

1981 No. 89

WAGES COUNCILS

**Dressmaking and Women's Light Clothing Wages Regulation
(No. 1) (Amendment) Order (Northern Ireland) 1981**

Made 16th March 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 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) (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 16th March 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 for Workers employed in the
Factory Branch of the Trade**

The Dressmaking and Women's Light Clothing Wages Regulation (No. 1) Order (Northern Ireland) 1980(a) (Order N.I.W.D. (180)) shall have effect as if in the Schedule thereto for paragraphs 1, 2, 3 and 7 there were substituted the following paragraphs:—

GENERAL MINIMUM TIME RATES

WORKERS		Pence per hour
Paragraph 1		
CUTTERS (as defined in paragraph 13)	...	134.58
Paragraph 2.		
PRESSERS (as defined in paragraph 14)	...	134.58
Paragraph 3.		
MACHINISTS (as defined in paragraph 15) and other workers		
over 21	...	134.58
other workers, aged 20 and under 21 years	...	120.94
other workers, aged 19 and under 20 years	...	114.48
other workers, aged 18 and under 19 years	...	104.33
other workers, aged 17 and under 18 years	...	86.76
other workers, aged 16 and under 17 years	...	76.61

GUARANTEED TIME RATE FOR CERTAIN WORKERS ON INCENTIVE PAYMENT SCHEMES

Paragraph 7.

Where an employer transfers a worker, other than a trainee (as defined in paragraph 16), 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 22) 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 *134.58p 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.

SECOND SCHEDULE

Holidays and Holiday Remuneration

The Dressmaking and Women's Light Clothing Wages Regulation (Holidays) Order (Northern Ireland) 1980(a) (Order N.I.W.D. (183)) shall have effect as if in the Schedule thereto for paragraphs 3, 6(1), 7 and 9 there were substituted the following paragraphs:—

ANNUAL HOLIDAYS

Paragraph 3.

- (1) In addition to the customary holidays specified in Part II, an employer shall, between 6th April 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 was 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 be related to the period of employment during those 12 months as follows:—

<i>Period of employment</i>	<i>Duration of annual holiday</i>
<i>At least 48 weeks</i>	<i>19 days</i>
" 46 "	<i>18 "</i>
" 44 "	<i>17 "</i>
" 42 "	<i>16 "</i>
" 40 "	<i>15 "</i>
" 38 "	<i>14 "</i>
" 36 "	<i>13 "</i>
" 33 "	<i>12 "</i>
" 30 "	<i>11 "</i>
" 27 "	<i>10 "</i>
" 24 "	<i>9 "</i>
" 21 "	<i>8 "</i>
" 18 "	<i>7 "</i>
" 16 "	<i>6 "</i>
" 14 "	<i>5 "</i>
" 12 "	<i>4 "</i>
" 9 "	<i>3 "</i>
" 6 "	<i>2 "</i>
" 3 "	<i>1 day</i>

- (2) Notwithstanding the provisions of sub-paragraph (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 period constituting the worker's normal working week *plus four days*.

HOLIDAY REMUNERATION

A—CUSTOMARY HOLIDAYS

Paragraph 6.

- (1) For each day of customary holiday (including a customary holiday falling on a Saturday) to which a worker is entitled under Part II he shall be paid by the employer as holiday remuneration whichever of the following amounts is the greater:
- (a) one-fifth of the average weekly earnings of the worker during the twelve months ended on 5th April immediately preceding the customary holiday, such average weekly earnings to be determined by dividing the total remuneration (including holiday remuneration) paid to him by the employer during the said period by the number of weeks of employment with the employer during that period.

Provided that, in respect of any day of customary holiday during the period 6th April 1981 to 5th April 1982 the amount calculated as at (a) above shall be increased by 8½% or, where an 8½% increase in remuneration has been paid by the employer from the first pay-day in January 1981, the amount calculated as at (a) above shall instead be increased by 6.375%, or

- (b) the appropriate statutory minimum remuneration to which he would have been entitled as a time worker if the day had not been a day of customary holiday and he had worked the number of hours ordinarily worked by him on that day of the week for the employer on work to which statutory minimum remuneration applies.

