STATUTORY INSTRUMENTS

# 1962 No. 2295

# WAGES COUNCILS

## The Wages Regulation (Hairdressing) Order 1962

*Made* - - - - 17*th October* 1962
*Coming into Operation* 26*th November* 1962

Whereas the Minister of Labour (hereafter in this Order referred to as "the Minister") has received from the Hairdressing Undertakings Wages Council (Great Britain) (hereafter in this Order referred to as the "Wages Council") 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 (Hairdressing) Order 1962.

**2.**—(1) In this Order the expression "the specified date" means the 26th November 1962, 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 Order 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 Wages Regulation (Hairdressing) Order 1961(c), shall cease to have effect.

Dated 17th October 1962.

*John Hare,*
Minister of Labour.

(a) 7 & 8 Eliz. 2. c. 69. (b) 52 & 53 Vict. c. 63.
(c) S.I. 1961/1026 (1961 II, p. 1967).

## ARRANGEMENT OF SCHEDULE


PART I

STATUTORY MINIMUM REMUNERATION

| | Paragraphs |
|---|---|
| Application | 1 |
| Apprentices, operative hairdressers | 2 |
| Managers, manageresses, chargehands | 3 |
| Experience under the Government Vocational Training Scheme | 4 |
| Workers other than apprentices, operative hairdressers, managers, manageresses, chargehands | 5 |
| Conditions as to rates for apprentices | 6 |
| Minimum overtime rates | 7 |
| Waiting time | 8 |
| Guaranteed weekly remuneration payable to a full-time worker | 9 |
| Hours on which remuneration is based | 10 |

PART II

HOLIDAYS AND HOLIDAY REMUNERATION

| | |
|---|---|
| Customary holidays | 11 |
| Annual holiday | 12–14 |
| Customary holiday remuneration | 15 |
| Annual holiday remuneration | 16–17 |
| Accrued holiday remuneration payable on termination of employment | 18 |
| Calculation of employment | 19 |

PART III

GENERAL

| | |
|---|---|
| Definitions | 20 |
| Areas | 21 |
| Workers to whom Schedule applies | 22 |
| Training under the Government Vocational Training Scheme | 23 |


## SCHEDULE

The following minimum remuneration and provisions as to holidays and holiday remuneration shall be substituted for the statutory minimum remuneration and provisions as to holidays and holiday remuneration fixed by the Wages Regulation (Hairdressing) Order 1961(a) (hereinafter referred to as "Order H.U. (28)").

### PART I

### STATUTORY MINIMUM REMUNERATION

#### APPLICATION

1. Subject to the provisions of paragraphs 7, 9 and 10, the minimum remuneration payable to workers to whom this Schedule applies shall be the remuneration set out in paragraphs 2, 3 and 5.

Any increase in remuneration payable under the provisions of paragraph 2 or 5 shall become effective on the first day of the first full pay week following the date upon which the increase would otherwise become payable under those provisions.

(a) S.I. 1961/1026 (1961 II, p. 1967).

## APPRENTICE, OPERATIVE HAIRDRESSER

2. Subject to the provisions of paragraph 1, the minimum remuneration payable to an apprentice (whose employment complies with the conditions specified in paragraph 6) or operative hairdresser employed in the London Area, Provincial A Area or Provincial B Area, as the case may be, during the period of employment specified in Column 1 of the next following table shall be the appropriate amount set out in Column 2.

| Column 1 | Column 2 | |
|---|---|---|
| | London Area | Provincial A Area and Provincial B Area |
| (*a*) Apprentice (employed in a ladies' or gentlemen's saloon)— | Per week £ s. d. | Per week £ s. d. |
| First six months of employment as an apprentice ... ... ... | 2 6 6 | 2 1 0 |
| Second six months of employment as an apprentice ... ... ... | 2 12 0 | 2 6 6 |
| Third six months of employment as an apprentice ... ... ... | 3 3 6 | 2 18 0 |
| Fourth six months of employment as an apprentice ... ... ... | 3 9 6 | 3 3 6 |
| Fifth six months of employment as an apprentice ... ... ... | 4 2 6 | 3 17 0 |
| Sixth six months of employment as an apprentice ... ... ... | 4 8 0 | 4 2 6 |

| (*b*) Operative hairdresser— | Worker employed in a | | | |
|---|---|---|---|---|
| | Ladies' Saloon | | Gentlemen's Saloon | |
| | London Area | Provincial A Area and Provincial B Area | London Area | Provincial A Area and Provincial B Area |
| | Per week | Per week | Per week | Per week |
| | £ s. d. | £ s. d. | £ s. d. | £ s. d. |
| First year of employment as an operative hairdresser— Male | 5 19 6 | 5 14 6 | 7 2 6 | 6 17 0 |
| Female | 5 7 6 | 5 2 6 | 7 2 6 | 6 17 0 |
| Second year of employment as an operative hairdresser— Male | 7 10 0 | 7 5 0 | 8 18 6 | 8 12 6 |
| Female | 6 17 6 | 6 12 0 | 8 18 6 | 8 12 6 |
| After two years of employment as an operative hairdresser— Male | 9 4 6 | 8 18 6 | 8 18 6 | 8 12 6 |
| Female | 7 14 6 | 7 9 0 | 8 18 6 | 8 12 6 |

Provided that where under the terms of his employment a worker may at any time be required to do hairdressing for both ladies and gentlemen the rate applicable, in whichever saloon he is employed, shall be the rate appropriate to the worker when employed in either a ladies' or a gentlemen's saloon, whichever is the higher.

