STATUTORY INSTRUMENTS

1974 No. 1718

WAGES COUNCILS

The Wages Regulation (Button Manufacturing) (No. 2) Order 1974

Made - - - -	*17th October* 1974
Coming into Operation	*8th November* 1974

Whereas the Secretary of State has received from the Button Manufacturing Wages Council (Great Britain) the wages regulation proposals set out in Schedules 1 and 2 hereto;

Now, therefore, the Secretary of State in exercise of powers conferred by section 11 of the Wages Councils Act 1959(a), and now vested in him(b), 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 (Button Manufacturing) (No. 2) Order 1974.

2.—(1) In this Order the expression "the specified date" means the 8th November 1974, 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(c) 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 Order hereby revoked were Acts of Parliament.

3. The wages regulation proposals set out in Schedules 1 and 2 hereto shall have effect as from the specified date and as from that date the Wages Regulation (Button Manufacturing) Order 1974(d) shall cease to have effect.

Signed by order of the Secretary of State.

17th October 1974.

D. J. Derx,
Deputy Secretary,
Department of Employment.

(a) 1959 c. 69.
(b) S.I. 1959/1769, 1968/729 (1959 I, p. 1795; 1968 II, p. 2108).
(c) 1889 c. 63.
(d) S.I. 1974/674 (1974 I, p. 2653).

Article 3

SCHEDULE 1

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Wages Regulation (Button Manufacturing) Order 1974 (Order V.(72)).

STATUTORY MINIMUM REMUNERATION

PART I

GENERAL

1.—(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 V is—

(*a*) in the case of a worker other than a homeworker,

(i) where the worker is employed on time work, the general minimum time rate payable to the worker under Part II or Part III of this Schedule;

(ii) where the worker is 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;

(*b*) in the case of a homeworker,

(i) where a general minimum piece rate applies under Part IV of this Schedule, that rate;

(ii) where no general minimum piece rate applies, 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 IV of this Schedule.

(2) In this Schedule the expression "homeworker" means a worker who works in his own home or in any other place that is not under the control or management of the employer.

COST OF LIVING PAYMENT

2.—(1) In addition to the minimum remuneration specified in paragraphs 1(1) (a) and (b)(ii) of this Schedule, additional remuneration hereinafter referred to as a "cost of living payment" shall be payable to all workers to whom those sub-paragraphs apply.

(2) (a) The cost of living payment payable in respect of each complete pay week shall be—

(i) £2·80 in the case of full-time workers;

(ii) 7p multiplied by the number of hours worked in that week (excluding overtime) in the case of part-time workers.

(b) Up to and including 15th November 1974, for each increase of 1·85 points in the Index of Retail Prices above 209·5, the cost of living payment payable in respect of each complete pay week shall be increased in respect of each complete pay week following the increase by 40p per week in respect of full-time workers and by 1p multiplied by the number of hours worked (excluding overtime) in that week in respect of part-time workers.

(3) The cost of living payment shall not be treated as part of the general minimum time rate for the purpose of calculating payment for overtime under paragraph 9 of this Schedule.

(4) On and after 16th November 1974, the cost of living payment to be payable under this paragraph shall be that which was payable in respect of the last complete pay week before that date.

(5) In this paragraph—

"full-time worker" means a worker who normally works for the employer for 40 hours or more a week;

"part-time worker" means a worker who normally works for the employer for less than 40 hours a week.

PART II

MALE WORKERS OTHER THAN HOMEWORKERS

GENERAL MINIMUM TIME RATES

3. The general minimum time rates payable to male workers (other than homeworkers) are as follows:—

	Up to and including 31st December 1974	On and after 1st January 1975
	Per hour	Per hour
	p	p
Aged 20 years or over	37·5	37·5
„ 19 and under 20 years	36·0	37·5
„ 18 „ „ 19 „	34·5	37·5
„ 17 „ „ 18 „	28·5	28·5
„ under 17 years	25·5	25·5

PIECE WORK BASIS TIME RATE

	Per hour p
4. The piece work basis time rate applicable to a male worker of any age (other than a homeworker) employed on piece work is	40·5

PART III

FEMALE WORKERS OTHER THAN HOMEWORKERS

GENERAL MINIMUM TIME RATES

5. The general minimum time rates payable to female workers (other than homeworkers) are as follows:—

	Per hour p
Aged 18 years or over	36·0
„ 17 and under 18 years	28·5
„ under 17 years	25·5

PIECE WORK BASIS TIME RATE

	Per hour p
6. The piece work basis time rate applicable to a female worker of any age employed on piece work (other than a homeworker) is	38·0

PART IV

HOMEWORKERS

GENERAL MINIMUM PIECE RATES

7. The following general minimum piece rates are payable to a homeworker where the materials for sewing the buttons by hand are provided by the employer and the worker actually performs the work:—

The carding of buttons (*by needle and thread*)—	Per 1,000 buttons	
	Sew through	Shanks
	p	p
12 buttons or over per card	51	61
5—11 buttons per card	61	65
3—4 „ „ „	74	76
1—2 „ „ „	90	98

Provided that where perforated or sectional cards are used the above rates shall apply to each section or knotting off or fastening off.

