STATUTORY INSTRUMENTS

1971 No. 1919

WAGES COUNCILS

The Wages Regulation (Shirtmaking) Order 1971

Made - - - -	*24th November* 1971
Coming into Operation	13*th December* 1971

Whereas the Secretary of State has received from the Shirtmaking 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 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 (Shirtmaking) Order 1971.

2.—(1) In this Order the expression "the specified date" means the 13th December 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 Schedules 1 and 2 hereto shall have effect as from the specified date and as from that date the Wages Regulation (Shirtmaking) (No. 2) Order 1970(c) shall cease to have effect.

Signed by order of the Secretary of State.
24th November 1971.

J. R. Lloyd Davies,
Assistant Secretary,
Department of Employment.

Article 3

SCHEDULE 1

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Wages Regulation (Shirtmaking) (No. 2) Order 1970 (Order S. (75)).

(a) 1959 c. 69.
(b) 1889 c. 63.
(c) S.I. 1970/1528 (1970 III, p. 5272).

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 general minimum time rate which would be payable if the worker were a time worker.

PART II

MALE WORKERS

GENERAL MINIMUM TIME RATES

2. Subject to the provisions of this Schedule, the general minimum time rates payable to male time workers are as follows:—

	General minimum time rates Per hour p
(1) 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	*38·75*
(2) 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	*38·00*
(3) 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...	*38·75*
(4) TIE CUTTERS (not being workers to whom sub-paragraph (3) 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	*38·00*
(5) ALL OTHER WORKERS being aged—	
21 years or over	*36·25*
20 and under 21 years	*32·75*
19 „ „ 20 „	*31·00*
18 „ „ 19 „	*28·00*
17 „ „ 18 „	*23·50*
16 „ „ 17 „	*20·50*
under 16 years	*17·75*

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:—

(*a*) LEARNERS during the following periods of employment in the trade:—

Entering the trade	First 6 months Per hour p	Second 6 months Per hour p	Second year Per hour p
Aged 15 and under 16 years ...	*17·00*	*19·75*	*25·00*
„ 16 „ „ 17 „ ...	*18·50*	*21·25*	*26·25*
„ 17 „ „ 18 „ ...	*19·75*	*22·50*	*26·25*
„ 18 years or over	*24·00*	*25·50*	*30·00*

(*b*) ALL OTHER WORKERS

(including home-workers) ... ... *30·00p* per hour

(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.

PART IV

OVERTIME AND WAITING TIME

NORMAL NUMBER OF HOURS

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

(1) in excess of the hours following, that is to say,

(*a*) in any week ... ... 40 hours

(*b*) 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 more than 8, but not more than 8½ ... ... 8½ hours

or

where the normal working hours are not more than 8 ... 8 hours

(2) on a Saturday, Sunday or customary holiday.

MINIMUM OVERTIME RATES

5.—(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 2 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 40 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.

6. In this Part of this Schedule—

(1) the expression "CUSTOMARY HOLIDAY" means:—

In relation to the year ending on 31st December 1971, the days specified in (*a*) *or* (*b*) *of this sub-paragraph:*—

(*a*) (i) in England and Wales—

Christmas Day (or, if Christmas Day falls on a Sunday, such weekday 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 (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 of the week 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.

In relation to the year ending on 31st December 1972 and in relation to each subsequent year the days specified in (*c*) *or* (*d*) *of this sub-paragraph:*—

(*c*) (i) in England and Wales—

Christmas Day (or, if Christmas Day falls on a Sunday, such weekday 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), August Bank Holiday *and one other day* (*being a day of the week 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;*

(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 of the week 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 (*d*) 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—

(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(2).

WAITING TIME

7.—(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

8. 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 10.

EXPERIENCE UNDER THE GOVERNMENT VOCATIONAL TRAINING SCHEME

9. 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—

(1) 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;

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

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

10. Subject to the provisions of paragraph 11, 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).

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

TRAINING UNDER THE GOVERNMENT VOCATIONAL TRAINING SCHEME

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

(1) female workers employed as machinists, or

(2) 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 Department of Employment with the employer for a period of approved training and if the requirements of the said Scheme are duly complied with.

Article 3

SCHEDULE 2

HOLIDAYS AND HOLIDAY REMUNERATION

The Wages Regulation (Shirtmaking) (Holidays) Order 1967(a) (Order S. (69)) shall have effect as if in the Schedule thereto:—

1. For sub-paragraph (2) of paragraph 2 (which relates to customary holidays) there were substituted the following:—

"(2) The said customary holidays are:—

A. In relation to the year ending on 31st December 1971 the days specified in (a) or (b) of this sub-paragraph:—

(*a*) (i) in England and Wales—

Christmas Day (or, if Christmas Day falls on a Sunday, such weekday 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 (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 of the week 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.

B. In relation to the year ending on 31st December 1972, and in relation to each subsequent year, the days specified in (a) or (b) of this sub-paragraph:—

(*a*) (i) in England and Wales—

Christmas Day (or, if Christmas Day falls on a Sunday, such weekday 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), August Bank Holiday *and one other day (being a day 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:*

(a) S.I. 1967/1361 (1967 III, p. 4002).

(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 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. For the reference in paragraph 6(1)(*a*) to the provisions of sub-paragraph (2)(*b*) of paragraph 2 (which relates to the substitution by the employer of a day of holiday recognised by local custom), there were substituted a reference to sub-paragraph A(*b*) and B(*b*) of sub-paragraph (2) of paragraph 2.

EXPLANATORY NOTE

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

This Order has effect from 13th December 1971. Schedule 1 sets out the statutory minimum remuneration payable in substitution for that fixed by the Wages Regulation (Shirtmaking) (No. 2) Order 1970 (Order S.(75)), which Order is revoked. Schedule 2 amends the Wages Regulation (Shirtmaking) (Holidays) Order 1967 (Order S. (69)) by providing for an additional day of customary holiday.

New provisions are printed in italics.