## MANAGER, MANAGERESS, CHARGEHAND

3. Subject to the provisions of paragraph 1, the minimum remuneration payable to a worker specified in Column 1 of the next following table employed in the London Area, Provincial A Area or Provincial B Area, as the case may be, shall be the appropriate amount set out in Column 2.

| Column 1 | Column 2 Worker employed in a | | | |
|---|---|---|---|---|
| | Ladies' Saloon | | Gentlemen's Saloon | |
| | London Area | Provincial A Area and Provincial B Area | London Area | Provincial A Area and Provincial B Area |
| | Per week | Per week | Per week | Per week |
| | £ s. d. | £ s. d. | £ s. d. | £ s. d. |
| Chargehand— Male | 10 1 6 | 9 16 6 | 9 16 6 | 9 10 6 |
| Female | 8 15 0 | 8 9 6 | 9 16 6 | 9 10 6 |
| Manager ... ... ... ... ... | 11 1 0 | 10 15 6 | 10 15 6 | 10 9 6 |
| Manageress ... ... ... ... | 9 14 6 | 9 9 0 | 10 15 6 | 10 9 6 |

Provided that where the worker is responsible for both a ladies' saloon and a gentlemen's saloon, the rate applicable shall be the rate appropriate to the worker when employed in either a ladies' saloon or a gentlemen's saloon, whichever is the higher.

## EXPERIENCE UNDER THE GOVERNMENT VOCATIONAL TRAINING SCHEME

4. Where any worker has completed the period of training in hairdressing in respect of which training allowances are payable under the Government Vocational Training Scheme, such period of training shall, for the purposes of this Schedule, be treated as though it were a period of two years' employment as an operative hairdresser.

## WORKERS OTHER THAN THOSE TO WHOM PARAGRAPH 2 OR PARAGRAPH 3 APPLIES

5. Subject to the provisions of paragraph 1, the minimum remuneration payable to male or female workers (other than workers to whom paragraph 2 or 3 applies) of the classes specified in Column 1 of the next following table employed in the London Area, Provincial A Area or Provincial B Area, as the case may be, shall be the appropriate amount set out in Column 2.

| Column 1 | Column 2 | | | | | |
|---|---|---|---|---|---|---|
| | London Area | | Provincial A Area | | Provincial B Area | |
| | Per week | | Per week | | Per week | |
| | Male | Female | Male | Female | Male | Female |
| | s. d. | s. d. | s. d. | s. d. | s. d. | s. d. |
| (*a*) Clerk, receptionist, manicurist:— | | | | | | |
| Workers aged 24 years or over ... | 184 6 | 136 6 | 179 6 | 131 0 | 174 0 | 125 0 |
| " " 23 and under 24 years ... | 172 6 | 127 0 | 168 6 | 121 6 | 161 6 | 116 0 |
| " " 22 " " 23 " ... | 168 0 | 122 0 | 162 0 | 116 6 | 156 6 | 111 0 |
| " " 21 " " 22 " ... | 164 0 | 117 6 | 157 0 | 112 0 | 150 0 | 106 0 |
| " " 20 " " 21 " ... | 133 0 | 101 0 | 127 0 | 96 0 | 122 0 | 92 6 |
| " " 19 " " 20 " ... | 122 6 | 95 6 | 116 6 | 90 6 | 111 0 | 86 6 |
| " " 18 " " 19 " ... | 110 6 | 88 0 | 106 0 | 83 0 | 100 6 | 79 6 |
| " " 17 " " 18 " ... | 90 6 | 73 6 | 85 0 | 68 6 | 80 6 | 64 6 |
| " " 16 " " 17 " ... | 84 0 | 68 6 | 78 0 | 63 0 | 74 6 | 59 6 |
| " " under 16 years ... ... | 79 0 | 64 0 | 73 0 | 59 0 | 70 0 | 55 0 |
| (*b*) Sales assistant, cashier, clerical assistant:— | | | | | | |
| Workers aged 23 years or over ... ... | 177 6 | 131 0 | 172 6 | 126 0 | 167 0 | 119 6 |
| " " 22 and under 23 years ... | 168 0 | 122 0 | 162 0 | 116 6 | 156 6 | 111 0 |
| " " 21 " " 22 " ... | 164 0 | 117 6 | 157 0 | 112 0 | 150 0 | 106 0 |
| " " 20 " " 21 " ... | 133 0 | 101 0 | 127 0 | 96 0 | 122 0 | 92 6 |
| " " 19 " " 20 " ... | 122 6 | 95 6 | 116 6 | 90 6 | 111 0 | 86 6 |
| " " 18 " " 19 " ... | 110 6 | 88 0 | 106 0 | 83 0 | 100 6 | 79 6 |
| " " 17 " " 18 " ... | 90 6 | 73 6 | 85 0 | 68 6 | 80 6 | 64 6 |
| " " 16 " " 17 " ... | 84 0 | 68 6 | 78 0 | 63 0 | 74 6 | 59 6 |
| " " under 16 years ... ... | 79 0 | 64 0 | 73 0 | 59 0 | 70 0 | 55 0 |
| (*c*) All other workers:— | | | | | | |
| Workers aged 23 years or over ... ... | 168 6 | 125 6 | 164 0 | 120 6 | 161 6 | 114 0 |
| " " 22 and under 23 years ... | 164 6 | 118 0 | 159 0 | 112 6 | 152 6 | 107 0 |
| " " 21 " " 22 " ... | 160 6 | 115 0 | 154 0 | 110 0 | 147 0 | 104 0 |
| " " 20 " " 21 " ... | 132 0 | 100 0 | 126 0 | 95 0 | 120 0 | 91 0 |
| " " 19 " " 20 " ... | 121 6 | 94 6 | 115 6 | 89 0 | 109 6 | 85 0 |
| " " 18 " " 19 " ... | 109 0 | 86 6 | 104 6 | 82 0 | 99 0 | 77 6 |
| " " 17 " " 18 " ... | 89 6 | 72 6 | 84 0 | 67 0 | 79 6 | 63 6 |
| " " 16 " " 17 " ... | 82 6 | 67 0 | 77 0 | 62 0 | 73 6 | 58 6 |
| " " under 16 years ... ... | 77 6 | 62 6 | 72 0 | 58 0 | 69 0 | 54 0 |

