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

1948 No. 1925

Made - - - - 18*th August*, 1948
Coming into Operation 6*th September*, 1948

W. (63)

Whereas the Minister of Labour and National Service (hereinafter referred to as "the Minister") has received from the Laundry 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, and the holiday remuneration fixed, by the Laundry Wages Council (Great Britain) Wages Regulation (Holidays) Order, 1946(a) (hereinafter referred to as "Order W. (55)");

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.

1.—(1) This Order may be cited as the Laundry Wages Council (Great Britain) Wages Regulation (Holidays) Order, 1948. Short title and interpretation.

(2) In this Order the expression "the specified date" means the 6th 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.

(3) The Interpretation Act, 1889, applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament. 52 & 53 Vict. c. 63.

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 W. (55).

(2) The provisions of the Schedule hereto shall have effect as from the specified date and as from that date Order W. (55)(a) shall cease to have effect.

Signed by order of the Minister of Labour and National Service this 18th day of August, 1948.

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

(a) S.R. & O. 1946 (No. 1055) I, p. 1992.

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 W. (55).

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 in his employment 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 (unless excused by the employer, or absent by reason of certified sickness or accident) has worked for the employer throughout the last three working days on which work was available to him immediately preceding the holiday.*

(2) The said customary holidays (of which at least three shall be fixed between the 15th day of March and the 1st day of October in each year) 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, and all nationally proclaimed holidays.

(ii) In Scotland—

six week days in the course of a calendar year to be fixed by the employer and notified to the workers not less than three weeks before the holiday, and all nationally proclaimed holidays, provided that in a burgh two of the said week days, which shall not be less than three months apart, shall be the days fixed by the town council for the purposes of section 78 (1) of the Factories Act, 1937(a);

or (*b*) in the case of each of the said days, such week day as may be substituted therefor being a day *mutually agreed between the employer and the worker or his representative.*

(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 within the period of 28 days 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, in accordance with paragraph 9 (3) of this Schedule.

PART III

ANNUAL HOLIDAYS

Paragraph 3

(1) Subject to the provisions of this Part of this Schedule and in addition to the holidays specified in Part II, 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

(a) 1 Edw. 8 & 1 Geo. 6. c. 67.

applies who was employed by him during the 12 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 12 months as follows:—

(*a*) in the case of workers who are under 17 years of age when they enter the employment of the employer and who are under 18 years of age at the commencement of the first holiday to which they are entitled under this Schedule:—

Period of employment.	Duration of holiday.
At least 24 weeks' employment calculated in accordance with the provisions of paragraph 14 of this Schedule	9 days
At least 22 weeks' such employment	8 ,,
,, ,, 20 ,, ,, ,, ...	7 ,,
,, ,, 18 ,, ,, ,, ...	6 ,,
,, ,, 15 ,, ,, ,, ...	5 ,,
,, ,, 12 ,, ,, ,, ...	4 ,,
,, ,, 9 ,, ,, ,, ...	3 ,,
,, ,, 6 ,, ,, ,, ...	2 ,,
,, ,, 3 ,, ,, ,, ...	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;

(*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 14 of this Schedule	9 days
At least 43 weeks' such employment	8 ,,
,, ,, 38 ,, ,, ,, ...	7 ,,
,, ,, 33 ,, ,, ,, ...	6 ,,
,, ,, 28 ,, ,, ,, ...	5 ,,
,, ,, 23 ,, ,, ,, ...	4 ,,
,, ,, 18 ,, ,, ,, ...	3 ,,
,, ,, 12 ,, ,, ,, ...	2 ,,
,, ,, 6 ,, ,, ,, ...	1 day

Provided that where the number of days in the worker's normal working week is 3, 4 or 5, the duration of his holiday shall not exceed 5, 6 or 8 days respectively.

(2) 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

Notwithstanding the provisions of paragraph 3 of this Schedule, where the worker was in the employment of the employer throughout the two years immediately preceding the commencement of the holiday season, and his period of employment in the 12 months immediately preceding the commencement of the holiday season was at least 48 weeks, calculated in accordance with the provisions of paragraph 14 of this Schedule, the duration of the worker's annual holiday shall be 12 days. Provided that where the number of days in the worker's normal working week is 3, 4 or 5, the duration of his annual holiday shall not exceed 6, 8 or 10 days respectively.

Paragraph 5

Notwithstanding the provisions of paragraphs 3 and 4 of this Schedule, the worker's annual holiday during the holiday season ending on the 31st day of October, 1948, shall be reduced by any days of annual holiday duly allowed to him by the employer under the provisions of Order W. (55) between the 1st day of April, 1948, and the date on which the provisions of this Schedule become effective.

Paragraph 6

Notwithstanding the provisions of paragraph 3 of this Schedule which require that the holiday season shall end on the 31st day of October in each year the holiday season may, in the case of any worker, be extended in any year to a date not later than the 31st day of March next following, if the Council on an application to it for that purpose by the employer, is of opinion that it is reasonable to do so having regard to the convenience of the worker or the seasonal character of the business. *Any such application to the Council shall be made between the 1st day of March immediately preceding the holiday season and the 30th day of June in the same year.*

Paragraph 7

An annual holiday under this Schedule shall be allowed on consecutive working days, being days upon which the worker is normally called upon to work, and days of holiday shall be treated as consecutive notwithstanding that a customary holiday or a holiday in lieu of a customary holiday intervenes.

