

1977 No. 370

WAGES COUNCILS

**Retail Bespoke Tailoring Wages Regulation (Holidays)
(Amendment) Order (Northern Ireland) 1977***Made* 27th May 1977*Coming into operation* 31st May 1977

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 Retail Bespoke Tailoring Wages Council (Northern Ireland).

Citation

1. This Order may be cited as the Retail Bespoke Tailoring Wages Regulation (Holidays) (Amendment) Order (Northern Ireland) 1977.

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 May 1977, 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 27th May 1977.

(L.S.)

J. S. Crozier

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)

SCHEDULE

The Retail Bespoke Tailoring Wages Regulation (Holidays) Order (Northern Ireland) 1974(c) (Order N.I.T.R.B. (96)) shall have effect as if in the Schedule thereto there was substituted, for paragraphs 2, 3 and 9, the following new 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 eight weeks immediately preceding the 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 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, *New Year's Day*, Easter Monday, Easter Tuesday and *three* 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 either (i) by agreement between the employer and the worker or his representative, or (ii) by the employer, in which case the days so fixed must be notified to the worker not less than eight weeks before the customary holiday; or

(b) a day substituted by the employer for any one of the five days first mentioned in (a), being a day recognised by local custom as a day of holiday in substitution for the said day.

(3) Notwithstanding the preceding provisions of this paragraph, an employer may (except where in the case of a woman or a young person such a requirement would be unlawful) require a worker who is otherwise entitled to any customary holiday under the foregoing provisions to work thereon and, in lieu of any customary holiday on which he so works, the worker shall be entitled to be allowed a day's holiday (hereinafter referred to as a "holiday in lieu of a customary holiday") on a weekday within the period of four weeks next ensuing.

(4) A worker who is required to work on a customary holiday shall be paid—

(a) for all time worked thereon at the minimum rate then appropriate to the worker for work on a customary holiday; and

(b) in respect of the holiday in lieu of the customary holiday, in accordance with paragraph 6.

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 1st July 1977 and 30th June 1978 and between 1st July and 30th June in succeeding years, 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 (calculated in accordance with the provisions of paragraph 10) specified below, and the duration of the annual holiday shall in the case of each worker be related to that period as follows—

Period of employment	Duration of annual holiday in period commencing 1st July 1977 and in each succeeding period
At least 48 weeks	15 days
" 45 "	14 "
" 42 "	13 "
" 39 "	12 "
" 36 "	11 "
" 33 "	10 "
" 30 "	9 "
" 27 "	8 "
" 24 "	7 "
" 21 "	6 "
" 18 "	5 "
" 15 "	4 "
" 12 "	3 "
" 8 "	2 "
" 4 "	1 day

Provided that 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 period constituting the worker's normal working week.

Paragraph 9.

For the purposes of paragraphs 3 and 8, holiday remuneration shall accrue during the period of twelve months commencing on 1st July 1977 and thereafter in each successive period of twelve months commencing on 1st July and such accrued holiday remuneration shall be an amount equal to *three-fiftieths* of the remuneration (other than holiday remuneration) which the worker was entitled to receive from his employer for work done during the twelve months aforesaid.

EXPLANATORY NOTE

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

This Order comes into operation on 31st May 1977.

The Schedule amends the Retail Bespoke Tailoring Wages Regulation (Holidays) Order (Northern Ireland) 1974 by increasing the number of Customary Holidays by two.