PARAGRAPH 29.—(*continued*)

(iv) All processes of embroidery or decorative needlework done by machine, whether before or after the making of the articles of the description specified above.

(v) The following processes, if done by machine :—Thread-drawing, thread-clipping, top-sewing, scalloping, nickelling and paring.

(vi) All processes of laundering, smoothing, folding, ornamenting, boxing, finishing, warehousing, packing and other similar operations incidental to or appertaining to the making of the articles of the description specified above.

(2) The making up in linen warehouses, or in establishments mainly engaged in linen lapping, of linen or mixed linen and cotton or other textile fabrics in the piece, or of linen or mixed linen and cotton or other textile articles cut from the piece, including :—

Measuring, cutting, lapping, ornamenting, boxing, warehousing, packing and similar operations.

PARAGRAPH 30.

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 wages in excess of the minimum rates.

Paper Box Wages Council (Northern Ireland)

THE PAPER BOX WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION (HOLIDAYS) ORDER, 1948, DATED 19TH APRIL, 1948, 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).

1948. No. 148

WHEREAS the Ministry of Labour and National Insurance (hereinafter referred to as " the Ministry ") has received from the Paper Box Wages Council (Northern Ireland) wages regulation proposals for requiring workers in relation to whom the Council operates to be allowed by their employers the holidays set out in the Schedule to this Order and for fixing the holiday remuneration specified therein in substitution for the holidays provided for, and holiday remuneration fixed, by the Paper Box Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1946 (a) (hereinafter referred to as " Order N.I.B. (37) ") ;

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 Order N.I.B. (37) shall cease to have effect and the workers to whom the Schedule to this Order applies shall be entitled to be allowed the holidays and paid the holiday remuneration specified therein. Holidays and holiday remuneration.

(a) S. R. & O. 1946, No. 219.

Commencement.

2. In this Order the expression "the specified date" means the 23rd day of April, 1948. 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.

Short title and interpretation.

3.—(1) This Order may be cited as the Paper Box Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1948.

12 Geo. 5, Ch. 4.

(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.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this nineteenth day of April, nineteen hundred and forty-eight, in the presence of

(L.S.)

J. W. McConnell,
Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

SCHEDULE

HOLIDAYS WITH PAY

PART I

APPLICATION

PARAGRAPH 1.

(1) This Schedule applies to every male and female worker (other than an out-worker) for whom statutory minimum remuneration has been fixed.

(2) For the purposes of this Schedule an out-worker is a worker who works in his or her own home or in any other place not under the control or management of the employer.

PART II

CUSTOMARY HOLIDAYS

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 holiday and has worked for the employer for not less than half that period and (unless excused by the employer or absent by reason of proved illness) has worked for the employer throughout the last five working days on which work was available to him immediately preceding the holiday.

(2) The said customary holidays are :—

(*a*) Christmas Day, Boxing Day and the day following Boxing Day

Provided that—

(i) where Christmas Day falls on a Thursday, Friday or Saturday, the Saturday in that week shall be treated as one of the customary holidays irrespective of whether the worker normally works on Saturday or not;

(ii) where Christmas Day falls on a Sunday, the customary holidays shall be Boxing Day and the next two following days ;

(iii) where Boxing Day or the day following Boxing Day falls on a Sunday that Sunday shall not be treated as one of the customary holidays and a customary holiday shall be allowed to the worker on the Monday or Tuesday next following, as the case may be ;

Easter Monday, Easter Tuesday and the Wednesday following the last-mentioned day, or

(*b*) a day substituted by the employer for any one of the said days, being either a day recognised by local custom as a day of holiday in substitution for the said day, or a day agreed between the employer and the worker or his representative.

(3) Notwithstanding the preceding provisions of this paragraph, an employer may (except where in the case of a woman or young person such a requirement would be unlawful) require a worker who is otherwise entitled to any customary holiday under the foregoing provisions of this Schedule to work thereon, and, in lieu of any 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, holiday remuneration in accordance with paragraph 6 of this Schedule.

Part III

ANNUAL HOLIDAYS

Paragraph 3.

