STATUTORY INSTRUMENTS

1975 No. 1779

WAGES COUNCILS

The Wages Regulation (Pin, Hook and Eye, and Snap Fastener) Order 1975

Made - - - - 3*rd November* 1975

Coming into Operation 24*th November* 1975

Whereas the Secretary of State has received from the Pin, Hook and Eye, and Snap Fastener 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 (Pin, Hook and Eye, and Snap Fastener) Order 1975.

2.—(1) In this Order, the expression "the specified date" means the 24th November 1975, 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 (Pin, Hook and Eye, and Snap Fastener) (No. 2) Order 1974**(d)** shall cease to have effect.

Signed by order of the Secretary of State.

3rd November 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. 1974/1695 (1974 III, p. 6104).

Article 3

SCHEDULE 1

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Wages Regulations (Pin, Hook and Eye, and Snap Fastener) (No. 2) Order 1974 (Order O. (94)).

STATUTORY MINIMUM REMUNERATION

PART I

GENERAL

1.—(1) Subject to the provisions of paragraph 2 *which relate to the earnings supplement* and paragraph 7, which relate to the guaranteed weekly remuneration, the minimum remuneration payable to a worker (including a home-worker) to whom this schedule applies is as follows:—

(*a*) for all work other than work to which a minimum overtime rate applies under Part III of this Schedule—

(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 as defined in sub-paragraph (2) of this paragraph or the piece work basis time rate applicable to the worker under paragraph 3 or 4 of this Schedule;*

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

(2) In this Schedule the expression "per week" in Part II means per week of 40 hours, and the expression "hourly general miminum time rate" and "hourly piece work basis time rate" mean respectively the general minimum time rate and the piece work basis time rate applicable to the worker under paragraph 3 of this Schedule divided by 40.

PART II

EARNINGS SUPPLEMENT

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

	Per hour	*Per week of 40 hours*
	p	£
Workers included in paragraph 3(1)(a) to (d) of this Schedule	*15·00*	*6·00*
Workers included in paragraph 3(2) of this Schedule being aged:—		
20 years or over	*15·00*	*6·00*
19 and under 20 years	*15·00*	*6·00*
18 „ „ 19 „	*13·25*	*5·30*
17 „ „ 18 „	*11·25*	*4·50*
Under 17 years	*8·25*	*3·30*

(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 5, or of calculating guaranteed weekly remuneration under paragraph 7 of this Schedule.*

ALL WORKERS OTHER THAN HOME-WORKERS

GENERAL MINIMUM TIME RATES AND PIECE WORK BASIS TIME RATES

3. *The general minimum time rates and piece work basis time rates payable to all workers other than home-workers are as follows:—*

	General minimum Time Rates Per week £	Piece work basis Time Rates Per week £
(1) Workers aged 20 years or over—		
(*a*) Artificers (including Pinmakers) in charge of automatic machinery, carrying out if required toolmaking, toolsetting, hardening and minor repairs	32·00	—
(*b*) Toolsetters, other than workers covered by (*a*) above, who are in charge of automatic machinery but who do not make tools	32·00	—
(*c*) (i) Platers and Finishers carrying out (without technical supervision) one or more of the following processes— electro-deposition ... ... chemical deposition ... ... dyeing ... ... enamelling and lacquering ... ... barrel polishing	30·55	—
(ii) Platers and Finishers carrying out under technical supervision, one or more of the processes specified in (i) above	28·45	—
(iii) Plating and Finishing Workers, other than those specified in (i) and (ii) above	25·50	—
(*d*) Wire Straighteners wholly or mainly engaged in wire straightening; and Assistant Toolsetters working under the supervision of artificers or toolsetters	28·45	—
(2) Workers other than those specified in (*a*) to (*d*) above:–		
aged 20 years or over	25·50	26·00
,, 19 and under 20 years	24·00	24·45
,, 18 ,, ,, 19 ,, ...	20·80	22·39
,, 17 ,, ,, 18 ,, ...	17·60	21·07
Under 17 years	13·00	20·61

HOME-WORKERS

	Per hour p
4. The piece work basis time rate applicable (irrespective of age) to home-workers is	*52*

PART III

ALL WORKERS OTHER THAN HOME-WORKERS MINIMUM OVERTIME RATES

5.—(1) Minimum overtime rates are payable to any worker (other than a home-worker) as follows:—

(*a*) on a Sunday or a customary holiday— for all time worked	double time
(*b*) on a Saturday, not being a customary holiday— for all time worked in excess of 4½ hours	time-and-a-half
(*c*) in any week exclusive of any time in respect of which a minimum overtime rate is payable under the preceding provisions of this sub-paragraph—	
(i) for the first 10 hours worked in excess of 40 hours	time-and-a-quarter
(ii) thereafter	time-and-a-half

(2) The minimum overtime rates set out in sub-paragraph (1)(*a*) and (*b*) of this paragraph are payable in any week whether or not a minimum overtime rate set out in sub-paragraph (1)(*c*) is also payable.

6. 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 (or, if New Year's Day falls on a Sunday, the following Monday);

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 and notified to the worker as aforesaid) such week day as may be substituted therefor by agreement 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 hourly general minimum time rate otherwise payable to the worker;

(*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 hourly general minimum time rate which would be payable if the worker were a time worker and a minimum overtime rate did not apply, and, in addition thereto,

(ii) the piece rates otherwise payable to the worker under sub-paragraph (1)(*a*)(ii) of paragraph 1.

