1960 No. 2287

The Wages Regulation (Boot and Shoe Repairing) (Amendment) Order, 1960

Made - - - - 8*th December*, 1960
Coming into Operation 9*th January*, 1961

Whereas the Minister of Labour (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 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 Shoe Repairing) (Amendment) Order, 1960.

2.—(1) In this Order the expression "the specified date" means the 9th day of January, 1961, 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.

3. The wages regulation proposals set out in the Schedule hereto shall have effect as from the specified date.

Signed by order of the Minister of Labour this 8th day of December, 1960.

Peter J. M. Thomas,
Parliamentary Secretary
Ministry of Labour.

(a) 7 & 8 Eliz. 2. c. 69.

(b) 52 & 53 Vict. c. 63.

SCHEDULE

STATUTORY MINIMUM REMUNERATION

The Wages Regulation (Boot and Shoe Repairing) Order, 1959(a) (Order D. (125)) shall have effect as if in the First Schedule thereto:—

1. for sub-paragraph (2) of paragraph 1 there were substituted the following sub-paragraph:—

"(2) In this Schedule, the expressions 'hourly general minimum time rate' and 'hourly guaranteed time rate' mean respectively the general minimum time rate and the guaranteed time rate applicable to the worker under Part II, Part III or Part IV of this Schedule divided by *43*."

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 *43 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	172 6
(2) The guaranteed time rate applicable to the workers specified in sub-paragraph (1) when employed on piece work is	172 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 152s. 6d. per week of *43 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 and (ii) learners to whom the minimum rates specified in Part IV of this Schedule apply are as follows:—

	Per week of *43 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	167 6

(a) S.I. 1959/1686 (1959 II, p. 2735).

	Per week of *43 hours* s. d.
(ii) Blake or other sole sewing machines on the Blake principle or edge trimming machines	162 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	155 6
(*b*) (i) press cutters responsible for cutting and costing ...	167 6
(ii) press cutters other than those responsible for cutting and costing	155 6
(*c*) workers employed—	
(i) as makers of bespoke (which term includes surgical) footwear	178 0
(ii) as repairers engaged in sewing down caps, re-welting, welt repairs, linking or any other hand stitching operation	160 0
(iii) in clicking	160 0
(iv) in clicking and closing	160 0

	Male workers Per week of *43 hours* s. d.	Female workers Per week of *43 hours* 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	160 0	115 3

	All workers Per week of *43 hours*
(*d*) workers employed in altering footwear or on benching or finishing operations (whether performed by hand or machine) in repairing leather footwear	155 6

	Male workers Per week of *43 hours* s. d.	Female workers Per week of *43 hours* s. d.
(*e*) all other workers to whom this paragraph applies	152 6	110 3

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*) foremen or managers as defined in paragraph 3 (3),

(*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 paragraph 4 if they were aged 21 years or over.

	Per week of *43 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	172 6

GENERAL MINIMUM TIME RATES

6.—(1) The general minimum time rates applicable to all male and female workers aged under 21 years except (i) the workers specified in paragraph 5 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 *43 hours*		
	s. d.	s. d.	s. d.
Aged 20 and under 21 years	117 6	117 6	97 6
„ 19 „ „ 20 „	107 6	107 6	87 6
„ 18 „ „ 19 „	96 6	96 6	77 0
„ 17 „ „ 18 „	82 9	82 9	66 0
„ 16 „ „ 17 „	73 9	73 9	57 6
Under 16 years	66 9	66 9	50 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.

	Learners to bespoke hand-sewn making	All other learners
	Per week of *43 hours*	
	s. d.	s. d.
Aged under 16 years	61 9	60 9
„ 16 and under 17 years	67 9	66 9
„ 17 „ „ 18 „	77 9	76 9
„ 18 „ „ 19 „	91 6	90 6
„ 19 „ „ 20 „	102 6	101 6
„ 20 „ „ 21 „	112 6	111 6

(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 are fulfilled.

