

1976 No. 187

**WAGES COUNCILS****Dressmaking and Women's Light Clothing Wages Regulation  
(No. 1) Order (Northern Ireland) 1976***Made* . . . . . 11th June 1976*Coming into operation* . . . . . 29th June 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 Dressmaking and Women's Light Clothing Wages Council (Northern Ireland):—

*Citation*

1. This Order may be cited as the Dressmaking and Women's Light Clothing Wages Regulation (No. 1) 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 29th day of June 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  
11th June 1976.

(L.S.)

*D. J. Perham*  
Senior Assistant Secretary

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

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

## SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Dressmaking and Women's Light Clothing Wages Regulation (No. 1) Order (Northern Ireland) 1975(c) (Order NIWD (156)).

## GENERAL MINIMUM TIME RATES

## WORKERS

		Per hour
		p
Paragraph 1.		
CUTTERS (as defined in paragraph 14)	.. .. .	59.25
Paragraph 2.		
PRESSERS (as defined in paragraph 15)	.. .. .	58.25
Paragraph 3.		
MACHINISTS; and other workers over 21	.. .. .	57.25
20 and under 21 years	.. .. .	51.45
19 " 20 "	.. .. .	48.70
18 " 19 "	.. .. .	44.38
17 " 18 "	.. .. .	36.91
16 " 17 "	.. .. .	32.59

## Paragraph 4.

TRAINEES (as defined in paragraph 17):—

Period of Employment	Trainees commencing at:—		
	16 and under 17 years of age	17 and under 18 years of age	18 years of age and over
	Per hour		
During 1st six months of employment .. .. .	p 34.99	p 36.93	p 46.65
During 2nd six months of employment . . . . .	40.81	42.76	48.60
During 2nd year of employment .. .. .	46.65	48.60	50.53

## ADVANCES TO TRAINEES

## Paragraph 5.

The advance to be given to Cutter, Presser and Machinist trainees becomes due at the expiration of six months' employment in the trade.

**"ATTACK ON INFLATION" SUPPLEMENT**

**Paragraph 6.**

In addition to the remuneration specified elsewhere in this Schedule there shall be paid to all workers in respect of all time worked up to a maximum of 40 hours per week a further supplement entitled "Attack on Inflation" Supplement as follows:—

- |  |                 |
|--|-----------------|
|  | <i>Per hour</i> |
|  | <i>P</i>        |
| (a) All workers other than trainees ... .. | 15·00           |
| (b) Trainees (as defined in paragraph 17)  |                 |

<i>Period of Employment</i>	<i>Trainees commencing at</i>		
	<i>16 and under 17 years of age</i>	<i>17 and under 18 years of age</i>	<i>18 years of age and over</i>
	<i>Per hour</i>		
<i>During 1st six months of employment .. ..</i>	<i>P</i> 9·17	<i>P</i> 9·68	<i>P</i> 12·22
<i>During 2nd six months of employment .. ..</i>	10·69	11·20	12·73
<i>During 2nd year of employment .. ..</i>	12·22	12·73	13·24

**COMPLETION OF TRAINING**

**Paragraph 7.**

A trainee ceases to be a trainee and becomes entitled to the full general minimum time rate upon the fulfilment of the appropriate conditions set out below:—

<i>Age on entering employment</i>	<i>Conditions</i>
<i>16 and under 18 years .. ..</i>	<i>The completion of two years' employment in the trade.</i>
<i>18 years or over .. ..</i>	<i>The completion of one years' employment in the trade.</i>

**GUARANTEED TIME RATE FOR CERTAIN WORKERS  
ON INCENTIVE PAYMENT SCHEMES**

**Paragraph 8.**

Where an employer transfers a worker, other than a trainee (as defined in paragraph 17), who is at the time employed by him in any trade other than the Dressmaking and Women's Light Clothing Trade, to employment on incentive on the employer's premises in any branch, process or method of manufacture or operation in the Dressmaking and Women's Light Clothing Trade (as defined in paragraph 23) of which the worker has had no previous experience, that worker must, during the first FOUR WEEKS of such employment, be paid a guaranteed time rate of

**57·25p PER HOUR**

Where a guaranteed time rate is appropriate an employer must pay workers who are employed on *incentive* not less than the guaranteed time rate notwithstanding that their earnings on *incentive* are less than such sum, that is, the worker's earnings must be made up to the guaranteed time rate.