(1) In addition to the customary holidays specified in Part II of this Schedule and subject to the provisions of sub-paragraph (2) of this paragraph, an employer shall, between the 31st March, 1948, and 30th September, 1948, and in each succeeding year between 31st March and 30th September (in this Schedule 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 twelve months immediately preceding the commencement of the holiday season for any of the periods specified below, and the duration of the holiday shall be related to his period of employment during that twelve months as follows :—

(*a*) In the case of workers who are under 18 years of age when they enter the employment of the employer and who are under 19 years of age at the commencement of their first annual holiday under this Schedule :—

Where the worker's normal working week is 6 days		Where the worker's normal working week is 5 days or less	
Period of employment	Duration of holiday	Period of employment	Duration of holiday
At least 24 weeks	12 days	At least 24 weeks	10 days
,, 20 ,,	10 ,,	,, 19 ,,	8 ,,
,, 16 ,,	8 ,,	,, 14 ,,	6 ,,
,, 12 ,,	6 ,,	,, 9 ,,	4 ,,
,, 8 ,,	4 ,,	,, 5 ,,	2 ,,
,, 4 ,,	2 ,,		

Provided that this provision shall apply only to a worker who is in his first employment since leaving school and in respect of his first annual holiday under this or any previous Wages Regulation Order;

(*b*) In the case of all other workers :—

Where the worker's normal working week is 6 days		Where the worker's normal working week is 5 days or less	
Period of employment	Duration of holiday	Period of employment	Duration of holiday
At least 48 weeks	12 days	At least 48 weeks	10 days
,, 40 ,,	10 ,,	,, 38 ,,	8 ,,
,, 32 ,,	8 ,,	,, 29 ,,	6 ,,
,, 24 ,,	6 ,,	,, 19 ,,	4 ,,
,, 16 ,,	4 ,,	,, 9 ,,	2 ,,
,, 8 ,,	2 ,,		

(2) Notwithstanding the provisions of sub-paragraph (1) of this paragraph —

(*a*) The number of days of annual holiday to which a worker is entitled in any period of twelve months commencing on 1st day of January shall not exceed in the aggregate twice the period constituting the worker's normal working week ;

(*b*) The holiday season may be varied in any year by agreemen between the employer and the worker if they jointly notify the Wages Council of such agreement and any reference to a holiday season in this Schedule shall be construed accordingly.

PARAGRAPH 4.

An annual holiday shall be allowed on consecutive working days, being days upon which the worker is normally called upon to work, and days of holiday shall be treated as consecutive notwithstanding the intervention of a customary holiday or a holiday in lieu of a customary holiday.

Provided that—

(i) where the duration of an annual holiday to which a worker is entitled exceeds the period constituting the worker's normal working week the said holiday may be allowed in two separate periods of such consecutive working days, if one of such periods is not less than the period constituting the worker's normal working week ;

(ii) the last day of the annual holiday or, as the case may be, of either of such separate periods, may be allowed on a non-consecutive working day (other than the worker's weekly short day) falling within the holiday season where the said annual holiday or, as the case may be, such separate period, is allowed immediately after a customary holiday or so that such a holiday intervenes.

PARAGRAPH 5.

An employer shall give to a worker reasonable notice of the commencing date and duration of his holiday. Such notice may be given individually to a worker or by the posting of a notice in the place where the worker is employed.

PART IV

HOLIDAY REMUNERATION

A — CUSTOMARY HOLIDAYS

PARAGRAPH 6.

(1) Subject to the provisions of this paragraph, for each day of holiday to which a worker is entitled under Part II of this Schedule he shall be paid by the employer holiday remuneration equal to 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 holiday and he had been employed on work to which statutory minimum remuneration applies for the time usually worked by him on that day of the week.

Provided, however, that payment of the said holiday remuneration is subject to the condition that the worker (unless excused by the employer or absent by reason of proved illness) presents himself for employment at the usual starting hour on the first working day following the holiday and works throughout the remainder of the week in which the holiday occurs.

(2) Holiday remuneration in respect of any customary holiday shall be paid by the employer to the worker on the pay day on which the wages for the pay week including the holiday are paid.

(3) The holiday remuneration in respect of any holiday in lieu of a customary holiday shall be paid on the pay day on which the wages for the pay week including that holiday in lieu are paid.

Provided that the said payment shall be made immediately upon the termination of the worker's employment in the case where he ceases to be employed before being allowed such holiday in lieu of a customary holiday.

