STATUTORY INSTRUMENTS

1975 No. 2097

WAGES COUNCILS

The Wages Regulation (Laundry) (No. 2) Order 1975

Made - - - -	*9th December* 1975
Coming into Operation	*20th February* 1976

Whereas the Secretary of State has received from the Laundry Wages Council (Great Britain) the wages regulation proposals set out in the Schedule 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 (Laundry) (No. 2) Order 1975.

2.—(1) In this Order the expression "the specified date" means the 20th February 1976, 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 the Schedule hereto shall have effect as from the specified date and as from that date the Wages Regulation (Laundry) Order 1975**(d)**, shall cease to have effect.

Signed by order of the Secretary of State.
9th December 1975.

R. J. Dawe,
Assistant 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. 1975/99 (1975 I, p. 294).

Article 3

SCHEDULE 1

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Wages Regulation (Laundry) Order 1975 (Order W. (124)).

STATUTORY MINIMUM REMUNERATION

PART I

GENERAL

1.—(1) Subject to *the provisions of paragraph 3 relating to earnings supplement and also to* the provisions of paragraph 11 relating to guaranteed weekly remuneration, and to the provisions of sub-paragraph (2) of this paragraph, the minimum remuneration payable to a worker to whom this Schedule applies is as follows:—

(*a*) (i) in the case of a time worker, the hourly general minimum time rate applicable to the worker under the provisions of this Schedule;

(ii) in the case of a worker employed on piece work, piece rates each of which would yield, in the circumstances of the case, to an ordinary worker, at least the same amount of money as the hourly piece work basis time rate applicable to the worker;

(iii) in the case of a worker regularly remunerated on a system of payment by results, not being a piece worker, such time rates with the addition of bonus rates as would yield to an ordinary worker, in the circumstances of the case, at least the same amount of money as one and one-eighth times the hourly general minimum time rate which would be applicable to the worker under Part II of this Schedule if the worker were a time worker;

(*b*) for all work to which a minimum overtime rate applies under Part IV of this Schedule, that rate.

(2) The minimum remuneration specified in sub-paragraph (1) of this paragraph shall be increased as follows:—

(*a*) in respect of any time to which the supplemental shift work rate applies under paragraph 9, by that rate;

(*b*) in respect of any time to which the supplemental night work rate applies under paragraph 10, by that rate.

2. In this Schedule—

(1) "system of payment by results" means a system of payment which, in addition to remuneration related to time worked, includes an amount related to output or saving of time over a standard time, whether such amount is calculated on an individual or a collective basis.

(2) "time worker" means any worker who is not a piece worker and who is not remunerated on any other system of payment by results.

EARNINGS SUPPLEMENT

3. (1) In addition to the minimum remuneration specified in paragraph 1, additional remuneration, hereinafter referred to as the "earnings supplement," shall be payable to all workers to whom that paragraph applies in respect of all time worked up to a maximum of 40 hours per week, in accordance with the following table:—

	Per hour *p*	*Per week of 40 hours* £
Workers being aged—		
18 years or over	*14·75*	*5·90*
17 years and under 18 years	*12·50*	*5·00*
16 years and under 17 years	*11·50*	*4·60*

(2) *The earnings supplement shall not be treated as part of the hourly general minimum time rate for the purpose of calculating payment for overtime under paragraph 6, or for calculating guaranteed weekly remuneration under paragraph 11.*

PART II

GENERAL MINIMUM TIME RATES

4. The general minimum time rates payable to all workers, other than workers employed, wholly or mainly, as enginemen or stokers, are as follows:—

	Per hour p	Per week of 40 hours £
Aged 19 years or over	55·00	22·00
„ 18 and under 19 years	45·00	18·00
„ 17 „ „ 18 „	38·00	15·20
„ under 17 years	35·00	14·00

PART III

PIECE WORK BASIS TIME RATE

5. The hourly piece work basis time rate applicable to a worker employed on piece work is one and one-eighth times the hourly general minimum time rate which would be applicable to the worker under paragraph 4 if the worker were a time worker.