#### WORKERS ON INCENTIVE PAYMENT SCHEMES

##### Paragraph 9.

An employer must pay to workers employed on *incentive* rates each of which would yield, in the circumstances of the case, to a worker of *normal skill* at least the same amount of money as the appropriate general minimum time rate. In determining whether any rate satisfies the foregoing condition regard shall be had only to the earnings of workers of *normal skill* and experience in the class of work in question and not to the earnings of workers of less than *normal skill* and experience.

#### OVERTIME

##### Paragraph 10.

Overtime rates are payable as follows:—

##### A.—WORKERS EMPLOYED ON TIME WORK:

- (1) On any day other than Saturday, Sunday or a Customary holiday—  
For the first two hours worked in excess of  $8\frac{3}{4}$  hours—TIME-AND-A-QUARTER.  
Thereafter—TIME-AND-A-HALF.
- (2) On a Saturday, not being a customary holiday—  
For all time worked—TIME-AND-A-HALF.
- (3) On a Sunday or a customary holiday—  
For all time worked—DOUBLE TIME.
- (4) In any week—  
For all time worked in excess of 40 hours—TIME-AND-A-QUARTER except in so far as higher overtime rates may be payable under the provisions of sub-paragraph A(1), (2) and (3).
- (5) Where it is the established practice of an employer to require attendance on Sunday instead of Saturday, the overtime rates apply to workers in like manner as if the word "Saturday" were substituted for "Sunday" and the word "Sunday" for "Saturday."

##### B.—WORKERS EMPLOYED ON INCENTIVE PAYMENT SCHEMES:

- (1) Workers (other than those of the class specified in paragraph 8) employed on *incentive* are entitled to receive in respect of each hour of overtime worked in addition to *incentive rates* each of which would yield, in the circumstances of the case, to a *normal worker*, at least the same amount of money as the appropriate general minimum time rate applicable: an amount equivalent to ONE-QUARTER, ONE-HALF, or THE WHOLE of the appropriate general minimum time rate, according as the overtime rate payable under the provisions of sub-paragraph A, if the worker had been employed in time work, would have been equivalent to time-and-a-quarter, time-and-a-half, or double time, respectively.

##### Paragraph 11.

Overtime rates are payable in respect of all overtime worked on any day, notwithstanding that the total number of hours worked in the week does not exceed 40.

## Paragraph 12.

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, New Year's Day, Easter Monday, Easter Tuesday, and two other days (being days on which the worker normally works but not being weekly short days) 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 13.

For the purpose of paragraph 10 the expressions time-and-a-quarter, time-and-a-half, and double time mean, respectively, on-and-a-quarter times, one-and-a-half times, and twice the amount of the minimum rate otherwise applicable.

## GENERAL

## DEFINITIONS

For the purpose of the application of the statutory minimum remuneration the following definitions apply:—

## Paragraph 14.

A *CUTTER* is a worker who is wholly or mainly employed in cutting (including the operations of hooking-up, folding, marking-in or marking-out and dividing).

## Paragraph 15.

A *PRESSER* is a worker who is employed in pressing-off by hand or by machine.

## Paragraph 16.

A *MACHINIST* is a worker who is employed in machining any work conveyed direct to or from the worker.

## Paragraph 17.

A *TRAINEE* is one who 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 *trainee* with reasonable facilities for such learning; and *has not received training from a previous employer.*

## Paragraph 18.

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

## Paragraph 19.

The "*RETAIL BESPOKE DRESSMAKING BRANCH OF THE TRADE*" is that branch of the trade in which the employer supplies the garment direct to the individual wearer and employs the worker direct.

## Paragraph 20.

The "*FACTORY BRANCH OF THE TRADE*" is any branch of the trade other than the Retail Bespoke Dressmaking Branch.

## EMPLOYMENT OF JUVENILE WORKERS ON INCENTIVE PAYMENT SCHEMES

## Paragraph 21.

An employer will, in any case where a *trainee* or other juvenile worker is employed on *incentive* 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 *incentive* 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 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 *incentive* been paid at *incentive* rates which would yield, in the circumstances of the case, to a *normal* worker (not being a juvenile worker) at least the same amount of money as the appropriate general minimum time rate.

## WAITING TIME

## Paragraph 22.

- (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 the worker is so present 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 to that worker to perform.
- (2) An *incentive* worker is, during any time when present as aforesaid and is not doing *incentive* work, entitled to payment of the general minimum time rate applicable to the workers of the class to which the worker belongs.

