1974. No. 269 **[NC]**

WAGES COUNCILS

Wages Regulation (Laundry)

ORDER, DATED 25TH OCTOBER 1974, MADE BY THE DEPARTMENT OF MANPOWER SERVICES UNDER THE WAGES COUNCILS ACT (NORTHERN IRELAND) 1945.

The Department of Manpower 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 Laundry Wages Council (Northern Ireland):—

Citation

1. This Order may be cited as the Laundry Wages Regulation Order (Northern Ireland) 1974.

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 Laundry Wages Regulation Order (Northern Ireland) 1970(**b**) shall cease to have effect.

Interpretation

3. In this Order the expression "the specified date" means the 12th day of November 1974, 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 Department of Manpower Services for Northern Ireland this 25th day of October 1974.

(L.S.) *J. H. Scott,*
Assistant Secretary.

(**a**) 1945. c. 21. (**b**) S.R. & O. (N.I.) 1970, No. 267.

SCHEDULE

Statutory Minimum Remuneration

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Laundry Wages Regulation Order (Northern Ireland) 1970(b) (Order N.I.L. (72)).

GENERAL MINIMUM TIME RATES

ALL WORKERS

	Per hour
Paragraph 1.	
Workers aged—	*p*
19 years and over	*41·125*
18 and under 19 years	*34·375*
17 „ 18 „	*29·375*
16 „ 17 „	*27·125*

PIECE WORK BASIS TIME RATE

	Per hour
Paragraph 2.	*p*
ALL WORKERS	*41·125*

OVERTIME

Paragraph 3.

Overtime rates are 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—

(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 8½ 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 9 hours	TIME-AND-A-QUARTER
Thereafter	TIME-AND-A-HALF

(b) Notwithstanding the provisions contained in sub-paragraph A.(1)(a), a worker who has not completed 8½ or 9 hours' work, as the case may be, at 6 pm. on any day as aforesaid, and who is required by his employer to work after 6 p.m. on that day is entitled to overtime rates as follows:—

For the first two hours worked after 6 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 to, or proved illness of, the worker); otherwise the provisions of sub-paragraph A.(1)(a) 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 40 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).

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

B. WORKERS EMPLOYED ON PIECE WORK:

Every worker employed on piece work is 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, 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 4.

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, *New Year's 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 5.

For the purpose of paragraph 3 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 6.

(1) Subject to the provisions of this paragraph, a worker who ordinarily works for the employer at least 39 hours weekly on work to which this Schedule applies shall be paid, in respect of any week in which he works for less than 39 hours on such work, not less than the guaranteed weekly remuneration.

(2) The guaranteed weekly remuneration is 39 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 is 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 is not 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 is the sum to which he would be entitled if he were a time worker.

GENERAL

Application of Statutory Minimum Remuneration to Piece Workers

Paragraph 7.

In the case of 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 2. 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 8.

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 he 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 9.

(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) A piece worker is, during any time during which he is present as aforesaid and is not doing piece work, 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 10.

The statutory minimum remuneration aforesaid applies, 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, 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, the Trade Boards (Shirtmaking) Order 1920, and the Trade Boards (Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods) Order 1920.

Paragraph 11.

Notwithstanding anything contained in this Schedule, the statutory minimum remuneration does not apply to workers employed in Laundry Receiving Offices situated outside Laundry Premises.

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 12th November 1974, sets out the statutory minimum remuneration payable in substitution for that fixed by the Laundry Wages Regulation Order (Northern Ireland) 1970 (Order N.I.L. (72)).

Order N.I.L. (72) is revoked.

New provisions in the Schedule are printed in italics.