STATUTORY INSTRUMENTS

1974 No. 439

WAGES COUNCILS

The Wages Regulation (Stamped or Pressed Metal-Wares) Order 1974

Made - - - 14*th March* 1974

Coming into Operation 11*th April* 1974

Whereas the Secretary of State has received from the Stamped or Pressed Metal-Wares 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**), as modified by Article 2 of the Counter-Inflation (Modification of Wages Councils Act 1959) Order 1973(**b**), and now vested in him(**c**), 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 (Stamped or Pressed Metal-Wares) Order 1974.

2.—(1) In this Order the expression "the specified date" means the 11th April 1974, 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(**d**) 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 (Stamped or Pressed Metal-Wares) Order 1972(**e**) shall cease to have effect.

Signed by order of the Secretary of State.
14th March 1974.

W. H. Marsh,
Assistant Secretary,
Department of Employment.

(**a**) 1959 c. 69.
(**b**) S.I. 1973/661 (1973 I, p. 2141).
(**c**) S.I. 1959/1769, 1968/729 (1959 I, p. 1795; 1968 II, p. 2108).
(**d**) 1889 c. 63.
(**e**) S.I. 1972/1087 (1972 II, p. 3198).

Article 3 SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Wages Regulation (Stamped or Pressed Metal-Wares) Order 1972 (Order Q. (108)).

STATUTORY MINIMUM REMUNERATION

PART I

GENERAL

1.– (1) The minimum remuneration payable to a worker to whom this Schedule applies (except in any week for which guaranteed weekly remuneration is payable under paragraph 7) is as follows, that is to say:—

(*a*) for all work except work to which a minimum overtime rate applies under Part IV of this Schedule—

(i) in the case of a time worker, the hourly general minimum time rate applicable to the worker,

(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 *general minimum* time rate which would be applicable 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) In this Schedule, the expression "hourly general minimum time rate" means the weekly general minimum time rate applicable to the worker under Part II or Part III of this Schedule divided by 40.

PART II

MALE WORKERS

GENERAL MINIMUM TIME RATES

2. The general minimum time rates applicable to male workers are:—

(1) Workers aged 21 years or over employed as POLISHERS, BRAZIERS, BURNISHERS, DROP-STAMPERS, DIPPERS who are also BRONZERS, DIPPERS or ANNEALERS, as follows:—

	Per week of 40 hours
	£
(*a*) Polishers:—	
Grade I	*18·85*
Grade II	*19·30*
Grade III	*20·30*
(*b*) Braziers, burnishers, drop-stampers or dippers who are also bronzers:—	
Grade I	*18·85*
Grade II	*19·20*
Grade III	*20·20*
(*c*) Dippers or annealers	*18·85*

Provided that where a worker is employed on work of more than one grade the rate applicable in respect of all such work shall be that applicable to the highest grade upon which he is employed.

(2) Workers aged 21 years or over other than the workers specified in sub-paragraph (1) of this paragraph *£17·70* per week of 40 hours.

(3) All male workers under 21 years of age, as follows:—

	Per week of 40 hours
	£
Aged 20 and under 21 years	*14·85*
„ 19 „ „ 20 „	*14·30*
„ 18 „ „ 19 „	*14·00*
„ 17 „ „ 18 „	*10·35*
Aged under 17 years	*8·50*

PART III

FEMALE WORKERS

GENERAL MINIMUM TIME RATES

3. The general minimum time rates applicable to female workers are:—

(1) Workers employed as POLISHERS or DROP-STAMPERS, as follows:—

	Per week of 40 hours
	£
Aged 21 years or over	*17·75*
,, 20 and under 21 years	*15·45*
,, 19 ,, ,, 20 ,, ...	*14·90*
,, 18 ,, ,, 19 ,, ...	*14·50*
,, 17 ,, ,, 18 ,, ...	*11·05*
Aged under 17 years	*9·00*