PART IV

GUARANTEED WEEKLY REMUNERATION FOR WORKERS OTHER THAN HOME-WORKERS

7.—(1) Subject to the provisions of this paragraph a worker (other than a home-worker) who ordinarily works for the employer at least 34 hours weekly on work to which this Schedule applies shall be paid in respect of any week in which he works for less than 34 hours on such work, *exclusive of the amount of any earnings supplement payable under the provisions of paragraph 2 of this Schedule* not less than the guaranteed weekly remuneration.

(2) The guaranteed weekly remuneration is 34 hours' pay calculated at the hourly general minimum time rate ordinarily applicable to the worker.

(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 to him as a holiday, is—

(*a*) capable of and available for work; and

(*b*) willing to perform such duties outside his normal occupation as the employer may reasonably require if his normal work is not available to him in the establishment in which he is employed.

(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 any week in which the worker has been dismissed on the grounds of serious misconduct; or

(*c*) if at any time in the week the worker is absent from work by reason of sickness; or

(*d*) if at any time in the week or during the preceding four weeks the worker has been otherwise absent from work without the leave of the employer.

(7) The guaranteed weekly remuneration payable to a piece worker shall be the sum to which he would be entitled if he were a time worker.

PART V

ALL WORKERS

WAITING TIME

8.—(1) A worker shall be 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 being 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.

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

9. This Schedule applies to workers in relation to whom the Wages Council operates, that is to say, workers employed in Great Britain in the trade specified in the Schedule to the Trade Boards (Pin, Hook and Eye, and Snap Fastener Trade, Great Britain) (Constitution and Proceedings) Regulations 1935(**a**), namely:—

"The manufacture of pins, hairpins, hooks and eyes, hair-curlers, snap fasteners, or safety pins, from the following metals in wire or sheet form:—aluminium, copper, iron, lead, steel, tin, zinc, or alloys of any two or more of the above metals;

INCLUDING:—

(*a*) the capping of safety pins;

(*b*) the operation of pin sticking;

(*c*) packeting, boxing or carding of any of the above articles wherever carried on;

(*d*) packing, despatching, warehousing or other operations incidental to or appertaining to the manufacture of any of the above articles.

BUT EXCLUDING:—

(*e*) the manufacture of steel hatpins or shanks for steel toilet pins, wherever carried on."

Article 3

SCHEDULE 2

HOLIDAYS AND HOLIDAY REMUNERATION

The Wages Regulation (Pin, Hook and Eye, and Snap Fastener) (Holidays) Order 1974(**b**) (Order O. (95)) shall have effect as if in the Schedule thereto:—

1. For sub-paragraph (1) of paragraph 6 (which relates to remuneration for customary holidays) there were substituted the following:—

"6.—(1) For each day of holiday which a worker is allowed under Part II of this Schedule he shall be paid by the employer holiday remuneration equal to the amount to which he would have been entitled, (*a*) calculated at the general minimum time rate applicable to the worker (or which would be applicable if he were a time worker) increased by one-third, *and* (*b*) *by way of earnings supplement as defined in paragraph 11 of this Schedule*, if the day had not been a day of holiday and he had been employed on work entitling him to statutory minimum remuneration for the time normally worked by him on that day of the week:

(**a**) S.R. & O. 1935/440 (1935, p. 1680). (**b**) S.I. 1974/1696 (1974 III, p. 6112).

Provided 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 the worker) presents himself for employment within one hour of the usual starting hour on the first working day following the holiday."

2. In paragraph 11, there were inserted the following:—

" *'EARNINGS SUPPLEMENT' means the additional remuneration payable by way of earnings supplement under a wages regulation order for the time being in force made by the Secretary of State to give effect to proposals submitted to him by the Pin, Hook and Eye, and Snap Fastener Wages Council (Great Britain).*"

3. For the definition of "ONE DAY'S HOLIDAY PAY" in paragraph 11 there were substituted the following:—

"'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 holiday is allowed in more than one period at the date of the first period) or at the termination date, as the case may require, 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 (1) at the general minimum time rate applicable to the worker (or which would be applicable if he were a time worker) increased by one-third, for work which statutory minimum remuneration is payable and at the same rate (increased as aforesaid) for any work for which such remuneration is not payable, and (2) *the amount due as an earnings supplement as defined in paragraph 11 of this Schedule;* and in this definition definition "appropriate proportion" means—

where the worker's normal working week is six days	one-sixth
where the worker's normal working week is five days	one-fifth
where the worker's normal working week is four days or less ...	one-quarter"

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order has effect from 24th November 1975, Schedule 1 sets out the increased statutory minimum remuneration payable to workers in relation to whom the Pin, Hook and Eye, and Snap Fastener Wages Council (Great Britain) operates in substitution for that fixed by the Wages Regulation (Pin, Hook and Eye, and Snap Fastener) (No. 2) Order 1974 (Order O. (94)), which Order is revoked. Schedule 2 amends the Wages Regulation (Pin, Hook and Eye, and Snap Fastener) (Holidays) Order 1974 (Order O. (95)).

New provisions are printed in italics.

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