaid:

Provided that in respect of the week in which the said notice expires there shall be paid to the worker in addition to any remuneration payable in respect of time worked in that week, any remuneration that would have been payable if the worker had worked his normal hours of work on every day in the week prior to the expiry of the notice."

3. in paragraph 11 (which sets out the definitions) there were added:—

" ' *WEEKLY SHORT DAY' means that day in any week on which the worker is, in accordance with the provisions of section 17 of the Shops Act, 1950, required not to be employed about the business of a shop after half-past one o'clock in the afternoon, or, where there is no such day, a working day in the week, fixed by the employer and notified to the worker not later than the Saturday preceding the week during which it is to have effect; or, failing such notification, the last working day in the week.*"

EXPLANATORY NOTE

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

This Order, which has effect from the 21st May, 1954, amends the provisions of the Hairdressing Undertakings Wages Council (Great Britain) Wages Regulation Order, 1953 (Order H.U. (12)) relating to minimum overtime rates and guaranteed weekly remuneration and adds to the First Schedule of that Order a definition of " weekly short day ".

New provisions in the Schedule are printed in italics.