## APPRENTICES

### CONDITIONS AS TO RATES FOR APPRENTICES

6.—(1) For the purposes of this Schedule "APPRENTICE" means any worker during the first three years of his apprenticeship during which the following conditions are satisfied, in respect of that worker, that is to say:—

(*a*) the worker shall be employed during the whole of his time under a written contract of apprenticeship which has been duly executed and which contains the following provisions or provisions substantially to the same effect and no provisions contrary thereto:—

(i) the worker of his own free will and with the consent of his guardian binds himself to serve the employer as his apprentice in his trade of hairdressing for the term of not less than three years;

(ii) the employer will employ the worker as his apprentice during the said term and to the best of his power, skill and knowledge instruct the worker or cause him to be instructed in either ladies' or gentlemen's hairdressing or both;

(iii) the employer will keep the worker under his own supervision or place him under the supervision of one or more operative hairdressers;

(*b*) the total number of workers employed at any time at the establishment at which the worker works in respect of whom the conditions contained in (*a*) of this sub-paragraph are fulfilled or who are prospective apprentices to whom sub-paragraph (2) of this paragraph relates, shall not exceed one for each experienced operative hairdresser employed at the said establishment; and for the purposes of this condition "experienced operative hairdresser" means an operative hairdresser who has completed a total of not less than two years' employment as such in one or more hairdressing undertakings:

Provided that—

(i) no account shall be taken of an operative hairdresser who is not employed in the branch or branches of hairdressing in which the worker is bound to serve;

(ii) no account shall be taken of an operative hairdresser who does not normally work for the employer for at least 24 hours a week as a worker to whom this Schedule applies;

(iii) no account shall be taken of the temporary absence of an operative hairdresser or a casual vacancy for a short period in the number of operative hairdressers employed;

(iv) where an employer or a manager is himself a hairdresser of not less than five years' experience wholly or mainly employed in hairdressing, he shall be treated as an experienced operative hairdresser.

(2) Notwithstanding the foregoing provisions of this paragraph, where an employer employs a worker as a prospective apprentice for a probationary period not exceeding three months (or such extended period as is hereinafter mentioned) and the condition specified at (*b*) of sub-paragraph (1) of this paragraph is satisfied in the case of that worker, the minimum remuneration applicable to that worker during the probationary period shall be that applicable to an apprentice employed in accordance with the conditions specified in the foregoing provisions of this paragraph, and, in the event of the worker being continued thereafter at his employment as an apprentice, the said probationary period shall, for the purposes of this Schedule, be treated as part of the period of apprenticeship, whether or not it is included therein. Where, before the expiration of three months from the commencement of employment as a prospective apprentice as aforesaid, the Wages Council has received and acknowledged in writing written notification of such

employment and of the intention of the employer and worker to enter into a written contract of apprenticeship the said probationary period may be extended as the Wages Council may consider necessary for the drawing up and execution of the written contract.

(3) A worker who, after attaining the age of 15 years, undergoes a full-time course of instruction in hairdressing of not less than two years' duration at any school or institution approved by the Wages Council, shall, at the end of the course of instruction, be deemed for the purposes of this paragraph to have served a period of three years' apprenticeship during which the conditions specified in sub-paragraph (1) of this paragraph were satisfied.

## MINIMUM OVERTIME RATES

7. Overtime shall be payable to any worker at the following minimum rates :—

(*a*) On a Sunday or customary holiday—
for all time worked ... ... ... DOUBLE TIME

Provided that where it is, or becomes, the established practice in a Jewish undertaking for the employer to require attendance on Sunday instead of Saturday, the foregoing provisions of this paragraph shall apply in like manner as if in such provisions the word "Saturday" were substituted for "Sunday", except where such substitution is unlawful.

(*b*) (i) On the weekly short day (not being the weekly short day to which (ii) applies)—
for all time worked after 1.30 p.m. ... ... ... TIME-AND-A-HALF

(ii) On the weekly short day in any week during which, under section 40 of the Shops Act 1950(a), the employer is relieved of his obligation to allow the worker a weekly half-holiday—
for all time worked after 1.30 p.m. ... ... ... DOUBLE TIME

(*c*) In any week, exclusive of any time in respect of which an overtime rate is payable under the provisions of (*a*) and (*b*) of this paragraph :
(i) for the first four hours worked in excess of 44... ... ... ... TIME-AND-A-QUARTER
(ii) thereafter ... ... ... ... TIME-AND-A-HALF

Provided that in any week which includes one customary holiday "36 hours" shall be substituted for "44 hours" and in any week which includes two customary holidays "28 hours" shall be substituted for the said "44 hours".

