EXPLANATORY NOTE

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

This Order, which has effect from 16th July, 1958, amends the Wages Regulation (Baking) (Scotland) Order, 1957 (Order BKS (37)) by—

(*a*) increasing the statutory minimum remuneration fixed by that Order;

(*b*) providing a special method of calculating the amount of accrued holiday remuneration payable to a worker on the termination of his employment where he leaves his employment in certain specified circumstances.

New provisions are printed in italics.

1958 No. 1092

The Wages Regulation (Boot and Shoe Repairing) (Amendment) Order, 1958

Made - - - -	1*st July*, 1958
Coming into Operation	18*th July*, 1958

Whereas the Minister of Labour and National Service (hereafter in this Order referred to as "the Minister") has received from the Boot and Shoe Repairing Wages Council (Great Britain) the wages regulation proposals set out in the First and Second Schedules hereto;

Now, therefore, the Minister, by virtue of the powers conferred on him by section 10 of the Wages Councils Act, 1945(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 Shoe Repairing) (Amendment) Order, 1958.

2.—(1) In this Order the expression "the specified date" means the 18th day of July, 1958, 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), applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

3. The wages regulation proposals set out in the First and Second Schedules hereto shall have effect as from the specified date and as from that date the Wages Regulation (Boot and Shoe Repairing) (Amendment) Order, 1957(c), shall cease to have effect.

Signed by order of the Minister of Labour and National Service this 1st day of July, 1958.

Harold Emmerson,
Secretary,
Ministry of Labour and National Service.

FIRST SCHEDULE

STATUTORY MINIMUM REMUNERATION

The Wages Regulation (Boot and Shoe Repairing) Order, 1956(d) (Order D. (117)) shall have effect as if in the Schedule thereto:—

(a) 8 & 9 Geo. 6. c. 17.
(b) 52 & 53 Vict. c. 63.
(c) S.I. 1957/558 (1957 II, p. 2640).
(d) S.I. 1956/1615 (1956 II, p. 2468).

1. In paragraph 2, after (ii) in sub-paragraph (2) (which specifies workers to whom the Schedule does not apply) there were added the following:—

"(iii) to workers who are persons registered as handicapped by disablement in pursuance of the Disabled Persons (Employment) Act, 1944(a), in respect of their employment by Remploy, Limited."

2. for Parts II, III and IV there were substituted the following Parts:—

"PART II

MALE OR FEMALE WORKERS AGED 21 YEARS OR OVER

GENERAL MINIMUM TIME RATE AND GUARANTEED TIME RATE FOR FOREMEN OR MANAGERS

	Per week of 45 hours s.	d.
3.—(1) The general minimum time rate applicable to all male or female workers aged 21 years or over and employed as foremen or managers is	*167*	*6*
(2) The guaranteed time rate applicable to the workers specified in sub-paragraph (1) when employed on piece work is	*167*	*6*

(3) For the purposes of this paragraph,

(*a*) a foreman or manager is a male or female worker who either—

(i) exercises sole supervisory authority over all journeyworkers who must exceed three in number (excluding himself) working in the same shop or department, or

(ii) (whether working alone or with any other worker) under the terms of his employment and, in addition to any work which may be required of him as a journeyworker, fits up or supervises the fitting up, of the work and has control of the repairing or making and the technical direction thereof;

(*b*) a journeyworker is a male or female worker to whom there applies under this Schedule either a general minimum piece rate or a general minimum time rate of not less than *147s. 6d.* per week of 45 hours or to whom such a general minimum time rate would be applicable if he were a time worker.

GENERAL MINIMUM TIME RATES

4. The general minimum time rates applicable to all male or female workers aged 21 years or over, except (i) the foremen or managers specified in paragraph 3 of this Schedule and (ii) learners to whom the minimum rates specified in Part IV of this Schedule apply, are as follows:—

	Per week of 45 hours s.	d.
(*a*) sewing or stitching machine operators employed in operating—		
(i) power sole stitchers or both power sole stitchers and Blake or other sole sewing machines on the Blake principle	*162*	*6*
(ii) Blake or other sole sewing machines on the Blake principle or edge trimming machines	*157*	*6*
Provided that where the worker, for the purpose of training thereon, is employed on such machines for one probationary period not exceeding four months, the general minimum time rate applicable during the said period shall be	*150*	*6*
(*b*) (i) press cutters responsible for cutting and costing	*162*	*6*
(ii) press cutters other than those responsible for cutting and costing	*150*	*6*

(a) 7 & 8 Geo. 6. c. 10.

