

1981 No. 59

WAGES COUNCILS

Readymade and Wholesale Bespoke Tailoring Wages Regulation
(Amendment) Order (Northern Ireland) 1981

Made 24th February 1981

Coming into operation 31st March 1981

The Department of Manpower Services, in exercise of the powers conferred by section 10 of the Wages Councils Act (Northern Ireland) 1945(a), and now vested in it(b), and of every other power enabling it in that behalf, hereby makes the following Order to give effect to wages regulation proposals received from the Readymade and Wholesale Bespoke Tailoring Wages Council (Northern Ireland).

Citation

1. This Order may be cited as the Readymade and Wholesale Bespoke Tailoring Wages Regulation (Amendment) Order (Northern Ireland) 1981.

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 31st March 1981, 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 for Northern Ireland on 24th February 1981.

(L.S.)

Trevor Pearson

Assistant Secretary

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

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

FIRST SCHEDULE

Statutory Minimum Remuneration

The Readymade and Wholesale Bespoke Tailoring Wages Regulation Order (Northern Ireland) 1980(a) (Order N.I.T.R.W. (94)) shall have effect as if in the Schedule thereto for paragraph 1 there were substituted the following paragraph:—

GENERAL MINIMUM TIME RATES

Column 1	Column 2	Column 3
Class of Worker	Qualifying period of employment and age of Worker	Pence per hour
<p>Paragraph 1.</p> <p>WORKERS of the following classes:—</p> <p>(a) MEASURE CUTTER— that is to say, a person who is employed in any process of measure cutting and is capable of taking a complete set of measures and of cutting any garment for a male person from model patterns and has sufficient technical knowledge to draft men's trousers and alter the balance and distribution of widths, lengths, etc., for any garment for a male person (excluding alterations to stock patterns).</p> <p>(b) STOCK CUTTER That is to say, a person employed in (i) marking-in or marking-up cloth or linings or other materials; (ii) laying-up, hooking-up, or folding cloth or linings or other materials; (iii) cutting cloth or linings or other materials.</p> <p>(c) KNIFE CUTTER— that is to say, a person wholly or mainly employed on band, electric or hand knife processes.</p> <p>(d) FITTER-UP— that is to say, a person employed on fitting-up (that is, a process between that of cutting and that of sewing, basting, or machining, which consists of preparing or fitting accurately</p>	<p>Not less than THREE years' employment after the age of 18 years as a measure cutter.</p> <p>Not less than TWO years' employment after the age of 18 years on the processes specified in Column 1.</p> <p>Not less than TWO years' employment after the age of 18 years as a knife cutter.</p> <p>Not less than TWO years' employment after the age of 18 years as a fitter-up.</p>	<p>134.58</p> <p>134.58</p> <p>134.58</p> <p>134.58</p>

(a) S.R. 1980 No. 22

Column 1	Column 2	Column 3
Class of Worker	Qualifying period of employment and age of Worker	Pence per hour
(l) PACKER— that is to say, a person employed wholly or mainly upon the operations of packing goods or materials, but excluding such operations included in the definition of porter or warehouseman.	Not less than ONE year's employment after the age of 18 years as a packer.	134.58
(m) PORTER— that is to say, a person employed wholly or mainly upon one or more of the following operations, viz.:— unpacking, moving, loading or unloading of goods or materials or in cleaning or sweeping premises, but excluding such operations included in the definition of packer or warehouseman	Not less than ONE year's employment after the age of 18 years as a porter.	134.58
(n) ALL OTHER WORKERS (excluding learners and juveniles)		134.58

SECOND SCHEDULE

Holidays and Holiday Remuneration

The Readymade and Wholesale Bespoke Tailoring Wages Regulation (Holidays) Order (Northern Ireland) 1980(a) (Order N.I.T.R.W. (96)) shall have effect as if in the Schedule thereto for paragraphs 2(1) and (2), 3, 7 and 9 there were substituted the following paragraphs:—

Paragraph 2.

- (1) An employer shall allow to every worker to whom this Schedule applies a holiday (hereinafter referred to as a "customary holiday") in each year on the days specified in the following sub-paragraph provided that the worker has been in his employment for a period of not less than four weeks immediately preceding the customary holiday and has worked for the employer during the whole or part of that period and is in his employment on the day of the customary holiday.
- (2) The said customary holidays are:—
- (a) Christmas Day (or, if Christmas Day falls on a Sunday, such other weekday as may be appointed by national proclamation, or, if none is so appointed, the next following Tuesday), Boxing Day, Easter Monday, Easter Tuesday and four 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.

Paragraph 3.

- (1) Subject to the provisions of paragraph 4, in addition to the holidays specified in Part II of this Schedule, an employer shall between 6th April 1981 and 30th September 1981, and in each succeeding year between 6th April 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 has been employed by him during the 12 months immediately preceding the commencement of the holiday season for any of the periods of employment specified below, and the duration of the annual holiday shall in the case of each such worker be related to that period as follows—

Period of employment	Duration of annual holiday in period commencing 6th April 1981 and in each succeeding period
At least 48 weeks	19 days
At least 46 weeks	18 days
At least 44 weeks	17 days
At least 42 weeks	16 days
At least 40 weeks	15 days
At least 38 weeks	14 days
At least 36 weeks	13 days
At least 33 weeks	12 days
At least 30 weeks	11 days
At least 27 weeks	10 days
At least 24 weeks	9 days
At least 21 weeks	8 days
At least 18 weeks	7 days
At least 16 weeks	6 days
At least 14 weeks	5 days
At least 12 weeks	4 days
At least 9 weeks	3 days
At least 6 weeks	2 days
At least 3 weeks	1 day

(a) S.R. 1980 No. 38

- (2) Notwithstanding the provisions of (1) the number of days of annual holiday to which a worker shall be entitled in any holiday season shall not exceed in the aggregate 3 times the number of days constituting the worker's normal working week, plus *four* days.