## WAITING TIME

8. A worker shall be entitled to payment of the minimum remuneration specified in this Schedule for all the time during which he is present on the premises of the employer, unless he is present thereon in any of the following circumstances, that is to say—

(*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 ; or
(*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.

(a) 14 Geo. 6. c. 28.

## GUARANTEED WEEKLY REMUNERATION PAYABLE TO A FULL-TIME WORKER

9.—(1) Notwithstanding the other provisions of this Schedule, where in any week the total remuneration (including holiday remuneration but excluding the amount specified in sub-paragraph (2) of this paragraph) payable under those other provisions to a full-time worker is less than the guaranteed weekly remuneration provided under this paragraph, the minimum remuneration payable to that worker for that week shall be that guaranteed weekly remuneration with the addition of any amount excluded as aforesaid.

(2) The amount to be excluded from the total remuneration referred to in the foregoing sub-paragraph is the whole of the remuneration payable in respect of overtime for work on a Sunday or on the weekly short day and one half of the remuneration payable in respect of overtime for work on a customary holiday.

(3) The guaranteed weekly remuneration is the remuneration to which the worker would be entitled under paragraph 2, 3 or 5 for 44 hours' work in his normal occupation:

Provided that

(i) where the worker normally works for the employer on work to which this Schedule applies for less than 44 hours in the week by reason only of the fact that he does not hold himself out as normally available for work for more than the number of hours he normally works in the week, and the worker has informed his employer in writing that he does not so hold himself out, the guaranteed weekly remuneration shall be the remuneration to which the worker would be entitled (calculated in accordance with paragraph 10) for the number of hours in the week normally worked by the worker for the employer on work to which this Schedule applies;

(ii) where in any week a worker at his request and with the written consent of his employer is absent from work during any part of his normal working hours on any day (other than a holiday allowed under Part II of this Schedule or a holiday allowed to all persons employed in the undertaking or branch of an undertaking in which the worker is employed), the guaranteed weekly remuneration payable in respect of that week shall be reduced in respect of each day on which he is absent as aforesaid by one-sixth where the worker's normal working week is six days or by one-fifth where his normal working week is five days.

(4) Guaranteed weekly remuneration is not payable in respect of any week unless the worker throughout his normal working hours in that week (excluding any time allowed to him as a holiday or during which he is absent from work in accordance with proviso (ii) to sub-paragraph (3) of this paragraph) 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 in the establishment in which he is employed.

(5) Guaranteed weekly remuneration is not payable in respect of any week if the worker's employment is terminated before the end of that week.

(6) If the employer is unable to provide the worker with work by reason of a strike or other circumstances beyond his control and gives the worker four clear days' notice to that effect, guaranteed weekly remuneration shall not be payable after the expiry of such notice in respect of any week during which or during part of which the employer continues to be unable to provide work as aforesaid:

Provided that in respect of the week in which the said notice expires there shall be paid to the worker, in addition to any remuneration payable in respect of time worked in that week, any remuneration that would have been payable if the worker had worked his normal hours of work on every day in the week prior to the expiry of the notice.

## HOURS ON WHICH REMUNERATION IS BASED

10.—(1) The minimum remuneration specified in this Part of this Schedule relates to a week of 44 hours exclusive of overtime and, except as provided in paragraph 9 (which relates to guaranteed weekly remuneration), is subject to a proportionate reduction according as the number of hours worked is less than 44.

(2) In calculating the remuneration for the purpose of this Schedule recognised breaks for meal times shall, subject to the provisions of paragraph 8, be excluded.

## PART II

## HOLIDAYS AND HOLIDAY REMUNERATION

### CUSTOMARY HOLIDAYS

11.—(1) An employer shall allow to every worker in his employment to whom this Schedule applies a holiday (in this Schedule referred to as a "customary holiday") in each year on the days specified in the next following sub-paragraph, provided that the worker has been in his employment for a period of not less than four weeks immediately preceding the customary holiday, and has worked for the employer during the whole or part of that period, and (unless excused by the employer or absent by reason of the proved illness of, or accident to, the worker) has worked for the employer throughout the last working day on which work was available to him immediately prior to the customary holiday.

(2) The said customary holidays are:—

(*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 none is so 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 following Monday);

the local Spring holiday;

the local Autumn holiday;

Christmas Day (or, if Christmas Day falls on a Sunday, the following Monday); and

two other days observed by local custom as holidays to be fixed by the employer and notified to the worker;

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.

(3) Notwithstanding the preceding provisions of this paragraph, an employer may (except where in the case of a woman or young person such a requirement would be unlawful) require a worker who is otherwise entitled to any customary holiday under the foregoing provisions of this Schedule to work thereon, and, in lieu of any such customary holiday on which he so works, the worker shall be allowed a day's holiday (hereinafter referred to as a "holiday in lieu of a customary holiday") on a week-day on which he would normally work within the period of 21 days next ensuing.

(4) A worker who is required to work on a customary holiday shall be paid:—

(*a*) for all time worked thereon, in accordance with paragraph 7; and

(*b*) in respect of the holiday in lieu of the customary holiday, holiday remuneration in accordance with paragraph 15.

