

THE BAKING WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION (No. 3) ORDER, 1947, DATED 30TH MAY, 1947, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER SECTION 10 OF THE WAGES COUNCILS ACT (NORTHERN IRELAND), 1945 (9 & 10 GEO. 6, CH. 21).

1947. No. 112

WHEREAS the Ministry of Labour and National Insurance (hereinafter referred to as "the Ministry") has received from the Baking Wages Council (Northern Ireland) wages regulation proposals for fixing the minimum remuneration to be paid to certain workers in relation to whom the Council operates in substitution for the minimum remuneration fixed by the Wages Council and confirmed by Schedules I and III to the Order of the Ministry dated the 1st day of July, 1943 (hereinafter referred to as "Order N.I.Bk. (22) and (23)");

NOW, THEREFORE, the Ministry by virtue of section 10 of the Wages Councils Act (Northern Ireland), 1945, and of every other power in that behalf hereby makes the following Order:—

1. As from the specified date Schedules I and III to Order N.I.Bk. (22) and (23) shall cease to have effect and the statutory minimum remuneration set out in the Schedule to this Order shall be paid to the workers therein specified. Statutory minimum remuneration.

2. In this Order the expression "the specified date" means the 6th day of June, 1947. 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. Commencement.

3.—(1) This Order may be cited as the Baking Wages Council (Northern Ireland) Wages Regulation (No. 3) Order, 1947. Short title and interpretation.

(2) The Interpretation Act, 1921, applies to the interpretation of this Order as it applies to the interpretation of an Act of the Parliament of Northern Ireland. 12 Geo. 5 Ch. 4.

Scaled with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this thirtieth day of May, nineteen hundred and forty-seven, in the presence of

(L.S.)

J. W. McConnell,

Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

SCHEDULE

STATUTORY MINIMUM REMUNERATION FOR MALE AND FEMALE
WORKERS EMPLOYED IN HOME BAKERIES

GENERAL MINIMUM TIME RATES

	AREA A		AREA B		AREA C	
	The respective areas are defined in paragraph 17					
	Per week of 48 hours					
	s.	d.	s.	d.	s.	d.
MALE WORKERS (other than night workers as defined in paragraph 8);						
PARAGRAPH 1.						
MALE BAKERS (as defined in paragraph 18) ...	91	3	82	6	77	9
PARAGRAPH 2.						
APPRENTICE BAKERS (as defined in paragraph 19) :—						
(a) Under 21 years of age—						
During 1st year of apprenticeship ...	20	0	18	6	17	3
" 2nd " " ...	24	3	22	3	21	0
" 3rd " " ...	28	9	26	3	24	6
" 4th " " ...	37	3	33	9	31	6
" 5th " " ...	45	9	41	3	39	0
(b) 21 years of age and over—						
During 1st year of apprenticeship ...	23	0	21	3	20	0
" 2nd " " ...	27	6	25	0	23	9
" 3rd " " ...	32	0	29	0	27	3
" 4th " " ...	40	3	36	6	34	3
" 5th " " ...	48	9	44	0	42	0
PARAGRAPH 3.						
ALL OTHER MALE WORKERS (excluding workers of the classes specified in paragraph 28) :—						
Under 17 years of age ...	28	9	24	0	24	0
17 and under 18 years of age ...	35	0	29	9	29	9
18 " 19 " ...	41	3	35	6	35	6
19 " 20 " ...	50	0	43	3	43	3
20 " 21 " ...	58	6	50	6	50	6
21 years of age and over ...	67	0	56	3	56	3
FEMALE WORKERS :—						
PARAGRAPH 4.						
FEMALE BAKERS (as defined in paragraph 23) ...	54	6	49	0	46	6
PARAGRAPH 5.						
FEMALE LEARNERS (as defined in paragraph 24) :—						
(a) Under 21 years of age—						
During 1st year of learnership... ...	20	0	18	6	17	3
" 2nd " " ...	24	3	22	3	21	0
" 3rd " " ...	28	9	26	3	24	9
" 4th " " ...	32	9	30	0	28	0
" 5th " " ...	38	3	34	9	32	6
(b) 21 years of age and over—						
During 1st year of learnership... ...	21	3	19	6	18	6
" 2nd " " ...	25	6	23	0	22	3
" 3rd " " ...	30	0	27	3	26	0
" 4th " " ...	34	0	31	0	29	6
" 5th " " ...	39	6	35	9	33	9