	Per week of 45 hours s. d.
(c) workers employed—	
(i) as makers of bespoke (which term includes surgical) footwear	*173 0*
(ii) as repairers engaged in sewing down caps, re-welting, welt repairs, linking or any other hand stitching operation	*155 0*
(iii) in clicking	*155 0*
(iv) in clicking and closing	*155 0*

	Male workers	Female workers
	Per week of 45 hours	
	s. d.	s. d.
(v) as closers (that is, in fitting and machining) in the making of uppers for bespoke (which term includes surgical) footwear and not employed in clicking	*155 0*	*111 6*

	All workers Per week of 45 hours s. d.
(d) workers employed in altering footwear or on benching or finishing operations (whether performed by hand or machine) in repairing leather footwear	*150 6*

	Male workers	Female workers
	Per week of 45 hours	
	s. d.	s. d.
(e) all other workers to whom this paragraph applies	*147 6*	*106 6*

Part III

MALE OR FEMALE WORKERS AGED UNDER 21 YEARS

GENERAL MINIMUM TIME RATES AND GUARANTEED TIME RATE

5.—(1) The general minimum time rates applicable to all male or female workers aged under 21 years, being—

(a) foreman or managers as defined in paragraph 3 (3) of this Schedule,

(b) press cutters responsible for cutting and costing, or

(c) workers who have worked at least 5 years in the trade under a contract of apprenticeship,

are the general minimum time rates which would be applicable to those workers under paragraph 3 or pargaraph 4 of this Schedule if they were aged 21 years or over.

	Per week of 45 hours s. d.
(2) The guaranteed time rate applicable to the workers specified in sub-paragraph (1) (a) of this paragraph when employed on piece work is	*167 6*

GENERAL MINIMUM TIME RATES

6.—(1) The general minimum time rates applicable to all male or female workers aged under 21 years except (i) the workers specified in paragraph 5 of this Schedule and (ii) learners or apprentices to whom the minimum rates specified in Part IV of this Schedule apply are those specified in the following table.

	Column 1	Column 2	Column 3
	The workers specified in sub-para. (2) of this paragraph	Other male workers	Other female workers
	Per week of 45 hours		
	s. d.	s. d.	s. d.
Workers aged 20 and under 21 years	*114 0*	*114 0*	*94 6*
„ „ 19 „ „ 20 „	*104 0*	*104 0*	*84 6*
„ „ 18 „ „ 19 „	*93 0*	*93 0*	*74 0*
„ „ 17 „ „ 18 „	*80 0*	*80 0*	*64 0*
„ „ 16 „ „ 17 „	*71 0*	*71 0*	*55 6*
	Per week of 44 hours		
	s. d.	s. d.	s. d.
Workers aged under 16 years	*64 0*	*64 0*	*48 6*

(2) The workers referred to in column 1 of the foregoing table are male or female workers who are—

(*a*) operators of sole stitching, sole sewing or edge trimming machines,

(*b*) press cutters not responsible for cutting and costing,

(*c*) employed as makers of bespoke (which term includes surgical) footwear,

(*d*) repairers engaged in sewing down caps, re-welting, welt repairs, linking or any other hand stitching operation,

(*e*) employed in clicking,

(*f*) employed in clicking and closing,

(*g*) employed in altering footwear or on benching operations (whether performed by hand or machine) in repairing leather footwear, or

(*h*) employed in finishing operations (whether performed by hand or machine) in repairing leather footwear.

PART IV

GENERAL MINIMUM TIME RATES FOR LEARNERS AND APPRENTICES

LEARNERS

7.—(1) The following general minimum time rates are applicable to male or female learners employed in accordance with the conditions set out in paragraph 9 of this Schedule.

	Learners to bespoke hand-sewn making	All other learners
	Per week of 44 hours	
	s. d.	s. d.
Learners aged under 16 years	*59 0*	*58 0*
	Per week of 45 hours	
	s. d.	s. d.
„ „ 16 and under 17 years	*65 0*	*64 0*
„ „ 17 „ „ 18 „	*75 0*	*74 0*
„ „ 18 „ „ 19 „	*88 0*	*87 0*
„ „ 19 „ „ 20 „	*99 0*	*98 0*
„ „ 20 „ „ 21 „	*109 0*	*108 0*

(2) The general minimum time rate applicable to a learner to bespoke hand-sewn making who is aged 21 years or over and who has not completed a period of 5 years in such learnership shall, until he attains the age of 22 years or until he completes the said period of learnership (whichever period is the less), be the rate applicable to a learner aged 20 and under 21 years, increased by 5s. 0d. weekly.

