

1980 No. 25

WAGES COUNCILS

Shirtmaking Wages Regulation Order (Northern Ireland) 1980

Made 18th January 1980

Coming into operation 29th January 1980

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 Shirtmaking Wages Council (Northern Ireland).

Citation

1. This Order may be cited as the Shirtmaking Wages Regulation Order (Northern Ireland) 1980.

Commencement

2. The wages regulation proposals set out in the Schedule shall come into operation on the specified date and on the day immediately preceding that date the Shirtmaking Wages Regulation Order (Northern Ireland) 1976(c) and the Shirtmaking Wages Regulation (Amendment) (No. 2) Order (Northern Ireland) 1979(d) shall cease to have effect.

Interpretation

3. In this Order the expression "the specified date" means 29th January 1980, 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 18th January 1980.

(L.S.)

R. O. Surgenor

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)

(c) S.R. 1976 No. 233 (I, p. 1107)

(d) S.R. 1979 No. 347 (II, p. 1500)

SCHEDULE

Statutory Minimum Remuneration

The following statutory minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Shirtmaking Wages Regulation Order (Northern Ireland) 1976 (Order N.I.S. (95)) as amended by the Shirtmaking Wages Regulation (Amendment) Order (Northern Ireland) 1978(e) (Order N.I.S. (99)) and the Shirtmaking Wages Regulation (Amendment) (No. 2) Order (Northern Ireland) 1979 (Order N.I.S. (105)).

GENERAL MINIMUM TIME RATES

WORKERS

Paragraph 1

SPECIAL or MEASURE CUTTERS (as defined in paragraph 2) or PATTERN CUTTERS or PATTERN TAKERS, who are employed as such during the whole or a substantial part of their time and who have had not less than three years' experience after 18 years of age.

Provided that the experience of Special or Measure Cutters shall include three years' experience in measure cutting.

Paragraph 2.

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).

Paragraph 3.

CUTTERS (other than special or measure cutters, pattern cutters or pattern takers), who are employed during the whole or a substantial part of their time in cutting and who have had not less than three years' experience in cutting in the Shirtmaking trade, as defined in paragraph 20.

The term "cutting" includes the operations of hooking-up, folding, marking-in, marking-out and dividing.

DEFINITION AND CONDITIONS OF EMPLOYMENT OF APPRENTICE CUTTERS

Paragraph 4.

An apprentice cutter is a worker who:—

- (a) is employed under an oral or written agreement by an employer who undertakes to provide the apprentice with reasonable facilities for learning the cutting branch of the trade (including the operations of hooking-up, folding, marking-in, marking-out and dividing); and
- (b) has received a certificate or has been registered in accordance with 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—

- (i) the certification or registration of an apprentice cutter shall become invalid if at any time during apprenticeship the provisions set out in this Schedule relating thereto are not complied with; and
- (ii) an employer may employ an apprentice cutter on that person's first employment in the cutting branch of the trade without a certificate or registration for a probation period not exceeding four weeks, but in the event of the apprentice being continued thereafter at his employment the probation period shall be included in the period of apprenticeship.

Paragraph 5.

WORKERS OTHER THAN LEARNERS (as defined in paragraph 8)

<i>Pence per Hour with effect from</i>	
<i>Operative Date</i>	<i>7th July 1980</i>
118·13	124·04
118·13	124·04
118·13	124·04

Paragraph 6.

Apprentices, learners and other workers under 20 years of age shall be paid the percentage of the rate specified in Paragraph 5 as set out in the table following:—

Commencing at age	16	17	18	19
Percentage of Paragraph 5 rate to be paid during First Six Months . .	60%	65%	75%	85%
During Second Six Months . .	70%	70%	85%	90%
During Second Year . .	75%	85%	100%	100%
During Third Year . .	85%	90%	—	—

DEFINITION AND CONDITIONS OF LEARNERSHIP

Paragraph 7.