B — ANNUAL HOLIDAYS

PARAGRAPH 7.

(1) Subject to the provisions of paragraph 10 of this Schedule, a worker entitled 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, or not later than the first working day after the termination thereof, holiday remuneration in accordance with the following table :—

TABLE OF HOLIDAY REMUNERATION

Col. 1	Col. 2				Col. 3
Period of holiday	Holiday remuneration for workers with a normal working week of—				Holiday renumeration for full normal working week
	6 days	5 days	4 days	3 days or less	
12 days	Twice the amount in Col. 3	—	—	—	The amount which the worker would be entitled to receive from his employer 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 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.
10 days	One and two-thirds of the amount in Col. 3	Twice the amount in Col. 3	—	—	
8 days	One and one-third of the amount in Col. 3	One and three-fifths of the amount in Col. 3	Twice the amount in Col. 3	—	
6 days	The amount in Col. 3	One and one-fifth of the amount in Col. 3	One and one-half of the amount in Col. 3	Twice the amount in Col. 3	
4 days	Two-thirds of the amount in Col. 3	Four-fifths of the amount in Col. 3	The amount in Col. 3	One and one-third of the amount in Col. 3	
2 days	One-third of the amount in Col. 3	Two-fifths of the amount in Col. 3	One-half of the amount in Col. 3	Two-thirds of the amount in Col. 3	

(2) In relation to a piece worker Col. 3 of the foregoing table shall have effect as if the words " at the appropriate statutory minimum remuneration " to the end of the column were deleted and there were inserted in lieu thereof the following words :—

" statutory minimum remuneration as follows :—

(*a*) in the case of a male worker aged 21 years or over to whom a piece work basis time rate applies or of a female worker aged 18 years or over, a time rate equal to the hourly piece work basis time rate applicable to the worker,

(*b*) in the case of any other piece worker, a time rate equal to the hourly general minimum time rate which would be applicable to the worker if he were a time worker."

(3) Where, under the provisions of paragraph 4 of this Schedule, an annual holiday is taken in more than one period, the holiday remuneration shall be apportioned accordingly.

PARAGRAPH 8.

If a worker ceases to be employed by an employer before being entitled to be allowed an annual holiday, or before being allowed the whole of any annual holiday to which he is entitled under this Schedule, the employer shall immediately on the termination of the employment pay to the worker any holiday remuneration which has accrued to that worker in accordance with the provisions of the next following paragraph.

PARAGRAPH 9.

(1) Subject to the provisions of this paragraph, holiday remuneration shall accrue to a worker during the period of twelve months commencing on 31st March, 1947, and thereafter in each successive period of twelve months commencing on 31st March and such holiday remuneration shall accrue in accordance with the provisions of the following table :—

TABLE OF ACCRUED HOLIDAY REMUNARATION

Col. 1	Col. 2				Col. 3
Period of employment calculated in accordance with the provisions of paragraph 11 of this Schedule	Accrued Holiday remuneration for workers with a normal working week of—				Accrued holiday remuneration for full normal working week
	6 days	5 days	4 days	3 days or less	
After 48 weeks such employment	Twice the amount in Col. 3	—	—	—	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 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.
After 40 weeks such employment	One and two-thirds of the amount in Col. 3	Twice the amount in Col. 3	—	—	
After 32 weeks such employment	One and one-third of the amount in Col. 3	One and three-fifths of the amount in Col. 3	Twice the amount in Col. 3	—	
After 24 weeks such employment	The amount in Col. 3	One and one-fifth of the amount in Col. 3	One and one-half of the amount in Col. 3	Twice the amount in Col. 3	
After 16 weeks such employment	Two-thirds of the amount in Col. 3	Four-fifths of the amount in Col. 3	The amount in Col. 3	One and one-third of the amount in Col. 3	
After 8 weeks such employment	One-third of the amount in Col. 3	Two-fifths of the amount in Col. 3	One-half of the amount in Col. 3	Two-thirds of the amount in Col. 3	

(2) In relation to a piece worker Col. 3 of the foregoing table shall have effect as if the words " at the appropriate statutory minimum remuneration " to the end of the column were deleted and there were inserted in lieu thereof the following words :—

" statutory minimum remuneration as follows :—

(*a*) in the case of a male worker aged 21 years or over to whom a piece work basis time rate applies or of a female worker aged 18 years or over, a time rate equal to the hourly piece work basis time rate applicable to the worker,

(*b*) in the case of any other piece worker, a time rate equal to the hourly general minimum time rate which would be applicable to the worker if he were a time worker."

