STATUTORY INSTRUMENTS

1962 No. 876

WAGES COUNCILS

The Wages Regulation (Shirtmaking) Order, 1962

Made - - - - *26th April*, 1962
Coming into Operation *23rd May*, 1962

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

2.—(1) In this Order the expression "the specified date" means the 23rd day of May, 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 (Shirtmaking) Order, 1960(c), shall cease to have effect.

Signed by order of the Minister of Labour this 26th day of April, 1962.

Alan Green,
Parliamentary Secretary,
Ministry of Labour.

SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Wages Regulation (Shirtmaking) Order, 1960 (Order S. (55)).

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:—

   (*a*) 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;

(a) 7 & 8 Eliz. 2. c. 69. (b) 52 & 53 Vict. c. 63. (c) S.I. 1960/1917 (1960 III, p. 3859).

(*b*) 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 or, where no piece work basis time rate is applicable, at least the same amount of money as the general minimum time rate which would be payable if the worker were a time worker.

PART II

MALE WORKERS

GENERAL MINIMUM TIME RATES AND PIECE WORK BASIS TIME RATES

	Column 1 General minimum time rates	Column 2 Piece work basis time rates
	Per hour s. d.	Per hour s. d.
2. Subject to the provisions of this Schedule, the general minimum time rates set out in column 1 of this paragraph are payable to male time workers and the piece work basis time rates set out in column 2 are applicable to male workers when employed on piece work, as follows:—		
(*a*) SPECIAL OR MEASURE CUTTERS, PATTERN CUTTERS OR PATTERN TAKERS, who are employed as such during the whole or a substantial part of their time and have had after the age of 18 years not less than three years' employment as a cutter of any class specified in this or the next following sub-paragraph including not less than two years as a measure cutter	4 6½	4 10
(*b*) CUTTERS, aged 21 years or over, who are employed as such during the whole or a substantial part of their time and have had not less than four years' employment as a cutter of any class specified in this or the last preceding sub-paragraph ...	4 4½	4 8
(*c*) TIE CUTTERS, aged 22 years or over, who are employed during the whole or a substantial part of their time in tie cutting and have had at least five years' experience therein	4 6½	4 10
(*d*) TIE CUTTERS (not being workers to whom sub-paragraph (*c*) applies) aged 21 years or over, who are employed during the whole or a substantial part of their time in tie cutting and have had at least four years' experience therein	4 4½	4 8
(*e*) ALL OTHER MALE WORKERS being aged—		
21 years or over	4 0½	
20 and under 21 years	3 4½	
19 „ „ 20 „	3 1	
18 „ „ 19 „	2 9½	
17 „ „ 18 „	2 6½	
16 „ „ 17 „	2 2	
under 16 years	1 10	

PART III

FEMALE WORKERS

GENERAL MINIMUM TIME RATES

3.—(1) Subject to the provisions of this Schedule, the general minimum time rates payable to female time workers are as follows:—

	Per hour s. d.
(*a*) CONVEYOR BELT MACHINISTS (that is to say, female persons employed in machining any work conveyed direct to or from them on a mechanical conveyor belt) not being learners to whom (*b*) of this sub-paragraph applies ...	*3* *0½*
(*b*) LEARNERS during the following periods of employment in the trade:—	
1st six months	*1* *7½*
2nd six months	*1* *9½*
2nd year	*2* *1½*
3rd year	*2* *5½*
Provided that a worker who enters, or has entered, the trade for the first time at or over the age of 18 years shall be treated for the purposes of this paragraph as though she had, at the date of her entry, completed one year of employment as a learner.	
(*c*) ALL OTHER WORKERS (including home-workers) ...	*2* *11*

(2) For the purpose of determining the period of a learner's employment in the trade and the date on which she ceases to be a learner, there shall be reckoned as employment in the trade any employment in any branch of the trade or in the making, wherever carried on, of overalls for male or female persons.

PIECE WORK BASIS TIME RATE

	Per hour s. d.
4. The piece work basis time rate applicable to a female worker of any age (including home-workers) employed on piece work is ...	*3* *2½*

PART IV

OVERTIME AND WAITING TIME

NORMAL NUMBER OF HOURS

5. Subject to the provisions of this Part of this Schedule, the minimum overtime rates set out in paragraph 6 are payable to a worker in respect of any time worked—

(*a*) in excess of the hours following, that is to say,	
(i) in any week	42 hours
(ii) on any day other than a Saturday, Sunday or customary holiday—	
where the normal working hours exceed 8½	9 hours
or	
where the normal working hours are not more than 8½	8½ hours
(*b*) on a Saturday, Sunday or customary holiday.	