Provided that—

(*a*) the last day of the annual holiday to which a worker is entitled under this Schedule 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 a holiday in lieu of a customary holiday or so that such a holiday intervenes,

(*b*) where the duration of an annual holiday to which a worker is entitled exceeds the period of his normal working week, the number of days in excess of that period may, notwithstanding the foregoing provisions of this Part of this Schedule, be allowed at any time not later than the 31st day of March next following the commencement of the holiday season if the worker so agrees, *or, failing such agreement, on application to and with the consent of the Council; but the consent of the worker or of the Council shall not be necessary in respect of an annual holiday for which the worker qualified during the twelve months ended the 31st day of March,* 1948.

Any such application for the consent of the Council shall be made between the 1st day of March immediately preceding the holiday season and the 30th day of June in the same year.

Paragraph 8

An employer shall give to a worker reasonable notice of the commencing date and duration of his annual holiday. Such notice may be given individually to a worker or by the posting of a notice in the place where the worker is employed.

PART IV

HOLIDAY REMUNERATION

A—CUSTOMARY HOLIDAYS

Paragraph 9

(1) *Subject to the condition that the worker works throughout the first day on which work is available to him immediately following the holiday (unless excused by the employer or absent by reason of certified sickness or accident)* a worker shall be paid by his employer in respect of each day which he is entitled to be allowed as a holiday under paragraph 2 (1) of this Schedule, holiday remuneration equal to the statutory minimum remuneration to which he would have been entitled as a time worker if the day had not been a day of holiday and he had been employed on work to which statutory minimum remuneration applies for the time usually worked by him on that day of the week.

(2) Remuneration in respect of any customary holiday allowed to a worker under this Schedule shall be paid by the employer to the worker on the pay day on which wages are payable for the working day immediately following the said holiday.

(3) The holiday remuneration for a holiday in lieu of a customary holiday shall be equal to the amount specified in sub-paragraph (1) of this paragraph and shall be paid on the pay day on which the wages for the week including that holiday in lieu are paid. 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.

Paragraph 10 B—ANNUAL HOLIDAYS

(1) Subject to the provisions of paragraph 13 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

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
	Six days	Five days	Four days	Three days	
12 *days*	*Twice 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.
10 *days*	—	*Twice the amount in Col.* 3.	—	—	
9 days	One and one-half times the amount in Col. 3.	—	—	—	
8 days	One and one-third times the amount in Col. 3.	One and three-fifths times the amount in Col. 3.	*Twice the amount in Col.* 3.	—	
7 days	One and one-sixth times the amount in Col. 3.	One and two-fifths times the amount in Col. 3.	—	—	
6 days	The amount in Col. 3.	One and one-fifth times the amount in Col. 3.	One and one-half times the amount in Col. 3.	*Twice the amount in Col.* 3.	
5 days	Five-sixths of the amount in Col. 3.	The amount in Col. 3.	One and one-quarter times the amount in Col. 3.	One and two-thirds times the amount in Col. 3.	
4 days	Two-thirds of the amount in Col. 3.	Four-fifths of the amount in Col. 3.	The amount in Col. 3.	One and one-third times the amount in Col. 3.	
3 days	One-half of the amount in Col. 3.	Three-fifths of the amount in Col. 3.	Three-quarters of the amount in Col. 3.	The amount in Col. 3.	
2 days	One-third of the amount in Col. 3.	Two-fifths of the amount in Col. 3.	One-half of the amount in Col. 3.	Two-thirds of the amount in Col. 3.	
1 day	One-sixth of the amount in Col. 3.	One-fifth of the amount in Col. 3.	One-quarter of the amount in Col. 3.	One-third of the amount in Col. 3.	

(2) In the application of the provisions of the foregoing table to the case of a worker other than a time worker the appropriate statutory minimum remuneration for time work is the appropriate minimum rate that would have been applicable to him if he had been employed as a time worker.

(3) *Where, under the provisions of paragraph 7 of this Schedule, an annual holiday is taken in two periods, the holiday remuneration shall be apportioned accordingly.*

Paragraph 11

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 12

(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 in accordance with the provisions of the following tables:—

TABLES OF ACCRUED HOLIDAY REMUNERATION

(*a*) TABLE I

Applicable in the case of a worker who has not been in the employment of the employer throughout the two years immediately preceding the commencement of the holiday season

