

1982 No. 74

WAGES COUNCILS**Dressmaking and Women's Light Clothing Wages Regulation
(No. 1) (Amendment) Order (Northern Ireland) 1982***Made* 1st March 1982*Coming into operation* 6th April 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 Dressmaking and Women's Light Clothing Wages Council (Northern Ireland).

Citation and commencement

1. This Order may be cited as the Dressmaking and Women's Light Clothing Wages Regulation (No. 1) (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 6th April 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. S.R. 1981 No. 89 revoked.
S.R. 1980 No. 123 amended.
S.R. 1980 No. 241 amended.

Sealed with the Official Seal of the Department of Manpower Services for Northern Ireland on 1st March 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 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)) as amended by the Dressmaking and Women's Light Clothing Wages Regulation (No. 1) (Amendment) Order (Northern Ireland) 1981(b) (Order N.I.W.D. (186)) 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

	Per hour
Paragraph 1.	p
CUTTERS (as defined in paragraph 13)	... 141·31
Paragraph 2.	
PRESSERS (as defined in paragraph 14)	... 141·31
Paragraph 3.	
Machinists (as defined in paragraph 15) and other workers over 21	... 141·31
Other workers aged 20 and under 21 years	... 126·99
Other workers aged 19 and under 20 years	... 120·20
Other workers aged 18 and under 19 years	... 109·55
Other workers aged 17 and under 18 years	... 91·10
Other workers aged 16 and under 17 years	... 80·44

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 141·31p 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.

(a) S.R. 1980 No. 123

(b) S.R. 1981 No. 89

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)) as amended by the Dressmaking and Women's Light Clothing Wages Regulation (No. 1) (Amendment) Order (Northern Ireland) 1981 (Order N.I.W.D. (186)) 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 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:—

<i>Period of employment in the 12 months immediately preceding the holiday season</i>	<i>Duration of annual holiday</i>
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.

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 1982 to 5th April 1983 the amount calculated as at (a) above shall be increased by 5%, 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 *one-thirteenth* 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 1982 to 5th April 1983, the amount calculated as at (a) above shall be increased by 5%, 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).
- (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 3
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 weeks8	
At least 9 weeks6	
At least 6 weeks4	
At least 3 weeks2	

- (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 6th April 1982.

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)) as amended by the Dressmaking and Women's Light Clothing Wages Regulation (No. 1) (Amendment) Order (Northern Ireland) 1981 (Order N.I.W.D. (186)) by increasing the statutory minimum remuneration fixed by those Orders.

The Second Schedule amends the Dressmaking and Women's Light Clothing Wages Regulation (Holidays) Order (Northern Ireland) 1980 (Order N.I.W.D. (183)) as amended by the Dressmaking and Women's Light Clothing Wages Regulation (No. 1) (Amendment) Order (Northern Ireland) 1981 (Order N.I.W.D. (186)) by increasing the annual holiday by one day.

New provisions in the Schedules are printed in italics.