Hat, Cap and Millinery Wages Council (Northern Ireland)

THE HAT, CAP AND MILLINERY WAGES COUNCIL (NORTHERN IRELAND) (CONSTITUTION) ORDER, 1949, DATED 20TH OCTOBER, 1949, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE FOR NORTHERN IRELAND UNDER SECTION TWENTY-ONE OF THE WAGES COUNCILS ACT (NORTHERN IRELAND), 1945 (9 & 10 GEO. 6, CH. 21).

1949. No. 189

WHEREAS, by virtue of section twenty-one of the Wages Councils Act (Northern Ireland), 1945 (hereinafter referred to as " the Act ") the Ministry of Labour and National Insurance (hereinafter referred to as " the Ministry ") is empowered by Order to direct that on such date as may be specified the constitution of any Wages Council that was in existence as a Trade Board at the commencement of the Act shall be in accordance with the provisions of the Act ;

NOW, THEREFORE, the Ministry by virtue of the powers conferred by the said section and of every other power in that behalf hereby makes the following Order :—

Constitution of Council.

1. As from the date of this Order the constitution of the Hat, Cap and Millinery Wages Council (Northern Ireland) shall be in accordance with the provisions of the Act.

Citation, commencement and interpretation.

2.—(1) This Order may be cited as the Hat, Cap and Millinery Wages Council (Northern Ireland) (Constitution) Order, 1949, and shall come into force on the date hereof.

52 & 53 Vict. Ch. 63.

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

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this twentieth day of October, nineteen hundred and forty-nine in the presence of

(L.S.)

H. Anderson,
Assistant Secretary of the Ministry of Labour and National Insurance for Northern Ireland.

Laundry Wages Council (Northern Ireland).

THE LAUNDRY WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION ORDER, 1949, DATED 14TH MARCH, 1949, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER SECTION 10 OF THE WAGES COUNCILS ACT (NORTHERN IRELAND), 1945 (9 & 10 GEO. 6, CH. 21).

1949. No. 44

WHEREAS the Ministry of Labour and National Insurance (hereinafter referred to as " the Ministry ") has received from the Laundry Wages

Council (Northern Ireland) wages regulation proposals for fixing the minimum remuneration to be paid to the workers in relation to whom the Council operates in substitution for the minimum remuneration fixed by the Laundry Wages Council (Northern Ireland) Wages Regulation (No. 2) Order, 1947 (a), dated the 25th day of August, 1947, (hereinafter referred to as " Order N.I.L. (32) ") as amended by the Laundry Wages Council (Northern Ireland) Wages Regulation (Amendment) Order, 1948 (b), dated the 24th day of August, 1948 ;

NOW, THEREFORE, the Ministry by virtue of section 10 of the Wages Councils Act (Northern Ireland), 1945, and of every other power in that behalf hereby makes the following Order :—

Statutory minimum remuneration.

1. As from the specified date the statutory minimum remuneration set out in the Schedule to this Order shall be paid to the workers therein specified.

Commencement.

2. In this Order the expression " the specified date " means the 21st day of March, 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.

Short title, interpretation and revocation.

3.—(1) This Order may be cited as the Laundry Wages Council (Northern Ireland) Wages Regulation Order, 1949.

(2) The Interpretation Act, 1921, applies to the interpretation of this Order as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

12 Geo. 5, Ch. 4.

(3) As from the specified date Order N.I.L. (32) as amended is hereby revoked.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this fourteenth day of March, nineteen hundred and forty-nine in the presence of

(L.S.)

R. Eagleson,
Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

(a) S. R. & O. 1947, No. 148. (b) S. R. & O. 1948, No. 273.

SCHEDULE

STATUTORY MINIMUM REMUNERATION.

GENERAL MINIMUM TIME RATES.

MALE WORKERS.

PARAGRAPH 1.