## ANNUAL HOLIDAY

12.—(1) In addition to the holidays specified in paragraph 11, an employer shall between 1st April 1963 and 31st October 1963, and in each succeeding year between 1st April and 31st October, allow a holiday (hereinafter referred to as an "annual holiday") to every worker in his employment to whom this Schedule applies who has been employed by him during the 12 months immediately preceding the commencement of the holiday season for any one of the periods of employment (calculated in accordance with the provisions of paragraph 19) set out in the table below and the duration of the annual holiday shall in the case of each such worker be related to that period as follows:—

| Period of employment | Duration of annual holiday where the worker's normal working week is | | | |
|---|---|---|---|---|
| | Six days | Five days | Four days | Three days or less |
| 12 months ... ... ... ... ... ... | 12 days | 10 days | 8 days | 6 days |
| Not less than 11 months but less than 12 months | 11 „ | 9 „ | 7 „ | 5 „ |
| „ „ 10 „ „ 11 „ | 10 „ | 8 „ | 7 „ | 5 „ |
| „ „ 9 „ „ 10 „ | 9 „ | 7 „ | 6 „ | 4 „ |
| „ „ 8 „ „ 9 „ | 8 „ | 7 „ | 5 „ | 4 „ |
| „ „ 7 „ „ 8 „ | 7 „ | 6 „ | 5 „ | 3 „ |
| „ „ 6 „ „ 7 „ | 6 „ | 5 „ | 4 „ | 3 „ |
| „ „ 5 „ „ 6 „ | 5 „ | 4 „ | 3 „ | 2 „ |
| „ „ 4 „ „ 5 „ | 4 „ | 3 „ | 3 „ | 2 „ |
| „ „ 3 „ „ 4 „ | 3 „ | 2 „ | 2 „ | 1 day |
| „ „ 2 „ „ 3 „ | 2 „ | 2 „ | 1 day | 1 „ |
| „ „ 1 month „ 2 „ | 1 day | 1 day | 1 „ | nil |

(2) Notwithstanding the provisions of the last foregoing sub-paragraph—

(*a*) the number of days of annual holiday which an employer is required to allow to a worker in any holiday season shall not exceed in the aggregate twice the number of days constituting the worker's normal working week;

(*b*) where a worker does not wish to take his annual holiday or part thereof during the holiday season in any year and, before the expiration of such holiday season, enters into an agreement in writing with his employer that the annual holiday or part thereof shall be allowed, at a date or dates to be specified in that agreement, after the expiration of the holiday season but before the commencement of the next following holiday season, then any day or days of annual holiday so allowed shall be treated as having been allowed during the holiday season.

(3) In this Schedule the expression "holiday season" means in relation to the year 1963 the period commencing on 1st April 1963, and ending on 31st October 1963, and, in each succeeding year, the period commencing on 1st April and ending on 31st October of the same year.

13.—(1) Subject to the provisions of this paragraph, an annual holiday shall be allowed on consecutive working days, being days on which the worker is normally called upon to work for the employer.

(2) Where the number of days of annual holiday for which a worker has qualified exceeds the number of days constituting his normal working week, the holiday may be allowed in two periods of consecutive working days; so, however, that when a holiday is so allowed, one of the periods shall consist of a number of such days not less than the number of days constituting the worker's normal working week.

(3) For the purposes of this paragraph, days of annual holiday shall be treated as consecutive notwithstanding that a holiday allowed to a worker under paragraph 11 or a day on which he does not normally work for the employer intervenes.

(4) Where a holiday allowed to a worker under paragraph 11 immediately precedes a period of annual holiday or occurs during such a period and the total number of days of annual holiday required to be allowed in the period under the foregoing provisions of this paragraph, together with any such holiday, exceeds the number of days constituting the worker's normal working week, then, notwithstanding the foregoing provisions of this paragraph, the duration of that period of annual holiday may be reduced by one day and in such a case one day of annual holiday may be allowed on a day on which the worker normally works for the employer (not being the worker's weekly short day) in the holiday season or after the holiday season in the circumstances specified in sub-paragraph (2) (*b*) of paragraph 12.

(5) A day of annual holiday under this Schedule may be allowed on a day on which the worker is entitled to a day of holiday (not being a customary holiday) or to a half-holiday under any enactment other than the Wages Councils Act 1959: Provided that where the total number of days of annual holiday allowed to a worker under this Schedule is less than the number of days in his normal working week, the said annual holiday shall be in addition to the said day of holiday or the said half-holiday.

14. An employer shall give to a worker reasonable notice of the commencing date or dates and of the duration of his annual holiday. Such notice may be given individually to the worker or by the posting of a notice in the place where the worker is employed.

## REMUNERATION FOR CUSTOMARY HOLIDAYS

15.—(1) Subject to the provisions of this paragraph, for each day of holiday to which a worker is entitled under paragraph 11 he shall be paid by the employer holiday remuneration equal to the statutory minimum remuneration to which he would have been entitled if the day had not been a day of holiday and he had been employed on work for which statutory minimum remuneration is payable for the time usually worked by him on that day of the week:

Provided, however, that payment of the said holiday remuneration is subject to the condition that the worker (unless excused by the employer or absent by reason of the proved illness of, or accident to, the worker) presents himself for employment at the usual starting hour on the first working day following the holiday.

(2) The holiday remuneration in respect of any customary holiday shall be paid by the employer to the worker on the day on which the wages for the first working day following the holiday are paid.

(3) The holiday remuneration in respect of any holiday in lieu of a customary holiday shall be paid on the day on which the wages are paid for the first working day following the holiday in lieu: Provided that the said payment shall be made immediately upon the termination of the worker's employment in the case where he ceases to be employed before being allowed a holiday in lieu of a customary holiday to which he is entitled, and in that case the condition specified in sub-paragraph (1) of this paragraph shall not apply.

