**1959. No. 153** **[NC]**

# WAGES COUNCILS

## Wages Regulation (Road Haulage)

ORDER, DATED 23RD SEPTEMBER, 1959, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER SECTION 10 OF THE WAGES COUNCILS ACT (NORTHERN IRELAND), 1945(a), TO GIVE EFFECT TO WAGES REGULATION PROPOSALS RECEIVED FROM THE ROAD HAULAGE WAGES COUNCIL (NORTHERN IRELAND).

*Citation*

**1.** This Order may be cited as the Road Haulage Wages Regulation Order (Northern Ireland), 1959.

*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 Road Haulage Wages Council (Northern Ireland) Wages Regulation Order, 1954(b), and the Road Haulage Wages Regulation (Amendment) Order (Northern Ireland), 1959(c), shall cease to have effect.

*Interpretation*

**3.** In this Order the expression "the specified date" means the 12th day of October, 1959, 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 Ministry of Labour and National Insurance for Northern Ireland this twenty-third day of September, nineteen hundred and fifty-nine.

(L.S.)

*R. W. Steele,*
Assistant Secretary.

(a) 1945. c. 21.
(b) S.R. & O. (N.I.) 1954, No. 176.
(c) S.R. & O. (N.I.) 1959, No. 4.

## SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Road Haulage Wages Council (Northern Ireland) Wages Regulation Order, 1954 (Order N.I.R.H. (10)) as amended by the Road Haulage Wages Regulation (Amendment) Order (Northern Ireland), 1959 (Order N.I.R.H. (20)).

### STATUTORY MINIMUM REMUNERATION

### GENERAL MINIMUM TIME RATES

| MALE WORKERS | Where the worker's home depot is situated in | | |
|---|---|---|---|
| | AREA A (as defined in paragraph 8) | AREA B (as defined in paragraph 8) | AREA C (as defined in paragraph 8) |
| | Per week (as defined in paragraph 3) | | |
| Paragraph 1. | | | |
| (a) DRIVER (as defined in paragraph 8) of a vehicle (as defined in paragraph 8) with a carrying capacity (as defined in paragraph 8) of— | | | |
| (i) 8 tons and over | 179 0 | 177 6 | 168 6 |
| (ii) 2 tons and under 8 tons | 171 6 | 170 0 | 161 6 |
| (iii) 1 ton and under 2 tons | 163 6 | 162 0 | 154 0 |
| (iv) under 1 ton | 156 0 | 154 6 | 146 6 |
| (b) ASSISTANT (as defined in paragraph 8) on a vehicle with a carrying capacity of— | | | |
| (i) 2 tons and over, who is aged— | | | |
| 21 years and over | 162 6 | 161 0 | 152 6 |
| 20 and under 21 years | 141 6 | 137 6 | 133 6 |
| 19 „ „ 20 „ | 127 6 | 123 6 | 120 6 |
| 18 „ „ 19 „ | 103 0 | 100 0 | 97 0 |
| 17 „ „ 18 „ | 86 3 | 84 0 | 80 9 |
| 16 „ „ 17 „ | 76 3 | 74 0 | 72 0 |
| under 16 years | 66 6 | 64 6 | 63 6 |
| (ii) 1 ton and under 2 tons, who is aged— | | | |
| 21 years and over | 154 6 | 153 0 | 145 0 |
| 20 and under 21 years | 134 6 | 130 6 | 126 6 |
| 19 „ „ 20 „ | 120 6 | 116 6 | 113 6 |
| 18 „ „ 19 „ | 98 0 | 96 0 | 93 0 |
| 17 „ „ 18 „ | 86 3 | 84 0 | 80 9 |
| 16 „ „ 17 „ | 76 3 | 74 0 | 72 0 |
| under 16 years | 66 6 | 64 6 | 63 6 |
| (iii) under 1 ton, who is aged— | | | |
| 21 years and over | 147 0 | 145 6 | 137 6 |
| 20 and under 21 years | 132 6 | 130 6 | 122 0 |
| 19 „ „ 20 „ | 118 6 | 116 6 | 113 6 |
| 18 „ „ 19 „ | 96 0 | 96 0 | 93 0 |
| 17 „ „ 18 „ | 86 3 | 84 0 | 80 9 |
| 16 „ „ 17 „ | 76 3 | 74 0 | 72 0 |
| under 16 years | 66 6 | 64 6 | 63 6 |

NIGHT WORKERS

Paragraph 2.

(a) The general minimum time rate for a male worker whose normal working week includes not less than three hours' work each night between 6 p.m. on one day and 8 a.m. on the next following day is the appropriate general minimum time rate set out in paragraph 1 increased by 9s. 0d. per week.

(b) The general minimum time rate for a male worker who is not normally employed on night work throughout the week but who is required by his employer to work on any night for not less than three hours between 9 p.m. on one day and 8 a.m. on the next following day is the appropriate general minimum time rate set out in paragraph 1 increased by 1s. 6d. for each night in the week on which he is so required to work.

CALCULATION OF HOURLY RATES

Paragraph 3.

The general minimum time rates specified in paragraph 1 and sub-paragraph (a) of paragraph 2 are weekly rates based on a week of 44 hours.
For the purpose of calculating the hourly minimum rate the respective weekly rates should be divided by 44.

NORMAL WORKING DAY

Paragraph 4.