(3) The amount of any accrued holiday remuneration payable on the termination of the worker's employment in respect of any of the periods of twelve months mentioned in sub-paragraph (1) of this paragraph shall be reduced by the amount of any previous payment of accrued holiday remuneration made by the employer to the worker in respect of the period for which the accrued holiday remuneration is payable and, where the worker's employment terminates during any holiday season by the amount of the holiday remuneration paid to him by the employer in respect of any days of annual holiday allowed during the said holiday season.

PARAGRAPH 10.

Where in accordance with the provisions of paragraphs 8 and 9 of this Schedule any accrued holiday remuneration has been paid by the employer to the worker in respect of any period of employment in the twelve months immediately preceding the holiday season within which an annual holiday is allowed by the employer to the worker in accordance with the provisions of this Schedule, the amount of holiday remuneration payable by the employer in respect of the said annual holiday under the provisions of paragraph 7 of this Schedule shall be reduced by the amount of the said accrued holiday remuneration.

PART V

GENERAL

PARAGRAPH 11.

For the purposes of calculating any period of employment entitling a worker to an annual holiday or to any accrued holiday remuneration under this Schedule, the worker shall be treated—

(*a*) as if he were employed for a week in respect of any week in which—

(i) he has worked for the employer for not less than twelve hours and has performed some work to which statutory minimum remuneration applies ; or

(ii) he has been absent throughout the week by reason of proved illness or accident but not exceeding seven weeks in the aggregate in the period of twelve months immediately preceding the commencement of the holiday season ; or

(iii) he has been suspended throughout the week owing to shortage of work in the period of twelve months last mentioned ; or

(*b*) as if he were employed on any day of holiday allowed under the provisions of this Schedule, and for the purposes of the provisions of sub-paragraph (*a*) of this paragraph, a worker who is absent on such a holiday shall be treated as having worked thereon 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.

PARAGRAPH 12.

Where any day of annual holiday allowed to any worker under this Schedule falls upon a day of holiday or half-holiday to which the worker may be entitled under any enactment other than the Wages Councils Act (Northern Ireland), 1945, that holiday or half-holiday shall be treated as part of the holiday allowed under this Schedule.

PARAGRAPH 13.

In this Schedule, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say :—

" normal working week " means the number of days on which it has been usual for the worker to work in a week in the employment of the employer in the twelve months immediately preceding the commencement of the holiday season, or where under paragraphs 8 and 9 of this Schedule accrued holiday remuneration is payable on the termination of the employment, in the twelve months immediately preceding the date of the termination of the employment.

Provided that—

(i) part of a day shall count as a day ;

(ii) no account shall be taken of any week in which the worker did not perform any work for which statutory minimum remuneration has been fixed.

" statutory minimum remuneration " means statutory minimum remuneration (other than holiday remuneration) which has been fixed by a Wages Regulation Order made by the Ministry pursuant to proposals submitted to it by the Paper Box Wages Council (Northern Ireland).

" week " in paragraphs 3, 6 and 11 means " pay week."

PARAGRAPH 14.

The provisions of this Schedule are without prejudice to any agreement for the allowance of any further holidays with pay or for the payment of additional holiday remuneration.

THE PAPER BOX WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION (AMENDMENT) ORDER, 1948, DATED 9TH APRIL, 1948, 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).

1948. No. 241

WHEREAS the Ministry of Labour and National Insurance (hereinafter referred to as " the Ministry ") has received from the Paper Box Wages Council (Northern Ireland) wages regulation proposals for the amendment of the Paper Box Wages Council (Northern Ireland) Wages Regulation Order, 1946 (a) dated the 16th day of December, 1946, which fixes the minimum remuneration to be paid to the workers in relation to whom the Paper Box Wages Council (Northern Ireland) operates ;

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 :—

Statutory minimum remuneration.

1. As from the specified date the Paper Box Wages Council (Northern Ireland) Wages Regulation Order, 1946 (a) shall have effect subject to the amendments set out in the Schedule to this Order.

(a) S. R. & O. 1946, No. 218