## REMUNERATION FOR ANNUAL HOLIDAY

16.—(1) Subject to the provisions of paragraph 17, a worker qualified to be allowed an annual holiday under this Schedule shall be paid by his employer, on the last pay-day preceding such holiday, one day's holiday pay in respect of each day thereof.

(2) Where an annual holiday is taken in more than one period the holiday remuneration shall be apportioned accordingly.

17. Where any accrued holiday remuneration has been paid by the employer to the worker (in accordance with paragraph 18 of this Schedule or with Order H.U. (28)) in respect of employment during either or both of the periods referred to in paragraph 18, the amount of holiday remuneration payable by the employer in respect of any annual holiday for which the worker has qualified by reason of employment during the said period or periods, shall be reduced by the amount of the said accrued holiday remuneration unless that remuneration has been deducted from a previous payment of holiday remuneration made under the provisions of this Schedule or of Order H.U. (28).

## ACCRUED HOLIDAY REMUNERATION PAYABLE ON TERMINATION OF EMPLOYMENT

18. Where a worker ceases to be employed by an employer after the provisions of this Schedule become effective the employer shall, immediately on the termination of the employment (hereinafter referred to as the "termination date"), pay to the worker as accrued holiday remuneration:—

(1) in respect of employment in the 12 months up to 1st April immediately preceding the termination date, a sum equal to the holiday remuneration for any days of annual holiday for which he has qualified except days of annual holiday which he has been allowed or has become entitled to be allowed before leaving the employment; and

(2) in respect of any employment since 1st April immediately preceding the termination date, a sum equal to the holiday remuneration which would have been payable to him if he could have been allowed an annual holiday in respect of that employment at the time of leaving it:

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 misconduct 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 he is required to give not less than one week's notice before terminating his 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 the statutory minimum remuneration which would be payable to him at the termination date for one week's work if working his normal working week and the normal number of daily hours worked by him.

## CALCULATION OF EMPLOYMENT

19. For the purposes of calculating any period of employment qualifying a worker for an annual holiday or for any accrued holiday remuneration, the worker shall be treated as if he were employed for a month in respect of any month throughout which he has been in the employment of the employer.

## PART III

## GENERAL

### DEFINITIONS

20. In this Schedule "APPRENTICE" has the meaning assigned to it in paragraph 6 and the following expressions have the meanings hereby assigned to them—

"CHARGEHAND" means an operative hairdresser responsible to a manager or manageress, or to an employer performing the duties of a manager or a manageress, for the control and supervision of staff.

"CLERK" or "RECEPTIONIST" means a worker who is wholly or mainly engaged in one or more of the following activities:—clerical work which includes responsibility for maintaining ledgers or wages books or for preparing financial accounts of a hairdressing undertaking or of a branch or department thereof; receiving customers or arranging customers' appointments.

"FULL-TIME WORKER" means a worker who normally works for the employer for at least 36 hours in the week on work to which this Schedule applies.

"HAIRDRESSING" and "HAIRDRESSING UNDERTAKING" have the meanings respectively assigned to them in paragraph 22.

"LONDON AREA", "PROVINCIAL A AREA" and "PROVINCIAL B AREA" have the meanings respectively assigned to them in paragraph 21.

"MANAGER" or "MANAGERESS" means a worker responsible to the employer for the conduct of a hairdressing undertaking, including supervision and training of staff, control of cash and records and care of equipment and premises.

"MANICURIST" means a worker who is wholly or mainly engaged in manicuring.

"MONTH" means the period commencing on a date of any number in one month and ending on the day before the date of the same number in the next month, or, if the commencing date is the 29th, 30th or 31st day of a month and there is no date of the same number in the next month, then on the last day of that month.

"NORMAL WORKING WEEK" means the number of days on which it has been usual for the worker to work in a week while in the employment of the employer during the 12 months immediately preceding the commencement of the holiday season, or, where accrued holiday remuneration is payable under (2) of paragraph 18 on the termination of the employment, during the 12 months immediately preceding the termination date:

Provided that—

(i) part of a day shall count as a day;

(ii) no account shall be taken of any week in which the worker did not perform any work for which statutory minimum remuneration has been fixed.

"ONE DAY'S HOLIDAY PAY" means the appropriate proportion of the remuneration which the worker would be entitled to receive from his employer at the date of the annual holiday (or, where the annual holiday is taken in more than one period, at the date of the first period) or at the termination date, as the case may be, for one week's work if working his normal working week and the number of daily hours normally worked by him (exclusive of overtime), and if paid at the appropriate rate of statutory minimum remuneration for work for which statutory minimum remuneration is payable and at the same rate for any work for the same employer for which such remuneration is not payable, that is to say:—

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| where the worker's normal working week is | | | | | six days | ... | one-sixth |
| " | " | " | " | " | five " | ... | one-fifth |
| " | " | " | " | " | four " | ... | one-quarter |
| " | " | " | " | " | three " | ... | one-third |
| " | " | " | " | " | two " | ... | one-half |
| " | " | " | " | " | one day | ... | the whole |

"OPERATIVE HAIRDRESSER" means a worker, other than an apprentice, a manager or a manageress, who is wholly or mainly engaged in hairdressing.

"SALES ASSISTANT", "CASHIER" or "CLERICAL ASSISTANT" means a worker (other than a clerk or receptionist) who is wholly or mainly engaged in one or more of the following activities:—the serving of customers making retail purchases of goods, receiving cash or giving change, clerical work.