APPRENTICES

8. The following general minimum time rates are applicable to male or female apprentices—

(*a*) who are employed under contracts of apprenticeship in writing to be taught one or more of the following sections of the trade—

(i) bespoke hand-sewn making including hand finishing,

(ii) boot and shoe repairing in all its operations as performed in the establishment, including benching by hand and by such benching machines as are used in the establishment, hand-sewing, re-stitching, re-welting, finishing by hand, by any finishing machine used in the establishment, by hand and such machine, patching by hand, by machine and by solution, and all other upper repairing,

(iii) clicking (including pattern cutting) and closing (including fitting and machining) of uppers for bespoke work or either of such operations, and

(*b*) in whose case the conditions specified in paragraph 10 of this Schedule are fulfilled.

	Per week of 44 hours
	s. d.
Apprentices aged under 16 years	*58 0*
	Per week of 45 hours
	s. d.
" " 16 and under 17 years	*63 0*
" " 17 " " 18 "	*73 0*
" " 18 " " 19 "	*85 0*
" " 19 " " 20 "	*96 0*
" " 20 " " 21 "	*106 0*"

3. for Part VIII there were substituted the following Part :—

"PART VIII

GENERAL MINIMUM PIECE RATES FOR MALE OR FEMALE WORKERS

16.—(1) The general minimum piece rates applicable to male or female workers employed on repairing are the piece rates set out in Part IX of this Schedule increased by *58¾ per cent.*

(2) The general minimum piece rates applicable to male or female workers employed on bespoke making are the piece rates set out in Part X of this Schedule increased by *58¾ per cent.*"

4. for sub-paragraph (3) of paragraph 44 (which sets out extras for piece rates for separate operations of benching work) there were substituted the following sub-paragraph :—

"(3) Where piece rates for riveting round soles by hand, hammering down rivets, laying channels by hand and hammering down bottoms set out at (*a*) and (*b*) of the said table are payable and :—

(*a*) the operation of riveting round soles is performed by hand, the worker shall also be paid the appropriate rate for hammering down rivets ;

(*b*) the channels have not been laid by machine and hammering down bottoms is performed, the worker shall also be paid the appropriate rate for laying channels by hand."

SECOND SCHEDULE

HOLIDAYS AND HOLIDAY REMUNERATION

The Wages Regulation (Boot and Shoe Repairing) (Holidays) Order, 1956(a) (Order D. (119)) shall have effect as if in the Schedule thereto there were added to sub-paragraph (1) of paragraph 10 (which relates to accrued holiday remuneration payable on termination of employment) the following provisos:—

"Provided that—

(*a*) no worker shall be entitled to the payment by his employer of accrued holiday remuneration if he is dismissed on the grounds of dishonesty and is so informed by the employer at the time of dismissal;

(*b*) where a worker is employed under a contract of service under which not less than one week's notice on either side is required to terminate the employment and the worker, without the consent of his employer, terminates his employment without having given not less than one week's notice or before one week has expired from the beginning of such notice, the amount of accrued holiday remuneration payable to the worker shall be the amount payable under the foregoing provisions of this paragraph less an amount equal to one day's holiday pay multiplied by the number of days constituting the worker's normal working week."

EXPLANATORY NOTE

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

This Order has effect from 18th July, 1958. The First Schedule amends the Wages Regulation (Boot and Shoe Repairing) Order, 1956 (Order D. (117)), as amended by the Wages Regulation (Boot and Shoe Repairing) (Amendment) Order, 1957 (Order D. (121)), by increasing the statutory minimum remuneration fixed by those Orders. It also repeats without alteration certain amendments to Order D. (117) which were contained in Order D. (121).

New provisions are printed in italics.

The Second Schedule repeats without alteration the amendments to the Wages Regulation (Boot and Shoe Repairing) (Holidays) Order, 1956 (Order D. (119)), which were contained in Order D. (121).

Order D. (121) is revoked.

(a) S.I. 1956/2009 (1956 II, p. 2529.)