A learner is a worker who:—

- (a) is employed during the whole or a substantial part of the time in learning any branch or process of the trade 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 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—

- (i) the certification or registration of a learner shall become invalid if at any time during learnership the provisions set out in this Schedule relating thereto are not complied with;
- (ii) an employer may employ a learner on that person's first employment in the trade without a certificate or registration for a probation period not exceeding four weeks, but in the event of the learner being continued thereafter at employment the probation period shall be included in the period of learnership;
- (iii) notwithstanding compliance with the conditions contained herein, a person shall not be deemed to be a learner if working in a room used for dwelling purposes and is not in the employment of that person's parents or guardian.

Paragraph 8.

Any worker who has been previously employed in any branch of the trade (as defined in paragraph 20) and has not been registered nor held a certificate and is subsequently engaged as a learner shall count the whole period of such previous employment for the purpose of claiming the time rate at which they are to be paid.

Paragraph 9.

No learner who has left the trade and subsequently re-enters the trade as a learner shall, after re-entry, serve a longer period as a learner than would be permissible in the case of a person of the same age entering the trade for the first time.

COMPLETION OF LEARNERSHIP

Paragraph 10.

A learner shall cease to be a learner and shall be entitled to the full general minimum time rate applicable to a worker of his/her class upon the fulfilment of the appropriate conditions set out below:—

Age on entering employment	Conditions
Under 18 years . .	The completion of two years' employment.
18 years or over . .	The completion of one year's employment.

PIECE WORK

Paragraph 11.

An employer must pay to workers 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 appropriate general minimum time rate. In determining whether any piece rate satisfies this condition regard shall be had only to the earnings of workers of ordinary skill and experience in the class of work in question and not to the earnings of workers of less than ordinary skill and experience, e.g., juvenile and infirm workers.

DEFINITION OF OUT-WORKER

Paragraph 12.

An "out-worker" is a worker who works at home or any other place not under the control or management of the employer.

OUT-WORKERS' GENERAL MINIMUM PIECE RATES

The general minimum piece rates for the following processes of shirtmaking when done by out-workers (as defined in paragraph 12) are the NET rates set out below.

Paragraph 13.

SHIRTS (other than COARSE SHIRTS)—

(1) MACHINING, per dozen shirts:

	With effect from	
	Operative Date	7th July 1980
Stitching on casings, back ..	35·01p	36·76p
Stitching on casings, front ..	35·01p	36·76p
Stitching on trimmings—		
Neck-bands ..	61·52p	64·59p
Neck-bands, if dressed ..	79·57p	83·55p
Cuffs, ordinary gathering ..	79·57p	83·55p
Cuffs, measured gathering ..	184·59p	193·82p
Making and stitching on yokes ..	114·57p	120·30p
Stitching back of yoke to back body only ..	104·10p	109·30p
Making sleeves—4 pieces, 2 pieces and 2 hems, or 4 hems and 2 vents ..	79·57p	83·55p
Putting in sleeves and seaming sleeves and body with vents (double seaming and double stitching all through) ..	245·05p	257·30p
Double seaming and double stitching gore in sleeve ..	35·01p	36·76p
Stitching on neck-pieces ..	35·01p	36·76p
Stitching on labels, per dozen labels ..	21·21p	22·27p

(2) HAND FINISHING:

Hemming inside of neck-band, per dozen shirts ..	186·72p	196·05p
Sewing cuff holes (⅜-inch), per dozen holes ..	79·57p	83·55p
Sewing other holes (½-inch), per dozen holes ..	58·35p	61·27p
Sewing on buttons, per 3 dozen buttons ..	26·52p	27·84p

Paragraph 14.

The general minimum piece rates in paragraph 13 are determined on the basis that "turning-in" is done by the worker where necessary to the operations specified.

Paragraph 15.

In the case of processes for which no general minimum piece rates have been fixed, each piece rate paid shall be such as will yield, in the circumstances of the case, to an ordinary worker, at least the same amount of money as the general minimum time rate set out in paragraphs 1 to 6 above.

OVERTIME

Paragraph 16.

