1982 No. 4

WAGES COUNCILS

Paper Box Wages Regulation Order (Northern Ireland) 1982

Made . . . . . *4th January 1982*

Coming into operation . . . *26th January 1982*

The Department of Manpower Services, in exercise of the powers conferred by section 10 of the Wages Councils Act (Northern Ireland) 1945(**a**), and now vested in it(**b**), and of every other power enabling it in that behalf, hereby makes the following Order to give effect to wages regulation proposals received from the Paper Box Wages Council (Northern Ireland).

Citation and commencement

1. This Order may be cited as the Paper Box Wages Regulation Order (Northern Ireland) 1982 and shall come into operation on the specified date.

Interpretation

2. In this Order the expression "the specified date" means 26th January 1982, 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.

Revocations

3. S.R. 1980 No. 132 revoked.
S.R. 1981 No. 16 revoked.
S.R. 1981 No. 72 revoked.

Sealed with the Official Seal of the Department of Manpower Services for Northern Ireland on 4th January 1982.

(L.S.) *Trevor Pearson*
Assistant Secretary

(**a**) 1945 c. 21 (N.I.)
(**b**) 1946 c. 11 (N.I.); S.R. & O. (N.I.) 1964 No. 205 and S.R. & O. (N.I.) 1973 No. 504 Art. 6(1) and Sch. 3

SCHEDULE

Statutory Minimum Remuneration

The following statutory minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Paper Box Wages Regulation Order (Northern Ireland) 1980(a) (Order N.I.B. (111)) as amended by the Paper Box Wages Regulation (Amendment) Order (Northern Ireland) 1981(b) (Order N.I.B. (115)) and the Paper Box Wages Regulation (Amendment No. 2) Order (Northern Ireland) 1981(c) (Order N.I.B. (117)).

GENERAL MINIMUM TIME RATES

Paragraph 1.

The following general minimum time rates shall apply to workers other than trainees and the grades referred to in this paragraph and in paragraph 2(ii) and 4 shall be as defined in paragraph 11:—

Per week of 37½ hours

	£
Grade 5 ...	*74·09*
,, 4 ...	*68·50*
,, 3 ...	*57·79*
,, 2 ...	*52·57*
,, 1 ...	*47·61*

Paragraph 2.

TRAINEES

The following general minimum time rates shall apply to all Trainees:

(i) Initial Training

Trainees entering or who have entered the trade at —	Per week of 37½ hours		
	Under 17 years	17 and under 18 years	18 years and over
	£	£	£
commencing rate	*27·78*	*30·96*	*36·41*
after 6 months	*29·90*	*33·08*	*38·29*
after 12 months	*32·05*	*37·33*	*40·24*
after 18 months	*34·19*	*42·20*	*42·20*
after 24 months	*42·20*	–	–

(ii) Further training

Trainees who have completed initial training and have been accepted for further training in a particular grade, shall receive the general minimum time rate for the grade (as set out in paragraph 1) after completing the following periods of further training:—

Grade	Under 17 years	17 and under 18 years	18 years and over
1, 2 or 3	6 months	6 months	6 months
4	6 months	12 months	12 months
5	12 months	12 months	12 months

(a) S.R. 1980 No. 132
(b) S.R. 1981 No. 16
(c) S.R. 1981 No. 72

CALCULATION OF HOURLY RATES

Paragraph 3.

For the purpose of calculating the minimum rate payable in respect of each hour of employment the respective rates set out in paragraphs 1 and 2 must be divided by 37½.

PIECE WORK BASIS TIME RATES

Paragraph 4.

Grade	Pence per hour
5	*194·05*
4	*180·16*
3	*150·64*
2	*136·75*
1	*122·86*

PIECE WORK

Paragraph 5.

In the case of workers including outworkers (as defined in paragraph 13) 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 (as defined in paragraph 4). In determining whether any piece rate satisfies the foregoing condition regard shall be had only to the earnings of ordinary workers, that is, workers of ordinary skill and experience in the class of work in question and not to the earnings of trainees, infirm workers or other workers of less than ordinary skill and experience.

EMPLOYMENT OF TRAINEES ON PIECE WORK

Paragraph 6.

An employer will, in any case where a trainee 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.

OVERTIME

Paragraph 7.

Overtime rates are payable as follows:—

A.—WORKERS EMPLOYED ON TIME WORK

(1) On any day other than a Saturday, Sunday or a customary holiday—
For the first four hours worked in excess of 7½ hours TIME-AND-A-HALF

(2) On a Saturday, not being a customary holiday—
For all time worked TIME-AND-A-HALF

(3) On a Sunday or a customary holiday—
For all time worked DOUBLE TIME ...

(4) In any week—
For all time worked in excess of 37½ hours TIME-AND-A-HALF

except in so far as higher overtime rates may be payable under the provisions of sub-paragraph A(1), (2) or (3).

B.—WORKERS EMPLOYED ON PIECE WORK

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 applicable

an amount equivalent to ONE-HALF or the WHOLE of the appropriate piece work basis time rate

according as the overtime rate payable under the provisions of sub-paragraph A, if the worker has been employed on time work, would have been equivalent to time-and-a-half or double time, respectively.

Paragraph 8.

Overtime rates are payable in respect of all overtime worked on any day, notwithstanding that the total number of hours worked in the week does not exceed 37½.

Paragraph 9.