	Per week of *43 hours*
	s. d.
Aged under 16 years	60 9
„ 16 and under 17 years	65 9
„ 17 „ „ 18 „	75 9
„ 18 „ „ 19 „	88 6
„ 19 „ „ 20 „	99 6
„ 20 „ „ 21 „	109 6"

3. for paragraph 11 there were substituted the following paragraph :—

"MINIMUM OVERTIME RATES

11. Minimum overtime rates are payable to a worker to whom this Schedule applies as follows:—

(*a*) on any day other than a weekly short day, a Sunday or customary holiday,

(i) for the first 2 hours worked in excess of 9 hours ... ... Time-and-a-quarter

(ii) thereafter ... ... Time-and-a-half

Provided that where the employer normally requires attendance on five days only in the week, the foregoing minimum overtime rates of time-and-a-quarter and time-and-a-half shall be payable after 10 and 12 hours' work respectively.

(*b*) on a weekly short day, not being a customary holiday,

(i) for the first 2 hours worked in excess of 5 hours ... ... Time-and-a-quarter

(ii) thereafter ... ... Time-and-a-half

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

for all time worked ... ... Double time

(*d*) in any week, for all time worked in excess of *43 hours*, exclusive of any time for which a minimum overtime rate is payable under the foregoing provisions of this paragraph,

(i) for the first 3 hours so worked ... ... Time-and-a-quarter

(ii) thereafter ... ... Time-and-a-half."

4. for paragraph 14 there were substituted the following paragraph:—

"GUARANTEED WEEKLY REMUNERATION

14.—(1) This paragraph applies to a worker (other than a casual worker) who ordinarily works for the employer for at least 36 hours weekly on work to which this Schedule applies.

(2) Notwithstanding anything in this Schedule contained, where in any week:—

(*a*) no remuneration is payable to the worker under the foregoing provisions of this Schedule or by way of holiday remuneration under any wages regulation order made by the Minister to give effect to the proposals of the Wages Council, or

(*b*) the total amount of any such remuneration is less than the guaranteed weekly remuneration provided for by this paragraph,

the minimum remuneration payable to that worker for that week in lieu of any amount aforesaid shall, subject to the provisions of this paragraph, be the guaranteed weekly remuneration.

(3) Subject to the provisions of the next following sub-paragraph the amount of the guaranteed weekly remuneration is as follows:—

(*a*) in the case of a worker who ordinarily works for the employer on work to which this Schedule applies for at least *43 hours* weekly, 32 hours pay calculated at the general minimum time rate ordinarily applicable to the worker, or

(*b*) in the case of a worker who ordinarily works for the employer for less than *43* but not less than 36 hours weekly on such work, *32/43rds* of the amount payable at the said rate for the hours ordinarily worked by the worker in a week for the employer on such work.

(4) 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 to 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 if his normal work is not available to him in the establishment in which he is employed:

Provided that guaranteed weekly remuneration shall not cease to be payable to a worker in respect of any week by reason only of the fact that he is absent during any part of that week by reason of proved illness or with the consent of the employer but, in the case of any such absence (other than absence on a holiday with pay allowed under the provisions of a wages regulation order) the amount of the guaranteed weekly remuneration shall be reduced by the amount to which he would have been entitled under this Schedule as a time worker had he worked the number of hours ordinarily worked by him during the period of such absence in that week.

(5) If the employer is unable to provide the worker with work by reason of a strike, failure of supplies or any cause (other than shortage of work) outside the control of the employer, guaranteed weekly remuneration shall not be payable in respect of any week during which, or part of which, the employer is unable to provide work as aforesaid.

(6) The amount of the guaranteed weekly remuneration applicable to a piece worker shall be the sum to which he would be entitled if he were a time worker.

(7) In this paragraph the expression 'week' means 'pay week'."

5. 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 *62½ 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 *62½ per cent.*"

EXPLANATORY NOTE

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

This Order, which has effect from 9th January, 1961, amends the First Schedule to the Wages Regulation (Boot and Shoe Repairing) Order, 1959 (Order D. (125)), by reducing the number of hours to be worked by a worker in a week before overtime rates become payable and increasing the statutory minimum remuneration payable to piece workers.

New provisions are printed in italics.