Workers of :—	Per Hour. s.	d.
21 years of age and over	2	0
20 and under 21 years of age	1	8
19 ,, 20 ,,	1	5
18 ,, 19 ,,	1	3½
17 ,, 18 ,,	1	1
16 ,, 17 ,,	0	11½
under 16 years of age	0	9¼

FEMALE WORKERS.

PARAGRAPH 2.

Workers of :—	During the first six months of employment in the trade. Per Hour. s.	d.	After the first six months of employment in the trade. Per Hour. s.	d.
20 years of age and over	1	3	1	3½
19 and under 20 years of age	1	1¾	1	2¼
18 ,, 19 ,,	1	0	1	0½
17 ,, 18 ,,	0	10½	0	11
16 ,, 17 ,,	0	9¼	0	9¾
15 ,, 16 ,,	0	7½	0	8
under 15 years of age	0	7	0	7½

PIECE WORK BASIS TIME RATE.

PARAGRAPH 3.

FEMALE WORKERS ... ... 1s. 4d. per hour.

OVERTIME.

PARAGRAPH 4.

Overtime rates shall be payable as follows :—

A. WORKERS EMPLOYED ON TIME WORK :

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

(*a*) (i) In the case of that class of worker which customarily attends on six days in the week—

For the first two hours worked in excess of 9 hours ... TIME-AND-A-QUARTER ;
Thereafter ... ... TIME-AND-A-HALF ;

(ii) In the case of that class of worker which customarily attends on five days in the week—

For the first two hours worked in excess of 9½ hours ... TIME-AND-A-QUARTER ;
Thereafter ... ... TIME-AND-A-HALF ;

(*b*) Notwithstanding the provisions of (*a*) above, a worker who has not completed 9 or 9½ hours' work, as the case may be, at 6-30 p.m. on any day as aforesaid, and who is required by his employer to work after 6-30 p.m. on that day shall be entitled to overtime rates as follows :—

For the first two hours worked after 6-30 p.m. ... ... TIME-AND-A-QUARTER ;
Thereafter ... ... TIME-AND-A-HALF ;

Provided that the worker commences work on that day at the time required by his employer (or, if he fails to do so, such failure is due to absence with the consent of the employer or to accident or proved illness); otherwise the provisions of (*a*) above shall apply.

(2) On Saturday, not being a customary holiday—

(*a*) In the case of that class of worker which customarily attends on six days in the week—

For all time worked in excess of five hours ... ... TIME-AND-A-HALF;

(*b*) In the case of that class of worker which customarily attends on five days in the week—

For all time worked ... ... TIME-AND-A-HALF;

(3) On Sunday or a customary holiday—

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

(4) In any week—

For the first two hours worked in excess of 45 hours ... ... TIME-AND-A-QUARTER;

Thereafter ... ... TIME-AND-A-HALF

except in so far as higher overtime rates are payable under the provisions of (1), (2), and (3) of this sub-paragraph.

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 45.

B. FEMALE WORKERS EMPLOYED ON PIECE WORK:

Every female worker employed on piece work shall be 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 equal to one-quarter, one-half or the whole of the appropriate piece work basis time rate,

according as the overtime rate which would have been payable under the provisions of sub-paragraph A of this paragraph, 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 5.

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 fixed by the employer and notified to the worker not less than three weeks before the holiday; 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 6.

For the purpose of paragraph 4 of this Schedule 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 amount of the appropriate minimum rate otherwise applicable.

GUARANTEED WEEKLY REMUNERATION

PARAGRAPH 7.

(1) Subject to the provisions of this paragraph, a worker who ordinarily works for the employer at least 40 hours weekly on work to which this Schedule applies shall be paid, in respect of any week in which he works for less than 40 hours on such work, not less than the guaranteed weekly remuneration.

(2) The guaranteed weekly remuneration shall be 40 hours' pay calculated at the hourly general minimum time rate ordinarily applicable to the worker.

(3) The guaranteed weekly remuneration in any week shall be reduced by the amount of any holiday remuneration paid or payable by the employer to the worker in respect of any holiday allowed to and taken by the worker in that week under the provisions of the Wages Councils Act (Northern Ireland), 1945.

