

1976 No. 117

WAGES COUNCILS

Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Regulation (Amendment) Order (Northern Ireland) 1976*Made* 26th March 1976*Coming into operation* 13th April 1976

The Department of Manpower Services, in exercise of the powers conferred on it by Section 10 of the Wages Councils Act (Northern Ireland) 1945(a), and now vested in it(b), hereby makes the following Order to give effect to wages regulation proposals received from the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland):—

Citation

1. This Order may be cited as the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Regulation (Amendment) Order (Northern Ireland) 1976.

Commencement

2. The wages regulation proposals set out in the Schedule shall come into operation on the specified date.

Interpretation

3. In this Order the expression “the specified date” means the 13th day of April 1976, 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.

Sealed with the Official Seal of the Department of Manpower Services on
26th day of March 1976.

(L.S.)

D. J. Perham
Senior Assistant Secretary

(a) 1945 c. 21 (N.I.)

(b) 1946 c. 11 (N.I.); S.R. & O. (N.I.) 1964 No. 205 (p. 937) and S.R. & O. (N.I.) 1973 No. 504 Art. 6(1) and Sch. 3 (II, p. 2992)

PROVIDED THAT—

- (1) A worker who is transferred from one of such operations to another during the second six months of employment must be paid during such second six months a general minimum time rate of 49·0p per hour and thereafter, at the general minimum time rate of 55·0p per hour.
- (2) A worker of the classes specified in paragraph 8 who is subsequently employed on Stitching Machines (other than Swiss Embroidery Machines), Vice-folding, or Hand Smoothing, must not, during the first six months on those operations, be paid at a lower general minimum time rate than that worker would have been entitled to receive if that worker had continued to be employed on the operations to which the general minimum time rates set out in paragraph 8 are applicable.

Certificates of Learnership are not applicable to workers employed on the operations specified in this paragraph.

Paragraph 8.

Learners (as defined in paragraph 27) and Juvenile Workers (other than workers of the classes specified in paragraphs 3, 4 and 7)—

Period of Employment	commencing at	
	under 18 years of age	18 years of age and over
	Per hour	Per hour
	p	p
During 1st six months of employment ..	36·0	44·0
" 2nd " " " ..	39·0	47·0
" 3rd " " " ..	42·0	49·0
" 4th " " " ..	46·0	51·0"

Paragraph 9.

Workers other than workers of the classes specified elsewhere—55·0p per hour.

2.—After paragraph 9 above there was inserted the following paragraph:—

Paragraph 10.

"Attack on Inflation" Supplement
In addition to the remuneration paid under paragraphs 1 to 9 there shall be paid a supplement entitled "Attack on Inflation" Supplement as follows:—
All workers 18 years of age and over ..

JUVENILE WORKERS

During 1st six months of employment ..
 " 2nd " " " " ..
 " 3rd " " " " " ..
 " 4th " " " " " ..

Per hour up to and including a maximum of 40 hours per week

p
12·5

8·0
9·0
9·5
10·5

Paragraph 11 was deleted.

- 3.—for paragraphs 15, 16, 17 and 18 there were substituted the following paragraphs—

“PIECE WORK BASIS TIME RATES

Paragraph 15 was deleted.

Paragraph 16.

Adult Workers Operating Swiss Embroidery Machines—

(a) Workers employed on single machines having two or three tiers

Per hour

p

60·5

(b) Workers employed on single machines having four tiers or on any coupled machines

61·5

Paragraph 17.

Adult Workers other than Out-Workers and those specified in paragraph 16

50·0

Paragraph 18.

Out-Workers

50·0”

GENERAL MINIMUM PIECE RATES

- 4.—The heading “Female Workers of all ages” appearing above Paragraph 21 was deleted and the general minimum piece rates set out in paragraphs 21 and 22 were increased by 55 per cent., or £0·550 in the £. In addition there shall be paid to workers specified in Paragraphs 17 and 18, 5p per hour.

OVERTIME

- 5.—for paragraph 23 there was substituted the following paragraph—

“Paragraph 23.

Overtime rates are payable as follows:—

(A) WORKERS EMPLOYED ON TIME WORK:—

- (1) For all time worked in any week in excess of 40 hours—One-and-a-half times the general minimum time rate otherwise applicable, i.e., TIME-AND-A-HALF except in so far as a higher rate is payable under the provisions of sub-paragraph (3).
- (2) For overtime on any day other than Sunday, or a customary holiday—One-and-a-half times the general minimum time rate otherwise applicable, i.e., TIME-AND-A-HALF.
- (3) For all time worked on Sunday, or a customary holiday—Twice the general minimum time rate otherwise applicable, i.e., DOUBLE TIME.

(B) WORKERS EMPLOYED ON PIECE WORK:—

- (1) For all time worked in any week in excess of 40 hours—The rates as set out in sub-paragraph (2) below, except in so far as a higher rate is payable under the provisions of sub-paragraph (3) below.
- (2) Each worker employed on piece work must receive, in respect of each hour of overtime worked on any day, other than Sunday, or a customary holiday, in addition to 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, AN AMOUNT EQUAL TO ONE-QUARTER OF THE APPROPRIATE PIECE WORK TIME RATE.

- (3) Each worker employed on piece work must receive, in respect of each hour of overtime worked on Sunday, or a customary holiday in addition to 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, AN AMOUNT EQUAL TO THE APPROPRIATE PIECE WORK BASIS TIME RATE.

In the case of workers employed on operations for which general minimum piece rates have been fixed piece rates calculated to yield, in the circumstances of the case, to an ordinary worker, not less than the piece work basis time rate applicable will be held to include all such general minimum piece rates."

6.—for paragraph 24 there was substituted the following paragraph—

"Paragraph 24.

