STATUTORY INSTRUMENTS

1971 No. 1280

WAGES COUNCILS

The Wages Regulation (Made-up Textiles) Order 1971

Made - - - *4th August* 1971

Coming into Operation *1st September* 1971

Whereas the Secretary of State has received from the Made-up Textiles Wages Council (Great Britain) the wages regulation proposals set out in the Schedule hereto;

Now, therefore, the Secretary of State in exercise of his powers under 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 (Made-up Textiles) Order 1971.

2.—(1) In this Order the expression "the specified date" means the 1st September 1971, 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 (Made-up Textiles) Order 1970(c) shall cease to have effect.

Signed by order of the Secretary of State.

4th August 1971.

J. R. Lloyd Davies,

Assistant Secretary,
Department of Employment.

(a) 1959 c. 69. (b) 1889 c. 63. (c) S.I. 1970/1227 (1970 II, p. 4055).

Article 3

SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Wages Regulation (Made-up Textiles) Order 1970 (Order M.T. (66)).

STATUTORY MINIMUM REMUNERATION

PART I

GENERAL

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 IV of this Schedule is:—

(1) in the case of a time worker, the general minimum time rate payable to the worker under Part II or Part III of this Schedule;

(2) 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 piece work basis time rate applicable to the worker under Part II or Part III of this Schedule.

PART II

MALE WORKERS

GENERAL MINIMUM TIME RATES

2. The general minimum time rates payable to male workers are as follows:—

	Per hour p
(1) Workers aged 21 years or over and employed as awl and needle stitchers (leather and canvas), cutters, letter writers (other than stencillers), machinists (sewing), mixers, palm and needle hands, ropers of tents and coal sacks, or splicers of ropes over 1½ in. in circumference	*34*
(2) All other workers, being aged—	
21 years or over	*31½*
20 and under 21 years	*27*
19 „ „ 20 „	*25½*
18 „ „ 19 „	*24½*
17 „ „ 18 „	*21*
16 „ „ 17 „	*17½*
under 16 years	*14½*

Provided that the general minimum time rate payable during his first six months' employment in the trade to a worker who enters, or has entered, the trade for the first time at or over the age of 18 years shall be ½*p* per hour less than the rate otherwise payable under sub-paragraph (1) or (2) of this paragraph.

PIECE WORK BASIS TIME RATES

3. The piece work basis time rates applicable to male workers employed on piece work are as follows:—

	Per hour p
(1) Workers employed as awl and needle stitchers (leather and canvas), cutters, letter writers (other than stencillers), machinists (sewing), mixers, palm and needle hands, ropers of tents and coal sacks, or splicers of ropes over 1½ in. in circumference	*39*
(2) All other workers	*36*

PART III

FEMALE WORKERS

GENERAL MINIMUM TIME RATES

4. The general minimum time rates payable to female workers are as follows:—

	Per hour p
(1) Workers aged 18 years or over and employed as awl and needle stitchers (leather and canvas), cutters, letter writers (other than stencillers), machinists (sewing), mixers, palm and needle hands, ropers of tents and coal sacks, or splicers of ropes over 1½ in. in circumference	*27*
(2) All other workers, being aged—	
18 years or over	*25½*
17 and under 18 years	*22½*
16 „ „ 17 „	*18½*
under 16 years	*15½*

Provided that the general minimum time rate payable during her first six months' employment in the trade to a worker who enters, or has entered, the trade for the first time at or over the age of 16 years shall be ½*p* per hour less than the minimum rate otherwise payable under sub-paragraph (1) or (2) of this paragraph.

PIECE WORK BASIS TIME RATES

5. The piece work basis time rates applicable to female workers employed on piece work are as follows:—

	Per hour p
(1) Workers employed as awl and needle stitchers (leather and canvas), cutters, letter writers (other than stencillers), machinists (sewing), mixers, palm and needle hands, ropers of tents and coal sacks, or splicers of ropes over 1½ in. in circumference	*30½*
(2) All other workers	*29*

PART IV

OVERTIME AND WAITING TIME

MINIMUM OVERTIME RATES

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

(1) on any day except a Saturday, Sunday or customary holiday—

(*a*) for the first 2 hours worked in excess of 8 hours	time-and-a-quarter
(*b*) thereafter	time-and-a-half

Provided that where it is, or may become, the established practice of the employer to require the worker's attendance on five days only in the week the said minimum overtime rates of time-and-a-quarter and time-and-a-half shall be payable after 8¼ and 10¼ hours' work respectively;

(2) on a Saturday, not being a customary holiday—

(*a*) for the first 2 hours worked in excess of 3 hours	time-and-a-quarter
(*b*) thereafter	time-and-a-half

Provided that where it is, or may become, the established practice of the employer to require the worker's attendance on five days only in the week, minimum overtime rates shall be payable to the worker for all time worked on a Saturday as follows:—

(i) for the first 2 hours	time-and-a-quarter
(ii) thereafter	time-and-a-half

(3) on a Sunday or a customary holiday for all time worked — double time

(4) in any week exclusive of any time for which a minimum overtime rate is payable under the foregoing provisions of this paragraph, for all time worked in excess of 40 hours ... ... time-and-a-quarter.