Column 1 Period of employment	Column 2 Accrued holiday remuneration for workers with a normal working week of—				Column 3 Accrued holiday remuneration for full normal working week
	Six days	Five days	Four days	Three days	
After 48 weeks' employment calculated in accordance with the provisions of paragraph 14 of this Schedule.	One and one-half times 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 43 weeks' such employment.	One and one-third times the amount in Col. 3.	One and three-fifths times the amount in Col. 3.	—	—	
After 38 weeks' such employment.	One and one-sixth times the amount in Col. 3.	One and two-fifths times the amount in Col. 3.	—	—	
After 33 weeks' such employment.	The amount in Col. 3.	One and one-fifth times the amount in Col. 3.	One and one-half times the amount in Col. 3.	—	
After 28 weeks' such employment.	Five-sixths of the amount in Col. 3.	The amount in Col. 3.	One and one-quarter times the amount in Col. 3.	One and two-thirds times the amount in Col. 3.	
After 23 weeks' such employment.	Two-thirds of the amount in Col. 3.	Four-fifths of the amount in Col. 3.	The amount in Col. 3.	One and one-third times the amount in Col. 3.	
After 18 weeks' such employment.	One-half of the amount in Col. 3.	Three-fifths of the amount in Col. 3.	Three-quarters of the amount in Col. 3.	The amount in Col. 3.	
After 12 weeks' such employment.	One-third of the amount in Col. 3.	Two-fifths of the amount in Col. 3.	One-half of the amount in Col. 3.	Two-thirds of the amount in Col. 3.	
After 6 weeks' such employment.	One-sixth of the amount in Col. 3.	One-fifth of the amount in Col. 3.	One-quarter of the amount in Col. 3.	One-third of the amount in Col. 3.	

(*b*) TABLE II

Applicable in the case of a worker who has been in the employment of the employer throughout the two years immediately preceding the commencement of the holiday season

Col. 1 *Period of employment*	*Col. 2* *Accrued holiday remuneration*	*Col. 3* *Accrued holiday remuneration for full normal working week*
After 48 weeks' employment calculated in accordance with the provisions of paragraph 14 of this Schedule.	*Twice 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 44 weeks' such employment.	*One and five-sixths of the amount in Col. 3.*	
After 40 weeks' such employment.	*One and two-thirds of the amount in Col. 3.*	
After 36 weeks' such employment.	*One and one-half of the amount in Col. 3.*	
After 32 weeks' such employment.	*One and one-third of the amount in Col. 3.*	
After 28 weeks' such employment.	*One and one-sixth of the amount in Col. 3.*	
After 24 weeks' such employment.	*The amount in Col. 3.*	
After 20 weeks' such employment.	*Five-sixths of the amount in Col. 3.*	
After 16 weeks' such employment.	*Two-thirds of the amount in Col. 3.*	
After 12 weeks' such employment.	*One-half of the amount in Col. 3.*	
After 8 weeks' such employment.	*One-third of the amount in Col. 3.*	
After 4 weeks' such employment.	*One-sixth of the amount in Col. 3.*	

(2) In the application of the provisions of the foregoing tables to the case of a worker other than a time worker the appropriate statutory minimum remuneration for time work is the appropriate minimum rate that would have been applicable to him if he had been employed as a time worker.

(3) 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 13

Where in accordance with the provisions of paragraphs 11 and 12 of this Schedule any accrued holiday remuneration has been paid by the employer to the worker in respect of any period of employment in the twelve months immediately preceding the holiday season within which an annual holiday is allowed by the employer to the worker in accordance with the provisions of this Schedule, the amount of holiday remuneration payable by the employer in respect of the said annual holiday under the provisions of paragraph 10

of this Schedule 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 the Schedule to Order W.*(55).

PART V

GENERAL

Paragraph 14

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 twenty-four 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 has been suspended throughout the week owing to shortage of work but not exceeding eight 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, and for the purposes 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 the number of hours ordinarily worked by him on that day of the week for the employer on work to which statutory minimum remuneration applies.

Paragraph 15

Where any day of 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 holiday or half-holiday shall be treated as additional to the holiday allowed under this Schedule.

Paragraph 16

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 11 and 12 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 to which statutory minimum remuneration applies.

" 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 Laundry Wages Council (Great Britain).

" time worker " means any worker who is not a piece worker and who is not regularly remunerated on any other system of payment by results.

" week " in paragraphs 3 and 14 means " pay week."

Paragraph 17

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. The Schedule to this Order, which has effect from the 6th September, 1948, sets out 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 Laundry Wages Council (Great Britain) operates.

2. The provisions of Order W. (55) cease to have affect when the provisions of this Order come into force.

3. The provisions of the Schedule to this Order which differ from those in the Schedule to Order W. (55) are set out in italics.

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(15) LINEN AND COTTON HANDKERCHIEF, ETC. (G.B.)

The Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Great Britain) Wages Regulation Order, 1948

1948 No. 2053

Made - - - - - 10*th September,* 1948
Coming into Operation 24*th September,* 1948

H.L. (34)

Whereas the Minister of Labour and National Service (hereinafter referred to as " the Minister ") has received from the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Great Britain) (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 Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Great Britain) Wages Regulation Order, 1947(a) (hereinafter referred to as " Order H.L. (32) "), and

(*b*) the wages regulation proposals set out in the Second Schedule hereto being proposals for amending the Order of the Minister of

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(a) S.R. & O. 1947 (No. 6) I, p. 2496.