1959 No. 1854

The Wages Regulation (Boot and Floor Polish) Order, 1959

Made - - - - 3*rd November*, 1959
Coming into Operation 18*th November*, 1959

Whereas the Minister of Labour (hereafter in this Order referred to as "the Minister") has received from the Boot and Floor Polish Wages Council (Great Britain) the wages regulation proposals set out in the Schedule hereto;

Now, therefore, the Minister, by virtue of the powers conferred on him by section 11 of the Wages Councils Act, 1959(a), and of all other powers enabling him in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Wages Regulation (Boot and Floor Polish) Order, 1959.

2.—(1) In this Order the expression "the specified date" means the 18th day of November, 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.

(2) The Interpretation Act, 1889(b), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament and as if this Order and the Orders hereby revoked were Acts of Parliament.

3. The wages regulation proposals set out in the Schedule hereto shall have effect as from the specified date and as from that date the Boot and Floor Polish Wages Council (Great Britain) Wages Regulation Order, 1955(c) and the Wages Regulation (Boot and Floor Polish) (Amendment) Order, 1957(d), shall cease to have effect.

Signed by order of the Minister of Labour this 3rd day of November, 1959.

L. N. Helsby,
Secretary,
Ministry of Labour.

SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Boot and Floor Polish Wages Council (Great Britain) Wages Regulation Order, 1955 (Order B.P. (43)) as amended by the Wages Regulation (Boot and Floor Polish) (Amendment) Order, 1957 (Order B.P. (47)).

STATUTORY MINIMUM REMUNERATION

PART I

GENERAL

1. The minimum remuneration payable to a worker to whom this Schedule applies for all work except work to which a minimum overtime rate applies under Part IV is:—

(*a*) in the case of a time worker, the general minimum time rate payable to the worker under Part II or Part III of this Schedule;

(a) 7 & 8 Eliz. 2. c. 69. (b) 52 & 53 Vict. c. 63. (c) S.I. 1955/853 (1955 II, p. 2774).
(d) S.I. 1957/1871 (1957 II, p. 2638).

(*b*) in the case of a worker employed on piece work, 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 piece work basis time rate applicable to the worker under Part II or Part III of this Schedule.

PART II
MALE WORKERS

GENERAL MINIMUM TIME RATES

2. The general minimum time rates payable to male workers are as follows:—

	Per hour s. d.
Workers aged 21 years or over	3 7½
„ „ 20 and under 21 years	3 0½
„ „ 19 „ „ 20 „	2 9½
„ „ 18 „ „ 19 „	2 7
„ „ 17 „ „ 18 „	2 1½
„ „ 16 „ „ 17 „	1 9
„ „ under 16 years	1 5½

PIECE WORK BASIS TIME RATE

	Per hour s. d.
3. The piece work basis time rate applicable to all male workers employed on piece work is	3 10

PART III
FEMALE WORKERS

GENERAL MINIMUM TIME RATES

4. The general minimum time rates payable to female workers are as follows:—

	Per hour s. d.
Workers aged 18 years or over	2 7
„ „ 17 and under 18 years	2 0½
„ „ 16 „ „ 17 „	1 7¾
„ „ under 16 years	1 3¾

PIECE WORK BASIS TIME RATE

	Per hour s. d.
5. The piece work basis time rate applicable to all female workers employed on piece work is	2 8½

PART IV
OVERTIME AND WAITING TIME—ALL WORKERS

NORMAL NUMBER OF HOURS

6.—(1) The minimum overtime rates set out in paragraph 7 are payable in respect of all time worked in excess of the normal number of hours of work which are—

(*a*) In any week ... ... 44 hours.

(*b*) On any day other than a Saturday, Sunday or a customary holiday ... ... 9 hours.

(*c*) On a Saturday ... ... 4 hours.

(2) Minimum overtime rates as set out in paragraph 7 are payable in respect of all time worked on a Sunday or a customary holiday.

MINIMUM OVERTIME RATES

7. Minimum overtime rates are payable to any worker as follows:—

(*a*) On any day, other than a Saturday, Sunday or customary holiday,

(i) For the first 2 hours worked in excess of 9 hours	Time-and-a-quarter.
(ii) For the next 2 hours	Time-and-a-half.
(iii) Thereafter	Double time.