"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 hourly rate obtained by dividing by 44 the minimum weekly remuneration to which the worker is entitled under the provisions of paragraph 2, 3 or 5.

"WEEK" means pay week.

"WEEKLY SHORT DAY" means that day in any week on which the worker is, in accordance with the provisions of section 17 of the Shops Act 1950, required not to be employed about the business of a shop after half-past one o'clock in the afternoon, or, where there is no such day, a working day in the week, fixed by the employer and notified to the worker not later than the Saturday preceding the week during which it is to have effect; or, failing such notification, the last working day in the week.

AREAS

21. In this Schedule:—

(1) "LONDON AREA" means the Metropolitan Police District, as defined in the Police Act 1946(a), and the City of London.

(2) "PROVINCIAL A AREA" means

(*a*) In Scotland,

(i) the following burghs:—

ABERDEEN COUNTY
Aberdeen (including part in Kincardine County)
Fraserburgh
Peterhead

ANGUS COUNTY
Arbroath
Brechin
Dundee
Forfar
Montrose

ARGYLL COUNTY
Dunoon

AYR COUNTY
Ardrossan
Ayr
Irvine
Kilmarnock
Largs
Prestwick
Saltcoats
Troon

BANFF COUNTY
Buckie

BUTE COUNTY
Rothesay

CLACKMANNAN COUNTY
Alloa

DUMFRIES COUNTY
Dumfries

DUNBARTON COUNTY
Clydebank
Dumbarton
Helensburgh
Kirkintilloch
Milngavie

EAST LOTHIAN COUNTY
North Berwick

FIFE COUNTY
Buckhaven and Methil
Burntisland
Cowdenbeath
Dunfermline
Kirkcaldy
Leven
Lochgelly
St. Andrews

INVERNESS COUNTY
Inverness

KINCARDINE COUNTY
Stonehaven

LANARK COUNTY
Airdrie
Coatbridge
Glasgow
Hamilton
Lanark
Motherwell and Wishaw
Rutherglen

MIDLOTHIAN COUNTY
Dalkeith
Edinburgh
Musselburgh

MORAY COUNTY
Elgin

ORKNEY COUNTY
Kirkwall

PERTH COUNTY
Perth

RENFREW COUNTY
Barrhead
Gourock
Greenock
Johnstone
Paisley
Port Glasgow
Renfrew

ROSS AND CROMARTY COUNTY
Stornoway

ROXBURGH COUNTY
Hawick

SELKIRK COUNTY
Galashiels

STIRLING COUNTY
Denny and Dunipace
Falkirk
Grangemouth
Kilsyth
Stirling

WEST LOTHIAN COUNTY
Armadale
Bathgate
Bo'ness

WIGTOWN COUNTY
Stranraer

ZETLAND COUNTY
Lerwick

(ii) The following Special Lighting Districts, the boundaries of which have been defined, namely:—Vale of Leven and Renton in the County of Dunbarton; and Larbert in the County of Stirling; and

(a) 9 & 10 Geo. 6. c. 46.

(iii) The following areas, the boundaries of which were defined as Special Lighting Districts prior to 10th March 1943, namely:—Bellshill and Mossend, Blantyre, Cambuslang, Larkhall and Holytown, New Stevenston and Carfin, all in the County of Lanark.

(*b*) In England and Wales, the areas administered by County Borough, Municipal Borough or Urban District Councils, except where they are included in the London area or are listed in (3) (*b*) of this paragraph.

(3) "PROVINCIAL B AREA" means

(*a*) In Scotland, all areas other than those listed in (2) (*a*) of this paragraph;

(*b*) In England and Wales, all areas not included in the London area administered by Rural District Councils, and the areas administered by the following Municipal Borough and Urban District Councils:—

ENGLAND (excluding Monmouthshire)

BEDFORDSHIRE
Ampthill
Sandy

BERKSHIRE
Wallingford
Wantage

BUCKINGHAMSHIRE
Buckingham
Linslade
Marlow
Newport Pagnell

CHESHIRE
Alsager
Longendale

CORNWALL
Bodmin
Bude Stratton
Fowey
Helston
Launceston
Liskeard
Looe
Lostwithiel
Padstow
Penryn
St. Just
Torpoint

DERBYSHIRE
Bakewell
Whaley Bridge
Wirksworth

DEVONSHIRE
Ashburton
Axminster
Buckfastleigh
Budleigh Salterton
Crediton

DEVONSHIRE—*contd.*
Dartmouth
Great Torrington
Holsworthy
Honiton
Kingsbridge
Lynton
Northam
Okehampton
Ottery St. Mary
Salcombe
Seaton
South Molton
Tavistock
Totnes

DORSETSHIRE
Blandford Forum
Lyme Regis
Shaftesbury
Sherborne
Wareham
Wimborne Minster

DURHAM
Barnard Castle
Tow Law

ELY, ISLE OF
Chatteris

ESSEX
Brightlingsea
Burnham-on-Crouch
Saffron Walden
West Mersea
Wivenhoe

GLOUCESTERSHIRE
Nailsworth
Tewkesbury

HEREFORDSHIRE
Bromyard
Kington
Ledbury

HERTFORDSHIRE
Baldock
Chorleywood
Royston
Sawbridgeworth
Stevenage

HUNTINGDONSHIRE
Godmanchester
Huntingdon
Ramsey
St. Ives
St. Neots

KENT
Lydd
New Romney
Queenborough
Sandwich
Tenterden

LANCASHIRE
Carnforth
Grange

LINCOLNSHIRE (Parts of Kesteven)
Bourne

LINCOLNSHIRE (Parts of Lindsey)
Alford
Barton-upon-Humber
Brigg
Horncastle
Mablethorpe and Sutton
Market Rasen
Woodhall Spa