7. In this Part of this Schedule—

(1) the expression "customary holiday" means—

(*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 (or where another day is substituted therefor by national proclamation, that day) and August Bank Holiday;

(ii) in Scotland—

New Year's Day and the following day:

Provided that if New Year's Day falls on a Sunday the holidays shall be the following Monday and Tuesday and if New Year's Day falls on a Saturday the holidays shall be New Year's Day and the following Monday;

the local Spring Holiday;

the local Autumn Holiday;

two other days (being normal working days for the workers concerned) in the course of a calendar year, to be fixed by the employer and notified to the workers not less than three weeks before the holiday; or

(*b*) in the case of each of the said days such week day as may be substituted therefor, being either—

(i) a day which is by local custom recognised as a day of holiday, or

(ii) a day which falls within three weeks of the day for which it is substituted, and is mutually agreed between the employer and the worker.

(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 general minimum time rate otherwise applicable to the worker under Part II or Part III of this Schedule;

(*b*) in the case of a worker employed on piece work—

(i) a time rate equal respectively to one quarter, one half and the whole of the piece work basis time rate otherwise applicable to the worker under Part II or Part III of this Schedule and, in addition thereto,

(ii) the piece rates otherwise applicable to the worker under paragraph 1(2).

WAITING TIME

8.—(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 applicable if he were a time worker.

PART V

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

9. This Schedule does not apply to workers who are persons registered as handicapped by disablement in pursuance of the Disabled Persons (Employment) Acts 1944 and 1958(a), in respect of their employment by Remploy Limited but, save as aforesaid, applies to workers in relation to whom the Made-up Textiles 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 (Made-up Textiles Trade, Great Britain) (Constitution and Proceedings) Regulations 1932(b), that is to say:—

(1) The making from woven fabrics of any of the following articles, or the repairing thereof:—

tarpaulins; tents; marquees; rick, cart or wagon covers; nose-bags, oilskin clothing or headgear or linings therefor; flags made of more than one piece; baths, basins, buckets, beds, cots, hammocks, ground sheets or similar articles; girths and articles known in the trade as horse-clothing.

(2) The making of any of the following articles from fabrics of the kind specified in sub-paragraph (1) above, or the repairing thereof, when carried on in association with or in conjunction with the making or repairing of any of the articles mentioned in the said sub-paragraph:—

rope-bound coal and coke sacks; haversacks or knapsacks; outside and inside blinds or awnings; flags made of one piece; bunting decorations;

including:—

(A) the following operations when carried on in association with or in conjunction with the operations specified in sub-paragraphs (1) and (2) above, viz., operations known in the trade as—

(i) the dyeing, oiling, tarring, chemically treating, or otherwise proofing of the fabrics mentioned in sub-paragraph (1) and the preparation of dressings therefor;

(ii) cutting, sewing, finishing, stencilling or branding by hand or machine;

(B) the following or similar operations performed by hand or machine when incidental to and carried on in association with or in conjunction with the operations specified in sub-paragraphs (1) and (2) above:—

(i) the splicing or braiding of rope, cord or twine;

(ii) the making of fittings of leather or webbing, including the assembling of metal or other parts;

(a) 1944 c. 10 and 1958 c. 33.
(b) S.R. & O. 1932/805 (Rev. XXIII, p. 480: 1932, p. 1706).

(iii) the sewing or attaching to any of the articles mentioned in sub-paragraph (1) or (2) above of:—

(*a*) rope, cord or twine;

(*b*) leather, webbing or metal or fittings made thereof;

(C) the warehousing of, the packing of, and similar operations in regard to any of the articles mentioned in sub-paragraphs (1) and (2) above, when carried on in association with or in conjunction with the operations specified in the said sub-paragraphs;

(D) the warehousing of, the packing of, and similar operations in regard to any other articles when carried on in or in association with or in conjunction with any business, establishment, branch or department mainly engaged in any of the operations mentioned in sub-paragraph (C) above;

but excluding:—

(i) the making of haversacks and knapsacks when made in association with or in conjunction with the making of and as part of military web equipment;

(ii) the making of folding or deck chairs;

(iii) the making or repairing of horse-clothing, girths and nose-bags when carried on in association with or in conjunction with the making or repairing of leather saddlery or harness;

(iv) the making or repairing of rubberised articles;

(v) the making or repairing of tarpaulins or of rope-bound coal and coke sacks in an establishment, business, branch or department in which the making of sails is the main or principal business of the establishment, business, branch or department;

(vi) the printing by hand or machine of flags or parts thereof;

(vii) the operations mentioned in sub-paragraph (C) above, when carried on in or in association with or in conjunction with any business, establishment, branch or department mainly engaged in the warehousing of, the packing of, and similar operations in regard to corn sacks, flour sacks, coal sacks, sugar sacks, cement bags, sand bags, nail bags, potato bags, seed bags and similar sacks or bags;

(viii) operations performed by workers directly employed by railway companies;

(ix) operations included in the Trade Boards (Hat, Cap and Millinery) Order 1919(**a**);

(x) operations included in the Trade Boards (Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods) Order 1920(**b**);

(xi) operations included in the Trade Boards (Rope, Twine and Net) Order 1919(**c**), but not specifically mentioned in the Trade Boards (Made-up Textiles) Order 1920(**d**).

(**a**) S.R. & O. 1919/1262 (1919 II, p. 515).
(**b**) S.R. & O. 1920/103 (1920 II, p. 780).
(**c**) S.R. & O. 1919/930 (1919 II, p. 524).
(**d**) S.R. & O. 1920/1901 (1920 II, p. 782).

EXPLANATORY NOTE

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

This Order, which has effect from 1st September 1971, sets out the statutory minimum remuneration payable in substitution for that fixed by the Wages Regulation (Made-up Textiles) Order 1970 (Order M.T. (66)), which Order is revoked.

New provisions are printed in italics.