(2) Workers—who are employed as HAND BRUSH JAPANNERS capable of finishing all classes of work (or, in the case of workers aged under 18 years, are training to qualify as such); or

who are employed as HAND BRUSH LACQUERERS capable of finishing all classes of work (or, in the case of workers aged under 18 years, are training to qualify as such); or

who are employed as BLOW PIPE BRAZIERS using hard solder; or

who are employed as SOLDERERS using ordinary hand iron or blow pipe with bar, strip or wire solder; or

who are employed as DIPPERS engaged wholly or partially in dipping articles into any of the following acids:—aqua fortis, hydrochloric acid or sulphuric acid;

as follows:—

	Per week of 40 hours
	£
Aged 21 years or over	*17·60*
,, 20 and under 21 years	*15·20*
,, 19 ,, ,, 20 ,, ...	*14·65*
,, 18 ,, ,, 19 ,, ...	*14·25*
,, 17 ,, ,, 18 ,, ...	*10·80*
Aged under 17 years	*8·80*

(3) All female workers other than the workers specified in sub-paragraph (1) or (2) of this paragraph, as follows:—

	Per week of 40 hours
	£
Aged 21 years or over	*17·00*
„ 20 and under 21 years	*15·05*
„ 19 „ „ 20 „	*14·50*
„ 18 „ „ 19 „	*14·15*
„ 17 „ „ 18 „	*10·50*
Aged under 17 years	*8·60*

PART IV

OVERTIME AND WAITING TIME

MINIMUM OVERTIME RATES

4. Subject to the provisions of this Schedule, minimum overtime rates are payable to any worker as follows:

(1) on a Sunday—for all time worked	double time
(2) in England and Wales—	
(*a*) on a customary holiday other than a day of customary holiday fixed by the employer—for all time worked	double time
(*b*) on a day of customary holiday fixed by the employer—for all time worked	the hourly general minimum time rate
(3) in Scotland—	
(*a*) on a customary holiday other than either of the last two days of customary holiday in each year fixed by the employer—for all time worked	double time
(*b*) on each of the last two days of customary holiday in each year fixed by the employer—for all time worked	the hourly general minimum time rate
(4) on a Saturday, not being a customary holiday—for all time worked in excess of 4 hours...	time-and-a-half
(5) in any week, exclusive of any time in respect of which a minimum overtime rate is payable under the preceding provisions of this paragraph—	
(*a*) for the first two hours worked in excess of 40 ...	time-and-a-quarter
(*b*) thereafter	time-and-a-half

5. In this Part of this Schedule:

(1) 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,

(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 to the worker if he were a time worker and a minimum overtime rate did not apply and, in addition thereto,

(ii) the piece rates otherwise applicable to the worker.

(2) 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;* 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;*

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 (*b*) in the case of each of the said days, (other than a day fixed by the employer in Scotland and notified to the worker as aforesaid) such week day as may be substituted therefor, being a day recognised by local custom as a day of holiday in substitution for the said day or a day agreed between the employer and the worker or his representative.

WAITING TIME

6.—(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*) with 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

GUARANTEED WEEKLY REMUNERATION

7.—(1) Subject to the provisions of this paragraph, a worker who ordinarily works for the employer at least 34 hours weekly on work to which this Schedule applies shall be paid the guaranteed weekly remuneration in respect of any week in which he is in the employment of the employer, and either performs no work to which this Schedule applies or works for less than 34 hours on such work.

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

Provided that where in any week a worker is absent from work by reason of a recognised holiday allowed by his employer, not being a holiday allowed to the worker under the provisions of the Wages Councils Act 1959, the worker's guaranteed weekly remuneration in that week shall be reduced by an amount which is in the same proportion to 34 hours' pay, calculated as aforesaid, as the number of hours for which the worker is absent from work in that week by reason of the recognised holiday is to the number of hours ordinarily worked in a week by him for the employer on work to which this Schedule applies; and for the purposes of this proviso the expression "recognised holiday" means—

(*a*) a customary holiday as defined in paragraph 5; and

(*b*) during the twelve months commencing on 1st May in each year, one period of not more than fifteen consecutive days or two periods of consecutive days aggregating not more than sixteen days being the period or periods during which the establishment at which the worker ordinarily works is closed for the purpose of giving persons there employed an annual holiday.

