THE WHOLESALE MANTLE AND COSTUME WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION ORDER, 1948, DATED 25TH NOVEMBER, 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. 308.

WHEREAS the Ministry of Labour and National Insurance (hereinafter referred to as " the Ministry ") has received from the Wholesale Mantle and Costume Wages Council (Northern Ireland) wages regulation proposals for fixing the minimum remuneration to be paid to the workers in relation to whom the Council operates in substitution for the minimum remuneration fixed by the Wholesale Mantle and Costume Wages Council (Northern Ireland) Wages Regulation Order, 1946 (**a**) dated the 2nd day of September, 1946, as amended by the Wholesale Mantle and Costume Wages Council (Northern Ireland) Wages Regulation Order, 1947 (**b**) dated the 3rd day of March, 1947;

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 Wholesale Mantle and Costume Wages Council (Northern Ireland) Wages Regulation Order, 1946, (**c**) as amended, 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.

Commencement.

2. In this Order the expression " the specified date " means the 1st day of December, 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 Wholesale Mantle and Costume Wages Council (Northern Ireland) Wages Regulation 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 twenty-fifth day of November, 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.

(a) S. R. & O. 1946, No. 164. (b) S. R. & O. 1947, No. 31.
(c) S. R. & O. 1946, No. 164

SCHEDULE

STATUTORY MINIMUM REMUNERATION.

GENERAL MINIMUM TIME RATES AND PIECE WORK BASIS TIME RATES FOR MALE WORKERS.

Column 1	Column 2	Column 3	Column 4
Class of Worker	Qualifying period of employment or age	General Minimum Time Rates	Piece Work Basis Time Rates
PARAGRAPH 1. The general minimum time rates and piece work basis time rates respectively set out in Columns 3 and 4 of this paragraph apply to a male worker of the qualifications set out in Column 2 hereof as follows :—		Per hour s. d.	Per hour s. d.
(*a*) MEASURE CUTTER, that is, a person employed in any process of measure cutting and capable of taking a complete set of measures, and of cutting all garments for a female person from patterns.	Not less than four years' employment after the age of 19 in actual cutting processes, including not less than three years' employment as a measure cutter, but excluding designing.	2 5½	2 7¼
(*b*) CUTTER, that is, 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 ; (iv) dividing (the process ordinarily carried on by cutters or their assistants of dividing, parting or separating the parts of garments after being cut, and of assembling them into suitable bundles for making up)	Not less than three years' employment after the age of 19 as a cutter of any of the classes specified in Column 1 or as a knifeman.	2 3¼	2 5¼
(*c*) KNIFEMAN, that is, a person employed on band, electric or hand-knife operations.	Not less than three years' employment after the age of 19 as a knifeman or cutter.	2 3¼	2 5¼
(*d*) TAILOR, that is, a person employed in sewing by hand in the process of making a garment or portion of a garment.	Not less than three years' employment after the age of 19 as a tailor.	2 3¼	2 5¼

Column 1	Column 2	Column 3	Column 4
Class of Worker	Qualifying period of employment or age	General Minimum Time Rates	Piece Work Basis Time Rates
		Per hour s. d.	Per hour s. d.
PARAGRAPH 1.—*Continued*			
(*e*) FITTER-UP, that is, a person employed in fitting-up (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 of the process of fitting-up).	Not less than three years' employment after the age of 19 as a fitter-up or tailor.	2 3½	2 5½
(*f*) PASSER, that is, a person employed in examining garments in the process of being made up or upon completion.	Not less than three years' employment after the age of 19 as a passer or tailor.	2 3½	2 5½
(*g*) PRESSER, that is, a person employed in pressing off by hand or by machine.	Not less than three years' employment after the age of 19 as a presser or under-presser.	2 3½	2 5½
(*h*) MACHINIST, that is, a person employed in machining other than as a plain machinist.	Not less than three years' employment after the age of 19 as a machinist or plain machinist.	2 3½	2 5½
(*i*) UNDER-PRESSER, that is, a person employed in pressing processes other than pressing off.	Not less than three years' employment after the age of 19 as an under-presser or presser.	2 0	2 1½
(*j*) PLAIN MACHINIST, that is, a person employed in the processes of making up plain sleeves, facings, linings, inside pockets, quilting and padding.	Not less than three years' employment after the age of 19 as a plain machinist or machinist.	2 0	2 1½

Column 1	Column 2	Column 3	Column 4
Class of Worker	Qualifying period of employment or age	General Minimum Time Rates	Piece Work Basis Time Rates
		Per hour s. d.	Per hour s. d.
PARAGRAPH 2. MALE WORKERS (including OUT-WORKERS) other than those for whom minimum rates are specified in paragraphs 1 and 3 of this Schedule. The expression "Out-worker" shall be deemed to mean a worker who works in his own home or in any place not under the control or management of the employer.	—	1 10½	2 0
PARAGRAPH 3. MALE LEARNERS (as defined in paragraph 7 of this Schedule).	When employed under 15 years of age.	0 7¾	
	When employed at :—		
	15 and under 16 years of age	0 8½	
	16 ,, 17 ,, ,,	0 10	
	17 ,, 18 ,, ,,	1 1	
	18 ,, 19 ,, ,,	1 3	
	19 ,, 20 ,, ,,	1 5	
	20 ,, 21 ,, ,,	1 7½	
	21 years of age and over	1 11½	

LATE ENTRANTS.