	AREA A			AREA B			AREA C		
	The respective areas are defined in paragraph 17								
	Per week of 48 hours								
	s.	d.	s.	d.	s.	d.	s.	d.	
PARAGRAPH 6.									
FEMALE WORKERS WHO HAVE COMPLETED FIVE YEARS' LEARNERSHIP, and other than workers of the classes specified in paragraphs 4 and 7 :—									
(a) Under 21 years of age									
During 1st year after learnership	43	6	39	3	37	3			
" 2nd " "	50	0	45	3	42	9			
" 3rd " " and subsequent years	54	6	49	0	46	6			
(b) 21 years of age and over—									
During 1st year after learnership	44	9	40	3	38	6			
" 2nd " "	51	3	46	3	44	0			
" 3rd " " and subsequent years	54	6	49	0	46	6			
PARAGRAPH 7.									
ALL OTHER FEMALE WORKERS (excluding workers of the classes specified in paragraph 28) :—									
Under 16 years of age	18	3	16	6	15	6			
16 and under 17 years of age	21	9	20	0	18	9			
17 " 18 "	24	6	22	3	21	0			
18 " 19 "	26	9	24	3	23	3			
19 " 20 "	29	6	27	0	25	0			
20 " 21 "	31	9	29	0	27	3			
21 years of age and over	43	3	39	0	37	0			

NIGHT WORKERS

PARAGRAPH 8.
The general minimum time rates for male workers whose hours of work on week days entail employment for at least three hours a night between the hours of 6 p.m. and 8 a.m. shall be increased by the appropriate amount specified hereunder :—

- (i) Male Bakers 7s. 6d. per week of 48 hours
(ii) Apprentice Bakers 3s. 9d. " "
(iii) All other Male Workers of the class specified in paragraph 3 5s. 9d. " "

FEMALE LATE ENTRANTS

PARAGRAPH 9.
Female workers of the class specified in paragraph 7 who enter the trade for the first time between the ages of 17 and 21 years shall be paid not less than the rate in respect of one year less than their age until they have completed twelve months' employment ; thereafter, they shall be paid not less than the appropriate rate for their age.

CALCULATION OF HOURLY RATES

PARAGRAPH 10.
For the purpose of ascertaining the minimum rate payable in respect of each hour of employment the respective rates set out above must be divided by 48.

OVERTIME

DECLARED DAYS OF HOLIDAYS

PARAGRAPH 11.
All time worked on the following days shall be regarded as overtime to which the overtime rates shall apply :—

Christmas Day, Boxing Day, Easter Monday, Easter Tuesday and 12th and 13th July, except where, in the case of the 12th and 13th July, other days are substituted being—

- (i) days which are by local custom recognised as days of holidays ; or
- (ii) days mutually agreed between the employer and the worker or workers within six weeks of the days for which they are substituted, subject to notice of substitution having been posted in the premises in which the affected workers are employed throughout fourteen days immediately preceding the substituted days or the days for which they are substituted, whichever is the earlier.

in which case the substituted days shall be the days to which the overtime rates shall apply.

OVERTIME RATES

PARAGRAPH 12.

Overtime rates shall be payable as follows :—

(1) MALE AND FEMALE WORKERS

- (a) For all hours worked in any week in excess of 48—**TIME-AND-A-HALF**, except in so far as any other overtime rate is payable under the provisions of (b), (c) and (d) of this sub-paragraph and of sub-paragraph (2) below ;
- (b) For all hours worked in excess of 8½ on any day other than Saturday (or the weekly short day substituted therefor), Sunday and days specified in paragraph 11 above—**TIME-AND-A-HALF** ;
- (c) For all hours worked in excess of 7 on Saturday or the weekly short day substituted therefor—**TIME-AND-A-HALF** ;
- (d) For all hours worked on days specified in paragraph 11 of this Schedule between midnight of the day preceding the first day of the holiday and midnight of the last day of the holiday—**DOUBLE TIME**.

(2) MALE WORKERS

For all time worked on Sunday (*i.e.*, between the hours of 12 midnight on Saturday and 12 midnight on Sunday)—**DOUBLE TIME**.

PARAGRAPH 13.

Overtime rates shall be payable in respect of all overtime worked on any day, notwithstanding that the total number of hours worked in the week does not exceed 48.

PARAGRAPH 14.

For the purpose of determining whether overtime rates are payable on any " day," a period of work which commences before and continues after midnight shall be deemed to have occurred on the day on which it was completed.

PARAGRAPH 15.

For the purpose of the application of overtime rates the term " week " shall be deemed to mean in relation to any worker, the pay week observed for him in the establishment.