B—ANNUAL HOLIDAYS

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 greater:

- (a) an amount equal to *nineteen two-hundred-and-sixtieths* of the total remuneration (including holiday remuneration) paid by the employer to the worker during the twelve months ended on 5th April immediately preceding the annual holiday.

Provided that, in respect of any annual holidays due during the period 6th April 1981 to 5th April 1982, the amount calculated as at (a) above shall be increased by 8½% or, where an 8½% increase in remuneration has been paid by the employer from the first pay-day in January 1981, the amount calculated as at (a) above shall instead be increased by 6.375%, or

- (b) one day's holiday pay (as defined in paragraph 12) in respect of each day thereof.
- (2) Where under the provisions of paragraph 4 an annual holiday is allowed in two or more separate periods, the holiday remuneration shall be apportioned accordingly.

Paragraph 9.

- (1) If a worker ceases to be employed by an employer before being allowed or entitled to be allowed an annual holiday, the employer shall immediately on the termination of the employment pay to the worker accrued holiday remuneration in accordance with the provisions of sub-paragraph (2).

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 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 which 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

Col. 1	Col. 2	Col. 3
Period of employment	Accrued holiday remuneration	Accrued holiday remuneration for a full normal working week
<i>At least 48 weeks</i> <i>At least 46 weeks</i> <i>At least 44 weeks</i> <i>At least 42 weeks</i> <i>At least 40 weeks</i> <i>At least 38 weeks</i> <i>At least 36 weeks</i> <i>At least 33 weeks</i> <i>At least 30 weeks</i> <i>At least 27 weeks</i> <i>At least 24 weeks</i> <i>At least 21 weeks</i> <i>At least 18 weeks</i> <i>At least 16 weeks</i> <i>At least 14 weeks</i> <i>At least 12 weeks</i> <i>At least 9 weeks</i> <i>At least 6 weeks</i> <i>At least 3 weeks</i>	<i>Three and four-fifths times the amount in Col. 3.</i> <i>Three and three-fifths times the amount in Col. 3.</i> <i>Three and two-fifths times the amount in Col. 3.</i> <i>Three and one-fifth times the amount in Col. 3.</i> <i>Three times the amount in Col. 3.</i> <i>Two and four-fifths times the amount in Col. 3.</i> <i>Two and three-fifths times the amount in Col. 3.</i> <i>Two and two-fifths times the amount in Col. 3.</i> <i>Two and one-fifth times the amount in Col. 3.</i> <i>Twice the amount in Col. 3.</i> <i>One and four-fifths times the amount in Col. 3.</i> <i>One and three-fifths times the amount in Col. 3.</i> <i>One and two-fifths times the amount in Col. 3.</i> <i>One and one-fifth times the amount in Col. 3.</i> <i>The amount in Col. 3.</i> <i>Four-fifths of the amount in Col. 3.</i> <i>Three-fifths of the amount in Col. 3.</i> <i>Two-fifths of the amount in Col. 3.</i> <i>One-fifth of the amount in Col. 3.</i>	<p>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 work 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.</p>

(3) Any accrued holiday remuneration payable under the provisions of this paragraph shall be reduced by the amount of 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 Dressmaking and Women's Light Clothing Wages Regulation (No. 1) Order (Northern Ireland) 1980 (Order N.I.W.D. (180)) by increasing the statutory minimum remuneration fixed by that Order.

The Second Schedule amends the Dressmaking and Women's Light Clothing Wages Regulation (Holidays) Order (Northern Ireland) 1980 (Order N.I.W.D. 183)) by increasing the number of Annual Holidays by one.

New provisions in the Schedules are printed in italics.