(4) In calculating the number of hours worked in any week for the purposes of this paragraph, a worker shall be treated as though he had worked on any holiday allowed to and taken by him in that week under the provisions of the Wages Councils Act (Northern Ireland), 1945, for the number of hours ordinarily worked by him on that day of the week, provided that a worker shall not be treated as having worked in any week throughout which he is on holiday.

(5) Payment of the guaranteed weekly remuneration in any week shall be subject to the condition that the worker, throughout the period of his ordinary employment in that week excluding any day allowed him as a holiday, 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.

(6) The guaranteed weekly remuneration shall not be payable to a worker—

(*a*) in any week in which work is not available to him by reason of a strike or lock-out or circumstances outside the employer's control, if he has given the worker not less than four days' notice of his inability to provide such employment and the notice has expired ; or

(*b*) in any week in which the worker has been dismissed on the grounds of serious misconduct.

(7) The guaranteed weekly remuneration applicable to a piece worker shall be the sum to which he would be entitled if he were a time worker.

GENERAL.

Application of Statutory Minimum Remuneration to Piece Workers.

Paragraph 8.

In the case of 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 set out in paragraph 3 of this Schedule. In determining whether any piece rate satisfies the foregoing condition, regard shall be had only to the earnings of ordinary workers, *i.e.*, 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, *e.g.*, juvenile and infirm workers.

Employment of Juvenile Workers on Piece Work.

Paragraph 9.

An employer shall, 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 shall, 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 10.

(1) A worker shall be 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) A piece worker shall during any time during which he is present as aforesaid and is not doing piece work be 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 11.

The statutory minimum remuneration aforesaid shall apply, subject to the provisions of the Wages Councils Act (Northern Ireland), 1945, to workers in relation to whom the Laundry Wages Council (Northern Ireland) operates, that is to say, workers employed in Northern Ireland in the trade specified in the Schedule to the Trade Boards (Laundry Trade, Northern Ireland) (Constitution, Proceedings and Meetings) Regulations, 1924 (**a**), dated 26th May, 1924, namely :—

The laundering of articles of every description, and all processes and operations incidental thereto, performed by way of trade or for the purpose of gain, but excluding

all processes of laundering and other similar operations incidental to, or appertaining to, the making of the articles specified in the appendices to the Trade Boards (Women's Clothing) Order, 1919 (**b**), the Trade Boards (Shirtmaking) Order, 1920 (**c**), and the Trade Boards (Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods) Order, 1920 (**d**).

PARAGRAPH 12.

Notwithstanding anything contained in this Schedule, the statutory minimum remuneration shall not apply to female workers employed in Laundry Receiving Offices situate outside Laundry premises.

Linen and Cotton Embroidery Wages Council (Northern Ireland).

THE LINEN AND COTTON EMBROIDERY WAGES COUNCIL (NORTHERN IRELAND) (CONSTITUTION) ORDER, 1949, DATED 26TH AUGUST, 1949, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE FOR NORTHERN IRELAND UNDER SECTION TWENTY-ONE OF THE WAGES COUNCILS ACT (NORTHERN IRELAND), 1945 (9 & 10 GEO. 6, CH. 21).

1949. No. 172

WHEREAS, by virtue of section twenty-one of the Wages Councils Act (Northern Ireland), 1945 (hereinafter referred to as " the Act ") the Ministry of Labour and National Insurance (hereinafter referred to as " the Ministry ") is empowered by Order to direct that on such date as may be specified the constitution of any Wages Council that was in existence as a Trade Board at the commencement of the Act shall be in accordance with the provisions of the Act ;

NOW, THEREFORE, the Ministry by virtue of the powers conferred by the said section and of every other power in that behalf hereby makes the following Order :—

(**a**) S. R. & O. 1924, No. 45.
(**b**) S. R. & O. 1919, No. 1263.
(**c**) S. R. & O. 1920, No. 711.
(**d**) S. R. & O. 1920, No. 103.