PARAGRAPH 16.

The expressions **time-and-a-half** and **double time** mean, respectively, **one-and-a-half times** and **twice** the amount of the general minimum time rate otherwise applicable.

THE HOURS OF WORK OF WOMEN AND YOUNG PERSONS ARE SUBJECT TO THE PROVISIONS OF THE FACTORIES ACT (NORTHERN IRELAND), 1938.

DEFINITIONS

AREAS

PARAGRAPH 17.

The minimum rates set out under the respective Areas A, B and C shall apply as follows :—

AREA A—To workers employed in the County Borough of the City of Belfast and in districts situate within a radius of 15 statute miles therefrom.

AREA B—To workers employed in the County Borough of the City of Londonderry.

Area C—To workers employed in all areas other than A and B.

CLASSES OF WORKERS

PARAGRAPH 18.

A MALE BAKER is a worker who has served an apprenticeship of not less than five years to the trade of baking and is employed on all or any of the following processes in the making of bread, pastry, or flour confectionery :—

- (a) the mixing of flour, eggs, sugar or other ingredients into dough or batter ;
- (b) the manipulating, moulding or shaping of dough by hand ;
- (c) the ovening of bread, pastry or flour confectionery ; or
- (d) any other similar operations incidental to or appertaining to the manufacture of the above-mentioned articles.

PARAGRAPH 19.

AN APPRENTICE BAKER is a male worker who :—

- (a) is employed under an oral or written agreement by an employer who undertakes to provide the apprentice with reasonable and effective facilities for learning the trade of baking ; and
- (b) has received a certificate or has been registered in accordance with rules from time to time laid down by the Wages Council or has made application for such certificate or registration which has been duly acknowledged and is still under consideration.

Provided that certification or registration of an apprentice baker shall become invalid if at any time during apprenticeship the provisions relating thereto are not complied with.

Provided also that an employer may employ an apprentice baker on his first employment in the trade without a certificate or registration for a probation period not exceeding four weeks, but, in the event of such apprentice baker being continued thereafter in the employment, the probation period shall be included in the period of apprenticeship.

PARAGRAPH 20.

A BREAD-SERVER is a worker who is in charge of a breadvan or similar road vehicle and who is mainly engaged in the sale therefrom of bread or other bakery products to individual customers or to shops or establishments for re-sale.

PARAGRAPH 21.

A BREADVAN CHECKER is a worker who accompanies a bread-server for the purpose of checking the bread-server's accounts or canvassing for orders.

PARAGRAPH 22.

A BREADVAN BOY is a boy who accompanies and assists a bread-server on his rounds.

PARAGRAPH 23.

A FEMALE BAKER is a worker, over 21 years of age, who has had not less than two years' experience after five years' learnership in the trade of baking and is employed on all or any of the following processes in the making of bread, pastry, or flour confectionery :—

- (a) the mixing of flour, eggs, sugar or other ingredients into dough or batter ;
- (b) the manipulating, moulding, or shaping of dough by hand ;
- (c) the ovening of bread, pastry, or flour confectionery ;
- (d) decorating, icing or piping ; or
- (e) any other similar operations incidental to or appertaining to the manufacture of the above-mentioned articles.

PARAGRAPH 24.

A FEMALE LEARNER is a worker who :—

- (a) is employed during the whole or a substantial part of her time in learning any branch or process of the trade of baking by an employer who provides the learner with reasonable facilities for such learning ; and
- (b) has received a certificate or has been registered in accordance with rules from time to time laid down by the Wages Council or has made application for such certificate or registration which has been duly acknowledged and is still under consideration.

Provided that certification or registration of a female learner shall become invalid if at any time during learnership the provisions relating thereto are not complied with.

Provided also that an employer may employ a female learner on her first employment in the trade without a certificate or registration for a probation period not exceeding four weeks, but, in the event of such learner being continued thereafter in the employment, the probation period shall be included in the period of learnership.

Provided further that a female worker who has attended a course of training which includes baking at a School of Domestic Economy recognised by the Ministry of Education for Northern Ireland shall be entitled to count the normal period of such course as if it had been employment in the trade.

HOME BAKERY

PARAGRAPH 25.

A "HOME BAKERY" is deemed to be a bakery in which the number of workers engaged on operations within the scope of the Council does not exceed six. Provided that, irrespective of the number of workers employed, no bakery which is engaged in the manufacture of plain bread (*i.e.*, 1lb., or 2lb. batch loaves) or pan loaves exceeding 1lb. in weight, shall be deemed to be a "Home Bakery."