The normal working week shall consist of—

| | |
|---|---|
| (a) in the case of a worker who is normally required to work on 6 days of the week | 5 days of 8 hours each and 1 day of 4 hours. |
| (b) in the case of a worker who is normally required to work on 5 days of the week | 4 days of 9 hours each and 1 day of 8 hours. |

OVERTIME

Paragraph 5.

Overtime rates are payable as follows:—

| | |
|---|---|
| (a) On any day other than a Sunday or a Customary Holiday— | |
| (i) for the first two hours worked in excess of the normal working day | TIME-AND-A-QUARTER |
| (ii) thereafter | TIME-AND-A-HALF |
| (b) On a Sunday— for all time worked | DOUBLE TIME |
| (c) On a Customary Holiday— for all time worked in excess of the number of hours (excluding overtime) ordinarily worked by the worker for the employer on that day of the week | TWICE THE OVERTIME RATES SPECIFIED IN SUB-PARAGRAPH (a) |

Paragraph 6.

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 general minimum time rate otherwise payable.

Paragraph 7.

When a worker's hours of duty or any part thereof entail employment between 6 p.m. on one day and 8 a.m. on the next following day, a day shall be deemed to be a period of 24 hours commencing at 12 noon.

## DEFINITIONS

Paragraph 8.

In this Schedule—

'AREA A' means — the County of the City of Belfast and districts situated within a radius of 15 statute miles from Belfast City Hall.

'AREA B' means — the County of the City of Londonderry.

'AREA C' means — all areas other than A and B.

'VEHICLE' means — a mechanically or electrically propelled vehicle operating on any public highway and constructed or adapted for the carriage or haulage of tangible, moveable objects including livestock, animals and burden of any kind whatsoever other than human beings.

'DRIVER' means — a worker who is wholly or mainly employed in driving a vehicle and in performing, when so required, any other road haulage work.

'ASSISTANT' means — a worker (other than a driver) who is wholly or mainly employed on any or all of the following work—

(a) collecting or loading goods to be carried in or on a vehicle;

(b) attending to goods while so carried;

(c) unloading or delivering goods after being so carried;

(d) acting as an attendant to a vehicle,

and who is required to travel on or accompany the vehicle for the purpose of doing any such work.

'CARRYING CAPACITY' means — (a) the weight of the load which the vehicle has been designed or constructed to carry and/or haul according to the pay load rating as specified or declared by the manufacturers of the vehicle.

(b) where a trailer is attached to a vehicle the carrying capacity of that vehicle shall be the carrying capacity of the vehicle and trailer combined.

'CUSTOMARY HOLIDAY' means — Christmas Day (or, if Christmas Day falls on a Sunday, such other day as may be appointed by national proclamation or, if none is so appointed, either (a) the following Monday or (b) in the case where Boxing Day is allowed by the employer as a customary holiday, the following Tuesday), Easter Monday, and four other days (being days on which the worker would normally work) in the course of a calendar year, to be fixed by agreement between the employer and the worker or his representative.

'WEEK' means — pay week.

## GENERAL

### Applicability of Statutory Minimum Remuneration

Paragraph 9.

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 Road Haulage Wages Council (Northern Ireland) operates, that is to say, workers employed in Northern Ireland in the trade specified in the Schedule to the Road Haulage Wages Council (Northern Ireland) (Variation) Order, 1952(a), namely:—

(1) Subject to the provisions of sub-paragraph (2) hereof the workers to whom this Order applies are all workers wholly or mainly employed in Northern Ireland in road haulage work, that is to say, all or any of the following work:—

(a) driving or assisting in the driving or control of mechanically or electrically propelled goods vehicles operating on any public highway;

(b) collecting or loading goods to be carried in or on such vehicles;

(c) attending to goods while so carried;

(d) unloading or delivering goods after being so carried;

(e) acting as attendants to such vehicles;

and who are required to travel on or accompany the vehicles for the purpose of doing any such work.

(2) This Order does not apply to any of the following workers in respect of their employment in any of the following circumstances, that is to say:—

(a) drivers of and attendants on vehicles operated by the Ulster Transport Authority;

(b) drivers of and attendants on vehicles while the vehicles are being used under, and in accordance with the regulations applicable to, a licence taken out by a manufacturer or a dealer under section nine of the Roads Act, 1920, or by a repairer under section five of the Finance Act (Northern Ireland), 1922;

(c) drivers of and attendants on vehicles used in the laundry trade for the collection of articles of every description for laundering or for the delivery of such articles after they have been laundered;

(d) drivers of and attendants on vehicles used by funeral furnishers in the course of their business as such furnishers;

(e) drivers of and attendants on vehicles owned by farmers and used for the carriage or haulage of agricultural produce, or goods used, or to be used, for agricultural purposes;

(f) drivers of and attendants on vehicles used for the carriage of livestock, except when the vehicles are used for hire or reward by persons other than farmers;

(g) milk roundsmen and milk roundswomen and workers who accompany or assist them on their rounds;

(h) workers engaged in the distribution of mineral or aerated waters;

(i) workers employed on operations included in the Schedule to the Trade Boards (Baking Trade, Northern Ireland) (Constitution, Proceedings and Meetings) Regulations, 1938(b), dated 17th June, 1938, as operations in the Baking Trade.

Paragraph 10.

The statutory minimum remuneration set out in this Schedule is without prejudice to workers earning higher rates of wages or to agreements made, or that may be made, between employers and workers or their representatives, for the payment of remuneration in excess of the statutory minimum.

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(a) S.R. & O. (N.I.) 1952, No. 193. (b) S.R. & O. (N.I.) 1938, No. 77.