PIECE WORK BASIS TIME RATE

	Per hour p
8. The piece work basis time rate applicable to all homeworkers employed on piece work, other than those to whom the general minimum piece rates set out in paragraph 7 apply, is	25

PART V

OVERTIME AND WAITING TIME

MINIMUM OVERTIME RATES

TIME WORKERS

9.—(1) Subject to the provisions of this paragraph, the following minimum overtime rates are payable to male or female workers (other than homeworkers) employed on time work:—

(*a*) on a Saturday, not being a customary holiday—
for all time worked ... ... time-and-a-quarter

(*b*) on a Sunday or a customary holiday— ... ...
for all time worked ... ... double time

(*c*) in any week exclusive of any time in respect of which a mimimum overtime rate is payable under the provisions of (*a*) or (*b*) above—
for all time worked in excess of
40 hours ... ... time-and-a-quarter

(2) Where the employer normally requires attendance on Sunday instead of Saturday, for the purposes of this paragraph (except where in the case of a woman or young person such substitution is unlawful) Saturday shall be treated as a Sunday and Sunday as a Saturday.

FEMALE PIECE WORKERS

10. The following minimum overtime rates are payable to female workers (other than homeworkers) employed on piece work for all time worked in excess of 40 hours in any week:—

(1) 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 an ordinary worker, and, in addition thereto,

(2) a time rate of 1p per hour.

11. In this Part of this Schedule,

(1) the expression "customary holiday" means:—

(*a*) (i) In England and Wales—

Christmas Day;
26th December if it be not a Sunday; 27th December in a year when 25th or 26th December is a Sunday;
New Year's Day, if it be not a Sunday, or if it be a Sunday, 2nd January;
Good Friday;
Easter Monday;
the last Monday in May;
the last Monday in August;
(or where a day is substituted for any of the above days by national proclamation, that day);

(ii) In Scotland—

New Year's Day (or, if New Year's Day falls on a Sunday, the following Monday);
the local Spring holiday;
the local Autumn holiday; and
four 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" and "double time" mean, respectively one and a quarter times and twice the general minimum time rate otherwise payable to the worker.

WAITING TIME

12.—(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 meal times 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 VI

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

13. This Schedule applies to workers in relation to whom the Button Manufacturing 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 (Button Manufacturing Trade, Great Britain) (Constitution and Proceedings) Regulations 1938(a), which reads as follows:—

"Schedule

1. Subject to the provisions of this Schedule the following operations and processes shall constitute the Button Manufacturing Trade:—

(*a*) All processes and operations in the making from any material other than precious metals and precious stones of buttons, button-moulds, metal fancy buttons, button-headed studs, upholsterers' buttons or upholsterers' button-headed nails (excluding in all cases, except as hereinafter provided, the making of the shanks), or in the covering of button-moulds;

(*b*) All processes and operations in the making of the following articles when done in association with or in conjunction with the work specified in sub-paragraph (*a*) above—

(i) shanks;

(ii) studs, links or parts thereof from any material other than metal;

(iii) clasps, slides, ornaments and similar articles used on wearing apparel when such articles are made—

(1) wholly or mainly from any material other than metal, and

(2) in a branch or department in which articles mentioned in sub-paragraph (*a*) are made or carded;

(*c*) (i) the carding wherever carried on of any of the articles specified in sub-paragraph (*a*) above;

(ii) the carding of any of the articles specified in sub-paragraph (*b*) above, except when done apart from any of the making which is included in the trade herein specified and from the carding of articles specified in sub-paragraph (*a*);

(*d*) The manufacture of metal small-wares as specified in Paragraphs (1) to (6) of the Appendix to the Trade Boards (Stamped or Pressed Metal-Wares) Order, 1924(b)*, when carried on in an establishment mainly engaged in any of the processes or operations mentioned above;

(*e*) All processes and operations in the (i) assembling, or (ii) finishing of articles specified above when done in association with or in conjunction with any of the above-mentioned processes or operations;

(*f*) All processes and operations in the warehousing, packing or despatching of any of the articles specified above when done in association with or in conjunction with any of the above-mentioned processes or operations.