Overtime rates are payable where on any day (not being a Sunday, or a customary holiday) the number of hours worked exceeds $8\frac{1}{2}$ notwithstanding that the number of hours worked in the week does not exceed 40.

Provided that where an employer requires attendance on four-and-a-half days a week only, overtime rates are payable where on any day the number of hours worked exceeds 9."

7.—for paragraph 27 there was substituted the following paragraph—

LEARNER

"Paragraph 27.

For the purpose of the application of the statutory minimum remuneration set out in paragraph 8, the following definition applies:—

A Learner is a worker who:—

- (a) is employed during the whole or a substantial part of his/her time in learning any branch or process of the trade connected with Swiss Embroidery Machines, Machine Smoothing or General Warehouse Work by an employer who provides the learner with reasonable facilities for such learning; and
- (b) has received a Certificate, or has been registered in accordance with the rules from time to time laid down by the Wages Council, or has made application for such Certificate or Registration which has been duly acknowledged and is still under consideration.

Provided that the certification or registration of a learner will become invalid if at any time during learnership the provisions set out in this Schedule relating thereto are not complied with.

Provided also that an employer may employ a learner on his/her first employment without a Certificate or Registration for a probation period not exceeding four weeks, but, in the event of such learner being continued thereafter at his/her employment, the probation period will be included in the period of learnership.

Provided further that notwithstanding compliance with the conditions contained in this paragraph, a person will not be deemed to be a learner if he/she works in a room used for dwelling purposes and is not in the employment of his/her parent or guardian.

SECOND SCHEDULE

Holidays and Holiday Remuneration

The Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Regulation (Holidays) Order (Northern Ireland) 1970(e) (Order N.I.H.H.G. (192)) as amended by the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Regulation (Amendment) Order (Northern Ireland) 1975 (Order N.I.H.H.G. (206)) shall have effect as if in the Schedule thereto, for paragraphs 3 and 7 there were substituted the following paragraphs:—

Paragraph 3.

(1) Subject to the provisions of paragraph 4, in addition to the holidays specified in Part II, an employer shall, between 1st June and 30th September 1976, and in each succeeding year between 1st June and 30th September (hereinafter referred to as "the holiday season"), allow a holiday (hereinafter referred to as "an annual holiday") to every worker in his employment to whom this Schedule applies who was employed by him during the 12 months immediately preceding the commencement of the holiday season for any of the periods specified below, and the duration of the holiday shall be related to his period of employment during that 12 months as follows:—

(a) Workers under 18 years of age when they enter the employment of the employer and under 19 years of age at the commencement of their first annual holiday—

Where the worker's normal working week is one of 5 days or less

Period of employment	Duration of annual holiday in the period commencing 1st June 1976 and thereafter
At least 24 weeks	17 days
" 20 "	14 "
" 16 "	11 "
" 12 "	8 "
" 8 "	5 "
" 4 "	2 "

Provided that this provision applies only to a worker who is in his first employment since leaving school and in respect of his first annual holiday allowed under this Schedule or under Order N.I.H.H.G. (192).

(b) All other workers—

Where the worker's normal working week is one of 5 days or less	
Period of employment	Duration of annual holiday in the period commencing 1st June 1976 and thereafter
At least 48 weeks	17 days
" 43 " 	15 "
" 38 " 	13 "
" 33 " 	11 "
" 28 " 	10 "
" 24 " 	8 "
" 20 " 	7 "
" 16 " 	5 "
" 12 " 	4 "
" 8 " 	2 "
" 4 " 	1 day

- (2) Notwithstanding the provisions of sub-paragraph (1) the number of days of annual holiday which an employer is required to allow to a worker shall not exceed in the aggregate in the period commencing 1st June 1976 and ending 8th January 1977, and in each succeeding period commencing 1st June, three times the number of days constituting the worker's normal working week *plus two days*.

Paragraph 7.

- (1) Subject to the provisions of paragraphs 8 and 9, a worker entitled to be allowed an annual holiday under this Schedule shall be paid by the employer in respect thereof on the last pay day preceding such annual holiday—

in relation to the period commencing 1st June 1976 and ending 8th January 1977 and to each succeeding period commencing 1st June, an amount equal to 7.0 per cent of the total remuneration which the worker was entitled to receive from his employer for work done in the period of twelve months immediately preceding the commencement of the holiday season in which the holiday is to be allowed and including holiday remuneration which the worker was entitled to receive from his employer in respect of customary holidays during the same period, not being remuneration taken into account in connection with any previous payment of annual holiday remuneration.

- (2) Where under the provisions of paragraph 4, an annual holiday is allowed in two periods, the holiday remuneration shall be apportioned accordingly.

EXPLANATORY NOTE

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

This Order comes into operation on 13th April 1976.

The First Schedule amends the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Regulations (Consolidation) Order (Northern Ireland) 1973 (Order NIHHG (200)) as amended by the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Regulation (Amendment) Order (Northern Ireland) 1975 (Order NIHHG (206)) by increasing the statutory minimum remuneration fixed by those Orders.

The Second Schedule amends the linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Regulation (Holiday) Order (Northern Ireland) 1970 (Order NIHHG (192)) as amended by the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Regulation (Amendment) Order (Northern Ireland) 1975 (Order NIHHG (206)) by allowing two additional days of annual holiday to all workers to whom this Schedule applies and by slightly increasing the percentage of holiday remuneration to which workers are entitled.

New provisions in the Schedules are printed in italics.

1976 Nos. 118, 119

These Orders have been exempted from printing by the Statutory Rules Act (Northern Ireland) 1958. Summaries are given in the List of Statutory Rules of a Local Character under the heading ROADS.