Provisions (1) and (2) do not apply when—

- (a) a worker is present on the employer's premises by reason only of the fact that he/she is resident thereon, or
- (b) a worker is present on the employer's premises during normal meal times in a room 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 23.

The statutory minimum remuneration applies, subject to the provisions of the Wages Councils Act (Northern Ireland) 1945, to workers in relation to whom the Dressmaking and Women's Light Clothing Wages Council (Northern Ireland) operates, that is to say, workers employed in Northern Ireland in the trade specified in the Trade Boards (Dressmaking and Women's Light Clothing Trade, Northern Ireland) (Constitution, Proceedings and Meetings) Regulations 1925, dated 20th May 1925, namely:—

Those branches of the Women's Clothing Trade that are engaged in the making of Non-Tailored Garments, namely, the making from textile or knitted fabrics of (a) non-tailored wearing apparel (other than handkerchiefs) worn by women or girls or by children without distinction of sex, or (b) boys' readymade washing suits or sailor suits where carried out in association with or in conjunction with the making of garments to be worn by women or girls or by children without distinction of sex:

## INCLUDING—

- (1) all operations or processes of cutting, making or finishing by hand or machine of dresses, non-tailored skirts, wraps, blouses, blouse-ropes, jumpers, sports coats, neckwear, tea-gowns, dressing-gowns, dressing-jackets, pyjamas, underclothing, underskirts, aprons, overalls, nurses' and servants' caps, juvenile clothing, baby-linen or similar non-tailored articles;
- (2) the making of field bonnets, sun-bonnets, boudoir caps or infants' millinery where carried on in association with or in conjunction with the making of any of the articles mentioned in paragraph (1) above;
- (3) (a) the altering, repairing, renovating or remaking of any of the above-mentioned articles;
- (b) the cleaning of any of the above-mentioned articles, where carried on in association with or in conjunction with the altering, repairing, renovating or remaking of such garments;
- (4) all processes of embroidery or decorative needlework where carried on in association with or in conjunction with the making, altering, repairing, renovating or remaking of such articles, other than hand embroidery or hand-drawn thread-work on articles made of linen or cotton or of mixed linen and cotton;
- (5) the following processes if done by machine:—thread drawing, thread clipping, top sewing, scalloping, nickelling and paring;
- (6) laundering, smoothing, folding, ornamenting, boxing, packing, warehousing or other operations incidental to or appertaining to the making, altering, repairing, renovating or remaking of any of the above-mentioned articles;

## BUT EXCLUDING—

- (a) The making of knitted articles, the making of underclothing, socks and stockings from knitted fabrics, and the making from knitted fabrics of articles mentioned in paragraphs (1) and (2) above, where carried on in association with or in conjunction with the manufacture of the knitted fabrics;
- (b) the making of gloves, spats, gaiters, boots, shoes and slippers;
- (c) the making of headgear, other than the articles mentioned in paragraph (2) above;
- (d) the branches of trade covered by the Trade Boards (Corset) Order 1919;
- (e) the making of rubberised or oilskin garments;
- (f) the making of women's collars and cuffs and of nurses' stiff washing belts where carried on in association with or in conjunction with the making of men's or boys' shirts or collars;
- (g) warehousing, packing and other similar operations carried on in shops mainly engaged in the retail distribution of articles of any description that are not made on the premises;

## AND EXCLUDING ALSO—

Any processes or operations included in the Appendix to the Trade Boards (Shirtmaking) Order 1920.

## CLASSES OF WORKERS FOR WHOM NO STATUTORY MINIMUM REMUNERATION HAS BEEN FIXED

## Paragraph 24.

Notwithstanding anything contained in this Schedule, the statutory minimum remuneration aforesaid does not apply to workers employed as clerks, salesmen, travellers, engineers, mechanics, enginemen, firemen, stokers, carpenters, watchmen, carmen, charmen, time-keepers and outside messengers.

## 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 June 1976 sets out the statutory minimum remuneration payable in substitution for that fixed by Dressmaking and Women's Light Clothing Wages Regulation (No. 1) Order (Northern Ireland) 1975 (Order NIWD (156)) by increasing the statutory minimum remuneration fixed by this Order.

Order NIWD (156) is revoked.

New provisions in the Schedule are printed in italics.