

1982 No. 11

WAGES COUNCILS

**Readymade and Wholesale Bespoke Tailoring Wages Regulation
(Amendment) Order (Northern Ireland) 1982***Made* 12th January 1982*Coming into operation* 2nd February 1982

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 and commencement

1. This Order may be cited as the Readymade and Wholesale Bespoke Tailoring Wages Regulation (Amendment) Order (Northern Ireland) 1982 and shall come into operation on the specified date.

Interpretation

2. In this Order the expression "the specified date" means 2nd February 1982, 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.

Revocations and amendments

3. 1981 No. 59 revoked.
1980 No. 22 amended.
1980 No. 38 amended.

Sealed with the Official Seal of the Department of Manpower Services for Northern Ireland on 12th January 1982.

(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)) as amended by the Readymade and Wholesale Bespoke Tailoring Wages Regulation (Amendment) Order (Northern Ireland) 1981(b) (Order N.I.T.R.W. (98)) 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
Paragraph 1. WORKERS of the following classes:—		
(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).	Not less than THREE years' employment after the age of 18 years as a measure cutter.	141.31
(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.	Not less than TWO years' employment after the age of 18 years on the processes specified in column 1.	141.31
(c) KNIFE CUTTER— that is to say, a person wholly or mainly employed on band, electric or hand knife processes.	Not less than TWO years' employment after the age of 18 years as a knife cutter.	141.31

(a) S.R. 1980 No. 22 (I, p.64)

(b) S.R. 1981 No. 59 (I, p.336)

Column 1	Column 2	Column 3
Class of Worker	Qualifying period of employment and age of Worker	Pence per hour
<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 the various parts of the garment before being basted, sewn or machined, such work of preparing or fitting being always done by shears or knives or other cutting appliances, sewing, basting, or machining forming no part or process of fitting-up).</p>	Not less than TWO years' employment after the age of 18 years as a fitter-up.	141.31
<p>(e) TAILOR MACHINIST— that is to say, a person employed in sewing by hand or machine in the process of making a garment.</p>	Not less than THREE years' employment after the age of 18 years as a tailor machinist.	141.31
<p>(f) PRESSER— that is to say, a person employed in pressing-off by hand or by machine.</p>	Not less than TWO years' employment after the age of 18 years as a presser.	141.31
<p>(g) MACHINIST— that is to say, a person employed as a machinist.</p>	Not less than TWO years' employment after the age of 16 years as a machinist.	141.31
<p>(h) EXAMINER— that is to say, a person employed in examining garments either in the process of being made-up or upon their completion.</p>	Not less than TWO years' employment after the age of 16 years as an examiner.	141.31
<p>(i) DIVIDER OR TRIMMER— that is to say, a person employed in the process of dividing, parting or separating the parts of garments after being cut, and of assembling them into suitable bundles for making up.</p>	Not less than TWO years' employment after the age of 16 years as a divider or trimmer.	141.31
<p>(j) UNDER-PRESSER— that is to say, a person employed in pressing processes other than pressing-off.</p>	Not less than TWO years' employment after the age of 16 years as an under-presser.	141.31

Column 1	Column 2	Column 3
Class of Worker	Qualifying period of employment and age of Worker	Pence per hour
<p>(k) WAREHOUSEMAN— that is to say, a person employed wholly or mainly upon one or more of the following operations, viz:— assembling, keeping, storing and distributing stock, but excluding such operations included in the definition of packer or porter.</p>	<p>Not less than ONE years' employment after the age of 18 years as a warehouseman.</p>	<p><i>141.31</i></p>
<p>(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.</p>	<p>Not less than ONE years' employment after the age of 18 years as a packer.</p>	<p><i>141.31</i></p>
<p>(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.</p>	<p>Not less than ONE years' employment after the age of 18 years as a porter.</p>	<p><i>141.31</i></p>
<p>(n) ALL OTHER WORKERS (excluding learners and juveniles).</p>		<p><i>141.31</i></p>

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)) as amended by the Readymade and Wholesale Bespoke Tailoring Wages Regulation (Amendment) Order (Northern Ireland) 1981 (Order N.I.T.R.W. (98)) 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.

ANNUAL HOLIDAYS

Paragraph 3

- (1) In 1982 and in each succeeding year between 6th April and 30th September (hereinafter referred to as the "holiday season") an employer shall allow an annual holiday to every worker in his employment to whom this Schedule applies, and the duration of the holiday shall be related to his period of employment as follows:—

Period of employment in the 12 months immediately preceding the holiday season.	Duration of annual holiday.
At least 48 weeks ..	20 days
At least 46 weeks ..	19 days
At least 44 weeks ..	18 days
At least 42 weeks ..	17 days
At least 40 weeks ..	16 days
At least 38 weeks ..	15 days
At least 36 weeks ..	14 days
At least 33 weeks ..	13 days
At least 30 weeks ..	12 days
At least 27 weeks ..	11 days
At least 24 weeks ..	10 days
At least 21 weeks ..	9 days
At least 19 weeks ..	8 days
At least 17 weeks ..	7 days
At least 15 weeks ..	6 days
At least 13 weeks ..	5 days
At least 11 weeks ..	4 days
At least 9 weeks ..	3 days
At least 6 weeks ..	2 days
At least 3 weeks ..	1 day

- (2) Any days of annual holiday allowed under sub-paragraph (1) shall be in addition to the customary holidays specified in paragraph 2.
- (3) 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 *4 times* the number of days constituting the worker's normal working week.

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 1982 and in each succeeding holiday season an amount equal to *one thirteenth* 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, 1982, 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 1982:

Period of employment between date of termination of employment and the 6th April immediately preceding.	Figure by which amount in col. 3 is to be multiplied in calculating accrued holiday remuneration.	
Column 1	Column 2	Column 3
At least 48 weeks	4.0	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	3.8	
At least 44 weeks	3.6	
At least 42 weeks	3.4	
At least 40 weeks	3.2	
At least 38 weeks	3.0	
At least 36 weeks	2.8	
At least 33 weeks	2.6	
At least 30 weeks	2.4	
At least 27 weeks	2.2	
At least 24 weeks	2.0	
At least 21 weeks	1.8	
At least 19 weeks	1.6	
At least 17 weeks	1.4	
At least 15 weeks	1.2	
At least 13 weeks	1.0	
At least 11 weeks	0.8	
At least 9 weeks	0.6	
At least 6 weeks	0.4	
At least 3 weeks	0.2	

- (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 2nd February 1982.

The First Schedule amends the Readymade and Wholesale Bespoke Tailoring Wages Regulation Order (Northern Ireland) 1980 (Order N.I.T.R.W. (94)) as amended by the Readymade and Wholesale Bespoke Tailoring Wages Regulation (Amendment) Order (Northern Ireland) 1981 (Order N.I.T.R.W. (98)) by increasing the statutory minimum remuneration fixed by those Orders.

The Second Schedule amends the Readymade and Wholesale Bespoke Tailoring Wages Regulation (Holidays) Order (Northern Ireland) 1980 (Order N.I.T.R.W. (96)) as amended by the Readymade and Wholesale Bespoke Tailoring Wages Regulation (Amendment) Order (Northern Ireland) 1981 (Order N.I.T.R.W. (98)) by increasing the annual holiday by one day.

New provisions in the Schedules are printed in italics.