ENGLAND (excluding Monmouthshire)—*contd.*

NORFOLK
Cromer
Diss
Downham Market
New Hunstanton
North Walsham
Sheringham
Swaffham
Thetford
Wells
Wymondham

NORTHAMPTONSHIRE
Brackley
Burton Latimer
Higham Ferrers
Oundle

NORTHUMBERLAND
Alnwick
Amble

OXFORDSHIRE
Bicester
Chipping Norton
Thame
Woodstock

RUTLANDSHIRE
Oakham

SHROPSHIRE
Bishop's Castle
Church Stretton
Ellesmere
Market Drayton
Newport
Wem

SOMERSETSHIRE
Chard
Crewkerne
Glastonbury
Ilminster
Portishead
Shepton Mallet
Street
Watchet
Wellington

SUFFOLK
Aldeburgh
Beccles
Bungay
Eye
Hadleigh
Halesworth
Haverhill
Leiston-cum-Sizewell
Saxmundham
Southwold
Sudbury
Stowmarket
Woodbridge

SUSSEX
Arundel
Burgess Hill
Rye

WESTMORLAND
Appleby
The Lakes

WILTSHIRE
Bradford-on-Avon
Calne
Malmesbury
Marlborough
Melksham
Westbury
Wilton

WORCESTERSHIRE
Bewdley
Droitwich

YORKSHIRE
Hedon
Hornsea
Malton
Norton
Pickering
Richmond
Tickhill
Withernsea

WALES AND MONMOUTHSHIRE

ANGLESEY
Amlwch
Beaumaris
Llangefni
Menai Bridge

BRECKNOCKSHIRE
Builth Wells
Hay
Llanwrtyd

CAERNARVONSHIRE
Bethesda
Bettws-y-Coed
Criccieth
Llanfairfechan
Penmaenmawr
Portmadoc
Pwllheli

CARDIGANSHIRE
Aberayron
Cardigan
Lampeter
New Quay

CARMARTHENSHIRE
Cwmamman
Kidwelly
Llandilo
Llandovery
Newcastle Emlyn

DENBIGHSHIRE
Llangollen
Llanrwst
Ruthin

FLINTSHIRE
Buckley
Mold

GLAMORGANSHIRE
Cowbridge

MERIONETHSHIRE
Bala
Barmouth
Dolgelley
Towyn

MONMOUTHSHIRE
Caerleon
Chepstow
Usk

MONTGOMERYSHIRE
Llanfyllin
Llanidloes
Machynlleth
Montgomery
Newtown and Llanllwchaiarn
Welshpool

PEMBROKESHIRE
Fishguard and Goodwick
Narberth
Neyland
Tenby

RADNORSHIRE
Knighton
Llandrindod Wells
Presteign

(4) Any reference to a local government area shall be construed as a reference to that area as it was on 8th April 1951.

## WORKERS TO WHOM THIS SCHEDULE APPLIES

22.—(1) Subject to the provisions of this paragraph and of paragraph 23, this Schedule applies to the workers in relation to whom the Hairdressing Undertakings Wages Council (Great Britain) operates, that is to say, workers specified in the Schedule to the Wages Council (Hairdressing Undertakings, Great Britain) Order 1947(a), namely:—

all workers employed in Great Britain in a hairdressing undertaking, in respect of their employment in such undertaking.

(2) This Schedule 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*) workers who are employed exclusively as chiropodists;

(*b*) workers employed in a department of a hairdressing undertaking being a department which is wholly or mainly engaged in the retail sale of goods (other than hairdressers' sundries);

(*c*) workers employed by an employer engaged in the production of cinematograph films on work in connection with such production;

(*d*) registered members of the Institute of Trichologists (Incorporated) employed exclusively in their professional capacity as trichologists;

(*e*) workers employed by a Regional Hospital Board or Board of Governors of a Teaching Hospital, while so employed.

(3) In this Schedule the following expressions have the meanings hereby assigned to them:—

"hairdressing undertaking" means an undertaking or any part of an undertaking which is wholly or mainly engaged in hairdressing, including operations incidental or ancillary thereto;

"hairdressing" includes the following operations performed on hair growing on the head, face or neck of a male or female person, that is to say, lathering, shaving, cutting, singeing, shampooing, waving, setting, dressing, tinting, dyeing, bleaching and similar operations.

## TRAINING UNDER THE GOVERNMENT VOCATIONAL TRAINING SCHEME

23. Notwithstanding anything hereinbefore contained, this Schedule does not apply to trainees during any period in respect of which they are in receipt of allowances as provided under the Government Vocational Training Scheme for resettlement training if they are trainees who have been placed by the Ministry of Labour with the employer for a period of approved training and if the requirements of the said Scheme are duly complied with.

## EXPLANATORY NOTE

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

This Order, which has effect from 26th November 1962, sets out the statutory minimum remuneration payable and the holidays to be allowed in substitution for the statutory minimum remuneration and holidays set out in the Wages Regulation (Hairdressing) Order 1961 (Order H.U. (28)), which is revoked.

New provisions are printed in italics.

(a) S.R. & O. 1947/1879 (Rev. XXIII, p. 437: 1947 I, p. 2474).