Overtime rates are payable as follows:—

A—WORKERS EMPLOYED ON TIME WORK:

- (1) For the first six hours worked in excess of 40 in any week—*TIME-AND-A-QUARTER*, that is one-and-a-quarter times the amount of the appropriate general minimum time rate otherwise applicable;
- (2) For the next two hours—*TIME-AND-A-HALF*, that is, one-and-a-half times the amount of the appropriate general minimum time rate otherwise applicable;
- (3) Thereafter—*DOUBLE TIME*, that is, twice the amount of the appropriate general minimum time rate otherwise applicable;
- (4) For all hours worked on a Sunday or a customary holiday—*DOUBLE TIME*.

B—WORKERS EMPLOYED ON PIECE WORK:

Workers employed on piece work shall be entitled to receive in respect of each hour of overtime worked, 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 general minimum time rate, an amount equal to *ONE-QUARTER*, *ONE-HALF*, or *THE WHOLE* of the general minimum time rate according as *time-and-a-quarter*, *time-and-a-half*, or *double time* would have been payable had the worker been employed on time work.

Paragraph 17.

In this Schedule the expression “customary holiday” means—

- (a) Christmas Day (or, if Christmas Day falls on a Sunday, such other week day as may be appointed by national proclamation, or, if none is so appointed, the next following Tuesday), Boxing Day, Easter Monday, Easter Tuesday and *five* 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) a day substituted by the employer for any one of the said days, being a day recognised by local custom as a day of holiday in substitution for the said day.

GENERAL

EMPLOYMENT OF JUVENILE WORKERS ON PIECE WORK

Paragraph 18.

An employer will, in any case where a learner or other juvenile worker is employed on piece work during the first six months of employment in the trade, be deemed to pay wages at less than the minimum rate unless he shows that such worker has received in respect of employment on piece work in each week during that period, at least the same amount of money as such worker would have been entitled to receive if employed on time work.

An employer will, in any case where any such worker is so employed at any time subsequent to the first six months of his employment in the trade, be deemed to pay wages at less than the minimum rate unless he shows that such worker has, in respect of employment on piece work, been paid at piece rates each of which would yield, in the circumstances of the case, to an ordinary worker (not being a juvenile worker) at least the same amount of money as the appropriate general minimum time rate.

WAITING TIME

Paragraph 19.

- (1) A worker is entitled to payment of statutory minimum remuneration as aforesaid during all the time when present on the premises of the employer unless being so present either without the employer's consent, express or implied, or for some purpose unconnected with work and other than that of waiting for work to be given.

- (2) A piece worker is, during any time when present as aforesaid and is not doing piece work, entitled to payment of the general minimum time rate applicable to the workers of the class to which he belongs.
- (3) Provisions (1) and (2) above do not apply when:—
 - (a) a worker is present on the employer's premises by reason only of the fact of residence thereon, or
 - (b) a worker is present on the employer's premises during normal meal times in a room or place in which no work is being done and is not waiting for work to be given to him to perform.

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

Paragraph 20.

The statutory minimum remuneration aforesaid applies, subject to the provisions of the Wages Councils Act (Northern Ireland) 1945, to workers in relation to whom the Shirtmaking Wages Council (Northern Ireland) operates, that is to say, workers employed in Northern Ireland in the trade specified in the Schedule to the Trade Boards (Shirtmaking Trade, Northern Ireland) (Constitution, Proceedings and Meetings) Regulations 1925, 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 neck-ties worn by male persons, and of neck-ties worn by female persons where made in association with or in conjunction with the making of neck-ties worn by male persons;

INCLUDING

Laundrying, 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.

EXPLANATORY NOTE

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

This Order, which comes into operation on 29th January 1980, sets out the statutory minimum remuneration payable in substitution for that fixed by the Shirtmaking Wages Regulation Order (Northern Ireland) 1976 (Order N.I.S. (95)) as amended by the Shirtmaking Wages Regulation (Amendment) Order (Northern Ireland) 1978 (Order N.I.S. (99)) and the Shirtmaking Wages Regulation (Amendment) (No. 2) Order (Northern Ireland) 1979 (Order N.I.S. (105)).

Orders N.I.S. (95) and N.I.S. (105) are revoked.

New provisions in the Schedule are printed in italics.