The expression "customary holiday" means—

(a) Christmas Day, Boxing Day, the day following Boxing Day and New Year's Day. Provided that—

(i) where Christmas Day, Boxing Day or New Year's Day falls on a Saturday and the worker does not normally work for the employer on a Saturday, the employer shall allow to the worker, instead of the customary holiday, a holiday in lieu on a day on which the worker normally works for the employer within the period of eight weeks immediately following the customary holiday;

(ii) where Christmas Day falls on a Sunday the customary holidays shall be Boxing Day and the next two following days;

(iii) where the day following Boxing Day or New Year's Day falls on a Sunday that Sunday shall not be treated as one of the customary holidays and a customary holiday shall be allowed to the worker on the Monday next following;

Easter Monday, Easter Tuesday and the Wednesday following the last-mentioned day, or

(b) a day substituted by the employer for any one of the said days, being either a day recognised by local custom as a day of holiday in substitution for the said day or a day agreed between the employer and the worker or his representative.

Paragraph 10.

For the purpose of paragraph 7 the expressions time-and-a-half and double time mean, respectively, one-and-a-half times, and twice the amount of the minimum rate otherwise applicable.

GRADES OF WORKERS

Paragraph 11.

(a) A Grade 5 worker is a person who is engaged in any of the following processes or occupations, viz.:

Guillotine Cutter (paper/acetate)
M/C setter — S Feeds
Maintenance Fitter

(b) A Grade 4 worker is a person who is engaged in any of the following processes or occupations, viz.:

Guillotine Cutter (Board)	Setter of Crosland Type Platen	Setter of Scoring M/C —
Senior Storeman	Setter of Hand Fed Box M/C	(Complex)

(c) A Grade 3 worker is a person who is engaged in any of the following processes or occupations, viz.:

Cutting and Scoring M/C (Simple) — Setter
Examination
Fork-lift Truck Driver
Gold Blocking (Hand Fed) — Setter
Gold Blocking (Automatic) — Setter
Hand Boxmaker (Skilled)
Hand Knife Cutter (Paper/Acetate)
Quad-Stay M/C — Setter
S Feed M/C — Operator
Setter of Acetate Lid Machine
Storeman
Vac-Forming M/C — Operator

(d) A Grade 2 worker is a person who is engaged in any of the following processes or occupations, viz.:

Acetate Lid M/C — Operator
Corner-Stayer (Single)
Fork-lift Truck Driver (Pedestrian)
Gold Blocking M/C (Hand) — Feeder
Gold Blocking M/C (Auto) — Minder
Hand Box-maker (Plain)
Hand Box-maker (Shaped Acetate)
Hand Fed Box M/C (Operator)
Labourer
Mitre Corner-Cutter (Paper Acetate)
Packer — S. Feed M/C's
Platen Feeder — (Hand)
Scoring M/C — Feeder
Security Officer
Service Operator — (Supplies to M/Cs)
Waste Baler

(e) A Grade 1 worker is a person who is engaged in any of the following processes or occupations, viz.:

Acetate Beader/Bender/Sticker
Acetate Lid M/C — Assistant
Acetate Windower (Hand) or Insetter
Board Bender
Carton-Gluer-Bench Type
Clicker-Press — Operator
Corner-Cutter — Board
General Services
Office Cleaner
Packer-Hand Box Dept.
Packer-Hand Fed M/C
Plain Acetate Worker
Quad-Stayer
Rise and fall Punching Press-Operator
Slotting
Stripping
Taker-off
Thumb-holeing
Wire Stitching (Single)

Paragraph 12.

A TRAINEE is a worker who—

(a) has not completed the appropriate period of employment set out in paragraph 2;

(b) (i) is employed during the whole or a substantial part of his time in learning any branch or process of the trade by an employer who provides the trainee with reasonable facilities for such learning; and

(ii) has received a certificate or has been registered in accordance with rules from time to time laid down by the Wages Council, or has made an application for such a certificate or registration which has been duly acknowledged and is still under consideration,

provided that the certificate or registration of a trainee will become invalid if at any time during learnership the provisions set out in this Schedule relating thereto are not complied with,

provided also that an employer may employ a trainee on his first employment without a certificate or registration for a probation period not exceeding eight weeks, but in the event of such trainee being continued thereafter in the employment, the probation period will be included in the period of learnership,

and provided further that, notwithstanding compliance with these conditions, a person shall not be deemed to be a trainee if he works in a room used for dwelling purposes, and is not in the employment of his parent or guardian.

Paragraph 13.

AN OUTWORKER is a worker who works in his home or in any other place not under the control or management of the employer.

WAITING TIME

Paragraph 14.

(1) A worker is entitled to payment of statutory minimum remuneration 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 15.

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 Paper Box 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 (Paper Box Trade, Northern Ireland) (Constitution, Proceedings and Meetings) Regulations 1925, dated 2nd March 1925, namely:—

That branch of the Box Trade which is engaged in the making of boxes or parts thereof made wholly or partially of paper, cardboard, chip or similar material.

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order, which comes into operation on 26th January 1982, sets out the statutory minimum remuneration payable in substitution for that fixed by the Paper Box Wages Regulation Order (Northern Ireland) 1980 (Order N.I.B. (111)) as amended by the Paper Box Wages Regulation (Amendment) Order (Northern Ireland) 1981 (Order N.I.B. (115)) and the Paper Box Wages Regulation (Amendment No. 2) Order (Northern Ireland) 1981 (Order N.I.B. (117)).

New provisions in the Schedule are printed in italics.