(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, the 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 the 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, (whether under the Wages Councils Act 1959, or because the day is, or forms part of, a recognised holiday, as defined in the proviso to sub-paragraph (2) of this paragraph) 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 for any week

(*a*) in which work is not available for him by reason of a strike or lock-out; or

(*b*) 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 absent from work without the leave of his employer; or

(*e*) in which the amount of remuneration payable to the worker, calculated in accordance with the preceding paragraphs of this Schedule, exceeds the amount of the remuneration which would be payable to him under the provisions of this paragraph.

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

PART VI

INTERPRETATION

8. In this Schedule the expressions "Grade I", "Grade II" and "Grade III" have the following meanings-

(1) in the case of a POLISHER

"Grade I" means a worker employed in polishing who is not of Grade II or Grade III;

"Grade II" means a worker who has had not less than six years' experience as a polisher, is employed in any process of any class of common work and bobs or mops;

"Grade III" means a worker who, in addition to fulfilling the conditions of Grade II, is also an expert in all processes of both common and best work or is a charge hand responsible for all work and order in the shop;

(2) in the case of a BRAZIER

"Grade I" means a worker employed in brazing who is not of Grade II or Grade III;

"Grade II" means a worker who has had not less than six years' experience as a brazier, and is employed in brazing all classes of metal except aluminium;

"Grade III" means a worker who, in addition to fulfilling the conditions of Grade II, is also employed in brazing aluminium or is a charge hand responsible for all work and order in the shop;

(3) in the case of a BURNISHER

"Grade I" means a worker employed in burnishing who is not of Grade II or Grade III;

"Grade II" means a worker who has had not less than six years' experience as a burnisher, is employed as a hook and straight burnisher at the vice and satisfactorily burnishes deep thin shell work at the lathe;

"Grade III" means a worker who, in addition to fulfilling the conditions of Grade II, is an expert in speed and quality in all classes of work or is a charge hand responsible for all work and order in the shop;

(4) in the case of a DROP-STAMPER

"Grade I" means a worker employed in drop-stamping who is not of Grade II or Grade III;

"Grade II" means a worker who has had not less than six years' experience as a drop-stamper and is employed in all classes of deep or shallow work;

"Grade III" means a worker who, in addition to fulfilling the conditions of Grade II, is an expert in all classes of work or is a charge hand responsible for all work and order in the shop;

(5) in the case of a DIPPER WHO IS ALSO A BRONZER

"Grade I" means a worker employed in dipping and bronzing who is not of Grade II or Grade III;

"Grade II" means a worker who has had not less than six years' experience as a dipper and bronzer and is employed in dipping or bronzing, or on art bronzing and colouring, or electro-plating;

"Grade III" means a worker who, in addition to fulfilling the conditions of Grade II, has also an expert knowledge of art bronzing or metal colouring or electro depositing and solutions or is a charge hand responsible for all work and order in the shop.

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 Stamped or Pressed Metal-Wares 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 (Stamped or Pressed Metal-Wares Trade, Great Britain) (Constitution and Proceedings) Regulations 1924(**b**), namely:—

(1) the manufacture from metal in sheet or strip form by cold stamping or cold pressing of articles known in the trade as metal small wares;

(2) the cutting, shearing, annealing and hardening of metal in an establishment in which the metal is used for such manufacture;

(3) the covering of corset steels prior to capping or tipping in an establishment in which the steels are capped or tipped;

(4) finishing (including dipping, nickelling, plating, tinning, japanning, stove-enamelling, lacquering, bronzing, colouring, painting, varnishing, barrelling, burnishing, grinding, planishing, polishing, and the capping, counting, lopping, studding, or tipping of corset busks or steels) and similar operations when done in conjunction with such manufacture;

(5) viewing, inspecting, testing, sorting, boxing, carding, carrying, delivering, despatching, labelling, packeting, packing, portering, warehousing, weighing and similar processes or operations when done in conjunction with such manufacture;

(6) the assembling of the above-mentioned wares or parts thereof, whether the things assembled are made inside or outside Great Britain; and