MINIMUM OVERTIME RATES

6.—(1) Minimum overtime rates are payable to any worker as follows:—

(*a*) on any day other than a Sunday or customary holiday—

(i) for the first two hours of overtime worked — TIME-AND-A-QUARTER

(ii) for the next 2 hours ... ... — TIME-AND-A-HALF

(iii) thereafter ... ... — DOUBLE TIME

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

(*c*) in any week, exclusive of any time in respect of which any minimum overtime rate is payable under the foregoing provisions of this sub-paragraph—

for all time worked in excess of 42 hours ... — TIME-AND-A-QUARTER

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

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 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; and

three other days (being days on which the worker normally works for the employer) 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 a day substituted by the employer therefor, being a day recognised by local custom as a day of holiday in substitution for the said day.

(2) the expressions "time-and-a-quarter", "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 payable to the worker;

(*b*) in the case of a worker employed on piece work (other than a worker specified in paragraph 2 (*e*) or a learner)—

(i) a time rate equal respectively to one quarter, one half and the whole of the piece work basis time rate applicable to the worker and, in addition thereto,

(ii) the piece rates otherwise payable to the worker under paragraph 1 (*b*);

(*c*) in the case where a worker specified in paragraph 2 (*e*) is employed on piece work—

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

(ii) the piece rates otherwise payable to him under paragraph 1 (*b*);

(*d*) in the case of a learner employed on piece work—

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

(ii) the piece rates otherwise payable to her under paragraph 1 (*b*).

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 payable if he were a time worker.

PART V

INTERPRETATION

9. In this Schedule, unless the context otherwise requires, the following expressions have the meanings hereby expressly assigned to them:—

(1) A CUTTER is a worker (other than a special or measure cutter, a pattern cutter or a pattern taker) substantially employed in one or more of the following processes:—

(*a*) marking-in or marking-out or marking-up materials;

(*b*) laying-up or hooking-up or folding materials;

(*c*) cutting materials; and

(*d*) dividing, that is to say, the process ordinarily carried on by cutters or their assistants of dividing, parting or separating parts of garments which are being cut and of assembling them into suitable bundles for making-up;

(2) A LEARNER is a female worker who—

(*a*) is employed during the whole or a substantial part of her time in learning any branch or process of the trade by an employer who provides her with reasonable facilities for such learning; and

(*b*) does not work in a room used for dwelling purposes, except where she is in the employment of her parent or guardian;

(3) A SPECIAL OR MEASURE CUTTER is a worker who—

(*a*) is able to take a complete set of measures and cut from model patterns; and

(*b*) has sufficient technical knowledge to alter patterns (excluding stock patterns);

(4) "THE TRADE" means the shirtmaking trade as specified in paragraph 11.

EXPERIENCE UNDER THE GOVERNMENT VOCATIONAL TRAINING SCHEME

10. A worker who has completed his period of training under the Government Vocational Training Scheme as a male cutter or as a female machinist shall, for the purpose of this Schedule be treated—

(*a*) in the case of a male worker, as a cutter or a tie cutter as the case may be, aged 21 years or over who has had not less than four years' employment as a cutter or tie cutter;

(*b*) in the case of a female worker, as a worker who has worked for three years as a learner in the trade.

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

11. Subject to the provisions of paragraph 12, this Schedule applies to workers in relation to whom the Shirtmaking Wages Council (Great Britain) operates, that is to say, workers employed in Great Britain in any branch of the trade specified in the Trade Boards (Shirtmaking Trade, Great Britain) (Constitution and Proceedings) Regulations, 1929(a), namely:—

(1) The making from textile fabrics of shirts, collars, cuffs, pyjamas, aprons, chefs' caps, hospital ward caps, and other washable clothing worn by male persons;

(2) the making of women's collars and cuffs and of nurses' washing belts where carried on in association with or in conjunction with the making of the before mentioned articles;

(3) the making of neckties worn by male persons, and of neckties worn by female persons where made in association with or in conjunction with the making of neckties worn by male persons;

including:—

Laundering, smoothing, folding, ornamenting, boxing, packing, warehousing, and all other operations incidental to or appertaining to the making of any of the above mentioned articles;

but excluding:—

(1) the making of articles which are knitted or are made from knitted fabrics;

(2) the making of handkerchiefs, mufflers, gloves, socks, stockings, spats, gaiters, bonnets, hats or caps (other than chefs' caps and hospital ward caps);

(3) the making of boys' washing suits;

(4) the making of washable clothing to be worn by children without distinction of sex;

(5) the making of any articles, the making of which is included in the Trade Boards (Tailoring) Order, 1919(b).

TRAINING UNDER THE GOVERNMENT VOCATIONAL TRAINING SCHEME

12. Notwithstanding anything hereinbefore contained, this Schedule shall not apply to—

(*a*) female workers employed as machinists, or

(*b*) male workers employed as cutters—

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.

(a) S.R. & O. 1929/825 (1929, p. 1374). (b) S.R. & O. 1919/1201 (1919 II, p. 528).

EXPLANATORY NOTE

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

This Order, which has effect from 23rd May, 1962, sets out the statutory minimum remuneration payable in substitution for that fixed by the Wages Regulation (Shirtmaking) Order, 1960 (Order S. (55)) which is revoked.

New provisions are printed in italics.