Paragraph 7.

- (1) Subject to the provisions of paragraph 8, a worker qualified to be allowed an annual holiday under this Schedule shall be paid by his employer in respect thereof, on the last pay-day preceding such annual holiday, as holiday remuneration whichever of the following amounts is the greatest:—
- (a) the total remuneration (including holiday remuneration) paid to the worker by the employer during the first ten pay weeks in the relevant calendar year (as defined in paragraph 12) divided by the number of days on which the worker would normally have worked during that period.
For the purpose of any calculation under this paragraph 7(1)(a), the provisions of paragraph 6(1)(a) shall also apply; or
 - (b) in respect of the annual holiday to be allowed in the holiday season 1981 and in each succeeding holiday season an amount equal to *nineteen* two-hundred-and-sixtieths of the total remuneration (including holiday remuneration) paid by the employer to the worker in the 12 months ended on 5th April immediately preceding the annual holiday; or
 - (c) one day's holiday pay (as defined in paragraph 12) in respect of each day of annual holiday.
- (2) Where under the provisions of paragraph 4 an annual holiday is allowed in two separate periods, the holiday remuneration shall be apportioned accordingly.

Paragraph 9.

- (1) If a worker ceases to be employed by an employer after the provisions of this Schedule become operative, the employer shall immediately on the termination of the employment, pay to the worker accrued holiday remuneration in accordance with the provision of this paragraph.
- Provided that where a worker ceases to be employed after being allowed a part of the annual holiday for which he has qualified by reason of his employment during any of the periods of twelve months referred to in the next following sub-paragraph, but before being allowed the rest of the annual holiday for which he has so qualified, the accrued holiday remuneration payable to him in respect of his employment during the said period of twelve months shall be reduced by the amount of holiday remuneration received by him in respect of the part of the annual holiday he has been allowed.
- (2) Holiday remuneration shall accrue to a worker during the period of twelve months commencing on 6th April, 1981, and thereafter in each successive period of twelve months commencing on 6th April and such holiday remuneration shall accrue in accordance with the provisions of the following table:—

TABLE OF ACCRUED HOLIDAY REMUNERATION

12 months commencing on 6th April, 1981:—

Period of employment calculated in accordance with paragraph 10	Accrued holiday remuneration	
Col. 1	Col. 2	Col. 3
At least 48 weeks	<i>Three and four-fifths times the amount in Col. 3</i>	The amount which the worker would be entitled to receive from his employer at the date of the termination of his employment for a week's work if working his normal working week and the number of daily hours usually worked by him (exclusive of overtime) and if paid as a time worker at the appropriate statutory minimum remuneration for time worked fixed by a wages regulation order in respect of the worker for work to which that order applies and at the same rate for work (if any) to which that order does not apply.
At least 46 weeks	<i>Three and three-fifths times the amount in Col. 3</i>	
At least 44 weeks	<i>Three and two-fifths times the amount in Col. 3</i>	
At least 42 weeks	<i>Three and one-fifth times the amount in Col. 3</i>	
At least 40 weeks	<i>Three times the amount in Col. 3</i>	
At least 38 weeks	<i>Two and four-fifths times the amount in Col. 3</i>	
At least 36 weeks	<i>Two and three-fifths times the amount in Col. 3</i>	
At least 33 weeks	<i>Two and two-fifths times the amount in Col. 3</i>	
At least 30 weeks	<i>Two and one-fifth times the amount in Col. 3</i>	
At least 27 weeks	<i>Twice the amount in Col. 3</i>	
At least 24 weeks	<i>One and four-fifths times the amount in Col. 3</i>	
At least 21 weeks	<i>One and three-fifths times the amount in Col. 3</i>	
At least 18 weeks	<i>One and two-fifths times the amount in Col. 3</i>	
At least 16 weeks	<i>One and one-fifth times the amount in Col. 3</i>	
At least 14 weeks	<i>The amount in Col. 3</i>	
At least 12 weeks	<i>Four-fifths of the amount in Col. 3</i>	
At least 9 weeks	<i>Three-fifths of the amount in Col. 3</i>	
At least 6 weeks	<i>Two-fifths of the amount in Col. 3</i>	
At least 3 weeks	<i>One-fifth of the amount in Col. 3</i>	

- (3) Any accrued holiday remuneration payable under the provisions of this paragraph shall be reduced by the amount of any accrued holiday remuneration already paid by the employer to the worker in pursuance of this Order in respect of the same period of employment or part thereof.

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order comes into operation on 31st March 1981.

The First Schedule amends the Readymade and Wholesale Bespoke Tailoring Wages Regulation Order (Northern Ireland) 1980 (Order N.I.T.R.W. (94)) by increasing the statutory minimum remuneration fixed by that Order.

The Second Schedule amends the Readymade and Wholesale Bespoke Tailoring Wages Regulation (Holidays) Order (Northern Ireland) 1980 (Order N.I.T.R.W. (96)) by increasing the number of Annual Holidays by one.

New provisions in the Schedules are printed in italics.