(7) any process or operation which is included in the Button-making Trade, as defined for the purposes of the Trade Boards Acts, when carried on in an establishment mainly engaged in any of the processes or operations defined in the preceding sub-paragraphs hereof;

excluding:

(i) the production by the processes and operations defined in sub-paragraphs (1) to (6) above of any article or part of any article in an establishment in which such article or part is incorporated with or fitted to any other article made in that establishment or part of any other article made in that establishment, unless

(*a*) such other article or part is wholly or mainly made by the processes or operations specified in sub-paragraphs (1) to (4) and (6) above, or

(*b*) the establishment is mainly engaged in the processes or operations specified in sub-paragraphs (1) to (7) above;

(**a**) 1944 c. 10 and 1958 c. 33. (**b**) S.R. & O. 1924/1485 (1924, p. 1776).

(ii) any processes or operations included in the following Orders or any amendments or variations thereof:—

the Trade Boards (Coffin Furniture and Cerement-making) Order 1919(a);

the Trade Boards (Hollow-ware) Order 1913(b);

the Trade Boards (Perambulator and Invalid Carriage) Order 1919(c);

the Trade Boards (Pin, Hook and Eye, and Snap Fastener) Order 1919(d);

the Trade Boards (Toy) Order 1920(e);

(iii) (*a*) the manufacture of articles known in the trade as real or imitation jewellery, and (*b*) the manufacture of any article or part of any article in an establishment mainly engaged in the manufacture of such jewellery;

(iv) (*a*) the manufacture of steel and base metal pens and loose leaf metals, and (*b*) the manufacture of any article or part of any article in an establishment mainly engaged in the manufacture of such pens or metals;

(v) (*a*) the manufacture of locks and latches (other than locks which are parts of fittings of bags or cases), and (*b*) the manufacture of any article or part of any article in an establishment mainly engaged in the manufacture of such locks or latches;

(vi) the manufacture of any article or part of any article in an establishment mainly engaged in the manufacture of any electrical machinery appliances, apparatus or accessories other than small electric light fittings;

(vii) the manufacture of any article or part of any article in an establishment mainly engaged in the manufacture of cast iron hollow-ware;

(viii) any operation done in an establishment mainly engaged in work known in the trade as the work of an establishment of an outplater to the trade;

(ix) (*a*) the manufacture of the component parts of cycles, motor cars or motor cycles, and (*b*) the manufacture of any article or part of any article when made in an establishment mainly engaged in the manufacture of cycles, motor cars or motor cycles, or of component parts of cycles, motor cars or motor cycles;

(x) the manufacture of accessories or parts thereof primarily intended for use on motor cars;

(xi) the manufacture of any article or part of any article known in the trade as electro-plate and articles of similar character if manufactured of Britannia metal or nickel or similar white alloys;

(xii) the manufacture of any article or part of any article from precious metals, or base metals covered when in sheet or strip form wholly or partially by any process or operation with precious metals;

(xiii) the manufacture of any article or part of any article from wire, either round, flat or shaped;

(xiv) the manufacture of lamps, medals, iron and steel hinges, harness furniture, driving chains, ammunition, domestic kitchen utensils or parts of such articles;

(xv) processes or operations specified in sub-paragraphs (1) to (6) above, when performed in an establishment mainly engaged in any process or operation which is included in the Button-making Trade as defined for the purposes of the Trade Boards Acts.

(a) S.R. & O. 1919/1839 (1919 II, p. 508).
(b) Confirmed by 3 & 4 Geo. 5. c. clxii.
(c) S.R. & O. 1919/1796 (1919 II, p. 521).
(d) S.R. & O. 1919/1840 (1919 II, p. 523).
(e) S.R. & O. 1920/470 (1920 II, p. 792).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which has effect from 11th April 1974, sets out the increased statutory minimum remuneration payable to workers in relation to whom the Stamped or Pressed Metal-Wares Wages Council (Great Britain) operates, in substitution for that fixed by the Wages Regulation (Stamped or Pressed Metal-Wares) Order 1972 (Order Q. (108)). Order Q. (108) is revoked.

New provisions are printed in italics.

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