(*b*) On a Saturday, not being a customary holiday,

(i) For the first 2 hours worked in excess of 4 hours	Time-and-a-quarter.
(ii) For the next 2 hours	Time-and-a-half.
(iii) Thereafter	Double time.

(*c*) On a Sunday or a customary holiday,

For all time worked	Double time.

(*d*) For all time worked in excess of 44 hours in any week,

(i) For the first 2 hours worked	Time-and-a-quarter.
(ii) For the next 2 hours	Time-and-a-half.
(iii) Thereafter	Double time.

Provided that where in any week one or more of the weekly minimum overtime rates specified in (*d*) of this paragraph and one or more of the daily minimum overtime rates specified in (*a*), (*b*) and (*c*) of this paragraph apply to a worker, the worker shall be paid for overtime—

(*a*) at the said daily overtime rate or rates where the remuneration for overtime so calculated equals or exceeds the remuneration calculated at the said weekly overtime rate or rates;

(*b*) otherwise at the said weekly overtime rate or rates.

8. In this Part of this Schedule

(1) the expression "customary holiday" means

(*a*) (i) In England and Wales—

Christmas Day (or, if Christmas Day falls on a Sunday, such week day as may be appointed by national proclamation, or, if no such day is appointed, the next following Tuesday), Boxing Day, Good Friday, Easter Monday, Whit Monday and August Bank Holiday.

(ii) In Scotland—

New Year's Day (or, if New Year's Day falls on a Sunday, the next following Monday); the local Spring holiday; the local Autumn holiday; and three 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*) in the case of each of the said days (other than a day fixed by the employer in Scotland and notified to the worker as aforesaid) a day substituted by the employer therefor, being a day recognised by local custom as a day of holiday in substitution for the said day.

(2) the expressions "time-and-a-quarter", "time-and-a-half" and "double time" mean respectively:—

(*a*) in the case of a time worker, one and a quarter times, one and a half times and twice the general minimum time rate otherwise payable to the worker;

(*b*) in the case of a worker employed on piece work

(i) a time rate equal respectively to one quarter, one half and the whole of the piece work basis time rate applicable to the worker and, in addition thereto,

(ii) 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 piece work basis time rate applicable to the worker.

WAITING TIME

9.—(1) A worker is entitled to payment of the minimum remuneration specified in this Schedule for all time during which he is present on the premises of his employer, unless he is present thereon in any of the following circumstances:—

(*a*) without the employer's consent, express or implied,

(*b*) for some purpose unconnected with his work and other than that of waiting for work to be given to him to perform,

(*c*) by reason only of the fact that he is resident thereon,

(*d*) during normal mealtimes in a room or place in which no work is being done, and he is not waiting for work to be given to him to perform.

(2) The minimum remuneration payable under sub-paragraph (1) of this paragraph to a piece worker when not engaged on piece work is that which would be payable if the worker were a time worker.

PART V

GENERAL

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

10. This Schedule applies to all workers in relation to whom the Boot and Floor Polish Wages Council (Great Britain) operates, that is to say, workers employed in Great Britain in the trade specified in the Schedule to the Trade Boards (Boot and Floor Polish Trade, Great Britain) (Constitution and Proceedings) Regulations, 1938(a), namely:—

(1) the manufacture of boot and shoe polish or cream; blacking; dubbin or floor polish or cream; and

(2) the manufacture of stain for leather or of polish for leather or furniture when carried on in association with or in conjunction with the manufacture of any of the articles specified in sub-paragraph (1) of this paragraph;

including the following or similar operations when incidental to operations included in sub-paragraph (1) or (2) of this paragraph:—

(i) Checking, testing, grading, weighing, measuring;

(ii) Filling, lidding, boxing, bottling, packeting, labelling;

(iii) Packing, unpacking, despatching, warehousing, portering, time-keeping, storing, stock-keeping;

but excluding the manufacture of boxes, canisters, or other containers.

EXPLANATORY NOTE

(*This Note is not part of the Order, but is intended to indicate its general purport.*)

This Order, which has effect from 18th November, 1959, sets out the statutory minimum remuneration payable in substitution for that fixed by the Boot and Floor Polish Wages Council (Great Britain) Wages Regulation Order, 1955 (Order B.P. (43)), as amended by the Wages Regulation (Boot and Floor Polish) (Amendment) Order, 1957 (Order B.P. (47)), which Orders are revoked.

New provisions are printed in italics.

(a) S.R. & O. 1938/1344 (1938 II, p. 3235).