(a) S.R. & O. 1938/1497 (1938 II, p. 3238). (b) S.R. & O. 1924/832 (1924, p. 1753).

2. Notwithstanding anything in this Schedule the following processes or operations shall not be processes or operations of the Button Manufacturing Trade:—

(*a*) The manufacture of wooden button-moulds where not carried on in association with or in conjunction with button-making;

(*b*) the making of buttons or the covering of button-moulds in an establishment in which (i) such work is performed in association with or in conjunction with the making of wearing apparel and (ii) the majority of the buttons made or of the button-moulds covered are for use on such wearing apparel;

(*c*) The making of buttons or the covering of button-moulds when done in association with or in conjunction with the manufacture of embroidery and trimmings, unless such making of buttons or covering of button-moulds is done (i) by machine process and (ii) in a separate department by workers exclusively engaged thereon;

(*d*) The processes or operations specified in Paragraph 1 above when performed in an establishment mainly engaged in the manufacture of articles of real or imitation jewellery except when performed by a worker who during the whole time that he works in any week in such establishment is wholly or mainly employed on such processes or operations;

(*e*) Any work which by Paragraph (7) of the Appendix to the Trade Boards (Stamped or Pressed Metal-Wares) Order, 1924*, is included in the Stamped or Pressed Metal-Wares Trade."

*(Paragraphs (1) to (7) of the Appendix to the Trade Boards (Stamped or Pressed Metal-Wares) Order 1924, referred to in the Schedule to the Trade Boards (Button Manufacturing Trade, Great Britain) (Constitution and Proceedings) Regulations 1938, set out above are as follows:—

(1) The manufacture from metal in sheet or strip form by cold stamping or cold pressing of articles known in the trade as metal small-wares;

(2) the cutting, shearing, annealing and hardening of metal in an establishment in which the metal is used for such manufacture;

(3) the covering of corset steels prior to capping or tipping in an establishment in which the steels are capped or tipped;

(4) finishing (including dipping, nickelling, plating, tinning, japanning, stove-enamelling, lacquering, bronzing, colouring, painting, varnishing, barrelling, burnishing, grinding, planishing, polishing, and the capping, counting, lopping, studding, or tipping of corset busks or steels) and similar operations when done in conjunction with such manufacture;

(5) viewing, inspecting, testing, sorting, boxing, carding, carrying, delivering, despatching, labelling, packeting, packing, portering, warehousing, weighing and similar processes or operations when done in conjunction with such manufacture;

(6) the assembling of the above-mentioned wares or parts thereof, whether the things assembled are made inside or outside Great Britain; and

(7) any process or operation which is included in the Button-making Trade, as defined for the purposes of the Trade Boards Acts, when carried on in an establishment mainly engaged in any of the processes or operations defined in the preceding paragraphs hereof.)

SCHEDULE 2 Article 3

HOLIDAYS AND HOLIDAY REMUNERATION

The Wages Regulation (Button Manufacturing) (Holidays) Order 1974(a) (Order V. (73)) shall have effect as if in the Schedule thereto for sub-paragraph (2) of paragraph 2, which relates to customary holidays, there were substituted the following:—

(a) S.I. 1974/675 (1974 I, p. 2661).

"(2) The said customary holidays are:—

(*a*) (i) In England and Wales—

Christmas Day;
26th December if it be not a Sunday; 27th December in a year when 25th or 26th December is a Sunday;
New Year's Day, if it be not a Sunday, or if it be a Sunday, 2nd January;
Good Friday;
Easter Monday;
the last Monday in May;
the last Monday in August;
(or where a day is substituted for any of the above days by national proclamation, that day);

(ii) In Scotland—

New Year's Day (or, if New Year's Day falls on a Sunday, the following Monday);
the local Spring holiday;
the local Autumn holiday; and
four 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."

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order has effect from 8th November 1974. Schedule 1 sets out the statutory minimum remuneration (including increased cost of living payments) payable to workers in relation to whom the Button Manufacturing Wages Council (Great Britain) operates, and provides for additional increases in the cost of living payments, relating to movement in the Index of Retail Prices, to be paid, in substitution for the statutory minimum remuneration set out in the Wages Regulation (Button Manufacturing) Order 1974 (Order V.(72)). Order V.(72) is revoked.

Schedule 2 amends the Wages Regulation (Button Manufacturing) (Holidays) Order 1974 (Order V.(73)) by providing for an additional day of customary holiday.

New provisions are printed in italics.

SI 1974/1718
ISBN 0-11-041718-6