GENERAL

WAITING TIME

PARAGRAPH 26.

(i) A worker shall be entitled to payment of statutory minimum remuneration as set out in this Schedule during all the time during which he is present on the premises of his employer unless he is so present either without his employer's consent, express or implied, or for some purpose unconnected with his work and other than that of waiting for work to be given to him to perform.

(ii) This provision shall not apply when—

- (a) a worker is present on his employer's premises by reason only of the fact that he is resident thereon, or
- (b) a worker is present on his employer's premises during normal meal times in a room or place 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 27.

The statutory minimum remuneration aforesaid applies, subject to the provisions of the Wages Councils Act (Northern Ireland), 1945, to workers in relation to whom the Baking Wages Council (Northern Ireland) operates, that is to say, workers employed in Northern Ireland in the trade specified in the Schedule to the Trade Boards (Baking Trade, Northern Ireland) (Constitution, Proceedings and Meetings) Regulations, 1938, dated 17th June, 1938, namely:—

DEFINITION OF BAKING TRADE

1. Subject to the provisions of this Schedule, the Baking Trade consists of the following operations:—

- (1) the making of bread, pastry, and flour confectionery and all work incidental thereto;
- (2) the making of other articles of food and all work incidental thereto, in an undertaking, or branch or department thereof, mainly engaged on one or more of the operations specified in sub-paragraph (1) of this paragraph;
- (3) the sale or distribution of any of the articles of food referred to in the preceding sub-paragraphs—
 - (a) by a worker mainly employed or engaged as bread-server, van-man or other like worker, including any assistant employed or engaged by or with such worker;
 - (b) by a worker who in the same week is also engaged in any of the work specified in those sub-paragraphs;

- (4) when performed by a worker employed by an employer mainly engaged in the Baking Trade—storing, packing, unpacking, checking, loading, unloading, transporting, horse-keeping, cleaning premises, cleaning vehicles, or other operations (wherever performed) incidental to those specified in any of the preceding sub-paragraphs; or incidental to the handling of any raw materials required for the purpose of the operations specified in those sub-paragraphs.

2. Notwithstanding anything in this Schedule the following operations are not operations in the Baking Trade :—

- (1) the making of biscuits in an undertaking, or a branch or department of an undertaking, mainly engaged in the making of biscuits, and the making of any other article of food therein by workers mainly engaged in the making of biscuits ;
- (2) the making of any of the articles of food referred to in paragraph 1 hereof—
- (a) in an hotel, boardinghouse, restaurant, cafe or similar establishment—
- (i) for consumption on the premises ; or
- (ii) for consumption off the premises at meals served by persons ordinarily employed on the premises ;
- (b) by a railway undertaking for consumption on its trains, restaurant cars, ships, or premises ;
- (3) the making of—
- (a) meat pies, sausage rolls or similar articles of pastry (including bread for use therein) ; or
- (b) Bread for use in sausages or similar articles of food in an undertaking where no bread, pastry or flour confectionery is made other than that specified in this sub-paragraph ;
- (4) operations included in—
- (a) The Trade Boards (Milk Distributive) Order, 1920, as amended or varied by any subsequent Order ;
- (b) The Trade Boards (Sugar Confectionery and Food Preserving) Order, 1913, as amended or varied by any subsequent Order ;
- (c) the transport of goods by licensed carriers or by common carriers.

3. For the purposes of this Schedule the following expressions have the meanings hereby assigned to them, that is to say :—

- “pastry” and “articles of pastry” include articles of food made wholly or partly of pastry ;
- “meat” includes game, poultry, egg or fish ;
- “flour confectionery” includes cakes, oatcakes, shortbread and biscuits ;
- “biscuits” do not include oatcakes or shortbread ; and
- “making” includes the packing, wrapping and other handling of the articles of food when made, before their first despatch for sale or distribution.

CLASSES OF WORKERS TO WHOM THE PROVISIONS OF THIS SCHEDULE DO NOT APPLY

PARAGRAPH 28.

Notwithstanding anything contained in this Schedule, the minimum rates *shall not apply* to workers employed as bread-servers, breadvan checkers, breadvan boys, outside messengers, shop assistants or charwomen.

PAYMENT OF HIGHER REMUNERATION

PARAGRAPH 29.

The statutory minimum remuneration set out in this Schedule is without prejudice to workers earning higher rates of wages or to agreements made, or that may be made, between employers and workers for the payment of remuneration in excess of the statutory minimum.