PART IV

OVERTIME AND WAITING TIME
MINIMUM OVERTIME RATES

6.—(1) Subject to sub-paragraph (2) of this paragraph, minimum overtime rates are payable to any worker as follows:—

(*a*) On any day other than a Sunday or customary holiday or a day on which a rest period occurs—

(i) for the first 1½ hours worked in excess of 9 hours ... time-and-a-quarter

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

(*b*) In any week, for time worked during rest periods—

(i) for the first 4 hours worked... ... ... 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 40 hours, exclusive of any time for which overtime is payable under the foregoing provisions of this paragraph ... ... time-and-a-quarter

(2) Notwithstanding the provisions of sub-paragraph (1) of this paragraph, not more than an aggregate of 5 overtime hours worked in any week shall be payable at the minimum rate of time-and-a-quarter under (*a*)(i), (*b*)(i) and (*d*) of that sub-paragraph and any such overtime hours in excess of 5 shall be payable at the minimum rate of time-and-a-half.

INTERPRETATION

7. In this Part of this Schedule:—

(1) The expression "customary holiday" means the under-mentioned days (of which at least three shall be fixed between 15th March and 1st October in each year), that is to say:—

(*a*) (i) In England and Wales—
Christmas Day, 26th December, if it be not a Sunday, 27th December, in a year in which 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 and any day proclaimed as an additional Bank Holiday or a general holiday;

(ii) In Scotland—

seven weekdays 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, and any day proclaimed as an additional Bank Holiday or a general holiday, provided that in a burgh two of the said weekdays, which shall not be less than three months apart, shall be the days fixed by the town council for the purposes of section 94(3) of the Factories Act 1961**(a)**; or

(*b*) in the case of each of the said days, such weekday as may be substituted therefor, being a day mutually agreed between the employer and the worker or his representative.

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

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

(*b*) in the case of a worker employed on piece work, or a worker regularly remunerated on a system of payment by results, not being a piece worker—

(i) a time rate equal respectively to one quarter, one half and the whole of the hourly general minimum time rate which would be applicable to the worker if he were a time worker and a minimum overtime rate did not apply and, in addition thereto,

(ii) the minimum remuneration applicable to the worker under paragraph 1(1)(*a*).

(3) The expression "rest period" means Saturday except where the employer has appointed—

(*a*) some other weekday in each week of employment as the day on which the worker will not normally be required to work, or

(*b*) any two weekdays one of which may be a Saturday in each week of employment as days on which the worker will not normally be required to work for more than 5 hours,

(a) 1961 c. 34.

in which cases the expression "rest period" means either the day described in (*a*) or, as the case may require, each of the periods on the days described in (*b*) during which a worker will not normally be required to work.

(4) For the purposes of sub-paragraph (3) of this paragraph the employer shall appoint any rest period by notice to the worker at the commencement of the employment or as the case may require on or before the date upon which this Schedule comes into operation and may vary any arrangements in respect of any rest period or periods by a notice to have effect after a period of not less than 3 weeks.

(5) In the case of a worker of the Jewish religion who is normally employed on Sunday and not on Saturday (except where as respects a woman or young person such substitution is unlawful) the expression "Sunday" in paragraph 6 means Saturday and likewise for the purposes of sub-paragraph (3) of this paragraph the expression "Saturday" means Sunday.

WAITING TIME

8.—(1) A worker is entitled to payment of the minimum remuneration specified in Part I of 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 V

SUPPLEMENTAL SHIFT WORK RATE

9.—(1) A supplemental rate of 1p per hour is payable to a shift worker employed on a daily two-shift system, and the said rate is payable in addition to the minimum remuneration payable to the worker under the provisions of this or any preceding Part of this Schedule.

(2) A shift worker on a daily two-shift system is a worker who is employed on either a morning or an afternoon shift in an undertaking in which a daily two-shift system is operated.

SUPPLEMENTAL NIGHT WORK RATE

10. The supplemental night work rate is payable to a worker for any time worked between the hours of 8 p.m. and 6 a.m. and the said rate is payable in addition to the minimum remuneration payable to the worker for the said work under the provisions of this or any preceding Part of this Schedule. The amount of the supplemental night work rate is one-fifth of the hourly general minimum time rate applicable to the worker, or which would be applicable if the worker were a time worker.

PART VI

GUARANTEED WEEKLY REMUNERATION

11.—(1) Subject to the provisions of this paragraph, a worker who ordinarily works for the employer at least 39 hours weekly (or 32 hours weekly in a case where the proviso to the next following sub-paragraph applies) on work to which this Schedule applies shall be paid, in respect of any week in which he works for less than 39 hours (or 32 hours where the said proviso applies) on such work, not less than the guaranteed weekly remuneration.

(2) The guaranteed weekly remuneration is 39 hours' pay calculated at the hourly general minimum time rate ordinarily applicable to the worker under the provisions of Part II of this Schedule:

Provided that where the business of a laundry undertaking is subject in the course of the year to fluctuation by reason of changes in population of a seasonal nature and in consequence in any 12 months ending on 31st March there is, as between a period of not less than 10 consecutive weeks and any other such period, a reduction of at least 20 per cent. in the average of the weekly hours of all the workers, working at or from the laundry undertaking, in relation to whom the Council operates, the guaranteed weekly remuneration shall, in respect of the next ensuing period of 12 months, be 32 hours' pay calculated as aforesaid.

(3) The guaranteed weekly remuneration in any week shall be reduced by the amount of any holiday remuneration paid, or payable, by the employer to the worker in respect of any holiday allowed to, and taken by, the worker in that week under the provisions of the Wages Councils Act 1959.

(4) In calculating the number of hours worked in any week for the purposes of this paragraph, a worker shall be treated as though he had worked on any holiday allowed to, and taken by, him in that week under the provisions of the Wages Councils Act 1959, the number of hours ordinarily worked by him on that day of the week, provided that a worker shall not be treated as having worked in any week throughout which he is on holiday.

(5) 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 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.

(6) The guaranteed weekly remuneration shall not be payable to a worker (*a*) in any week in which work is not available to him by reason of a strike or lock-out or circumstances outside the employer's control, if he has given the worker not less than four days' notice of his inability to provide such employment and the notice has expired; or (*b*) in respect of any week if the worker's employment is terminated before the end of that week.

(7) The guaranteed weekly remuneration applicable to a piece worker or a worker regularly remunerated on a system of payment by results, not being a piece worker, shall be the sum to which he would be entitled if he were a time worker.

PART VII

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

12. This Schedule does not apply to workers employed, wholly or mainly, as enginemen or stokers, but, save as aforesaid, this Schedule applies to workers in relation to

whom the Laundry Wages Council (Great Britain) operates, that is to say, workers employed in Great Britain in the trade specified in the Schedule to the Laundry Wages Council (Great Britain) (Variation) Order 1971(a), which Schedule reads as follows:—

"THE LAUNDRY TRADE

1. The laundering of articles of every description and all processes and operations incidental thereto performed by way of trade or for the purpose of gain.

2. The following work when done in connection with a laundry undertaking by persons in the employment of the undertaking:—

(*a*) the transport of articles to be laundered and of laundered articles including the collection, loading, unloading and delivery of the articles, and attending to the articles during transport;

(*b*) driving and assisting in driving or control of, and acting as attendant to, any goods vehicle while being used for the purpose of any of the work specified in (*a*) above;

(*c*) operations performed by persons engaged on any work specified in sub-paragraph (*a*) or (*b*) above which are incidental to such work.

3. The Laundry Trade shall not include the following processes, operations and employment and such processes, operations and employment shall not constitute a laundry undertaking for the purpose of this definition, that is to say:—

(*a*) processes and operations specified in the Trade Boards (Women's Clothing) Order 1919(b), the Trade Boards (Shirtmaking) Order 1920(c), or the Trade Boards (Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods) Order 1920(d).

(*b*) the employment of any workers employed by British Transport Hotels Limited."

(a) S.I. 1971/998 (1971 II, p. 2945).
(b) S.R. & O. 1919/1263 (1919 II, p. 531).
(c) S.R. & O. 1920/711 (1920 II, p. 790).
(d) S.R. & O. 1920/103 (1920 II, p. 780).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which has effect from 20th February 1976, sets out the statutory minimum remuneration and earnings supplement payable to workers in relation to whom the Laundry Wages Council (Great Britain) operates, in substitution for the statutory minimum remuneration set out in the Wages Regulation (Laundry) Order 1975 (Order W. (124)). Order W.(124) is revoked.

New provisions are printed in italics.

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