PARAGRAPH 4.

Notwithstanding the provisions of paragraph 3 above, a male learner who commences employment in the trade at or over the age of 19 years may be employed for a period of twelve months as follows :—

(*a*) for the first six months of employment, at a general minimum time rate of 1s. 1¼d. per hour ;

(*b*) for the second six months of employment, at a general minimum time rate of 1s. 2¾d. per hour.

Provided that these general minimum time rates shall be increased by 1¾d. per hour in the case of any such worker who is 22 years of age or over.

On the expiration of twelve months' employment in the trade, such worker shall be entitled to the minimum rate appropriate to a worker of his age under the provisions of this Schedule.

GENERAL MINIMUM TIME RATES FOR FEMALE WORKERS

PARAGRAPH 5.

FEMALE WORKERS other than LEARNERS (as defined in paragraph 7 of this Schedule)—

	Per hour. s.	d.
(*a*) FEMALE WORKERS (including OUT-WORKERS) other than workers of the class specified in sub-paragraph (*b*) of this paragraph ...	1	3¾
The expression "Out-worker" shall be deemed to mean a worker who works in her own home or in any other place not under the control or management of the employer.		
(*b*) CONVEYOR BELT MACHINISTS, *i.e.*, female workers, employed in machining any work conveyed to or from the worker on a mechanical conveyor belt.	1	5¼

PARAGRAPH 6.

FEMALE LEARNERS (as defined in, and whose employment complies with, the conditions specified in paragraphs 7 to 9 of this Schedule)—

Period of Employment.	LEARNERS COMMENCING AT			
	14 and under 15 years of age	15 and under 16 years of age	16 and under 21 years of age	21 years of age and over
	Column 1	Column 2	Column 3	Column 4
	Per hour			
	s. d.	s. d.	s. d.	s. d.
During 1st six months of employment	0 $6\frac{1}{2}$	0 $6\frac{3}{4}$	0 7	1st three months 0 $8\frac{3}{4}$
,, 2nd ,, ,, ...	0 $7\frac{1}{4}$	0 $7\frac{3}{4}$	0 8	2nd ,, 0 $11\frac{1}{4}$
,, 3rd ,, ,, ...	0 $8\frac{1}{2}$	0 $9\frac{1}{4}$	0 $10\frac{1}{2}$	3rd ,, 1 1
,, 4th ,, ,, ...	0 $9\frac{1}{4}$	0 $10\frac{1}{4}$	1 $1\frac{1}{2}$	4th ,, 1 2
,, 3rd year of employment	0 11	1 $1\frac{1}{2}$	—	
,, 4th ,, ,, ...	1 $1\frac{1}{2}$	—	—	

DEFINITION AND CONDITIONS OF EMPLOYMENT OF LEARNERS.

PARAGRAPH 7.

A learner (male or female) is a worker who—

(*a*) is employed during the whole or a substantial part of his or her time in learning any branch or process of the trade 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 the certification or registration of a learner shall become invalid if at any time during learnership the provisions set out in this Schedule relating thereto are not complied with.

Provided that an employer may employ a learner on his or 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.

PARAGRAPH 8.

The advances to be given to female learners commencing at under 21 years of age shall, during the first two years' employment in the trade, become due as from the first Monday in January and July of each year, the learner being entitled to her first advance on the first Monday in January or July, as the case may be, provided that she has been in the trade at least three months. The advances to be given to such learners in respect of the third and fourth years of employment and to female learners commencing at 21 years of age and over, shall become due at the expiration of each period of 3 or 12 months' employment in the trade, as the case may be.

PARAGRAPH 9.

A female learner shall cease to be a learner and shall be entitled to the full general minimum time rate of her class on the fulfilment of the appropriate conditions set out below :—

Age of entering employment.	Conditions.
Under 15 years of age ...	The completion of not less than three years' employment and the attainment of the age of 18 years.
15 and under 16 years of age ...	The completion of not less than two years' employment and the attainment of the age of 18 years.
16 and under 21 years of age ...	The completion of two years' employment.
21 years of age and over ...	The completion of one year's employment.

PARAGRAPH 10.

Notwithstanding compliance with the conditions contained in paragraphs 7 to 9 of this Schedule a person shall not be deemed to be a learner if he or she works in a room used for dwelling purposes, and is not in the employment of his or her parent or guardian.

PIECE WORK BASIS TIME RATE FOR FEMALE WORKERS.

PARAGRAPH 11.

	Per hour. s. d.
FEMALE WORKERS including OUT-WORKERS (as defined in paragraph 5 (*a*) of this Schedule)	1 5½

OVERTIME.

PARAGRAPH 12.

Overtime rates shall be payable as follows :—

A. WORKERS EMPLOYED ON TIME WORK :

(i) On any day other than Saturday (or the weekly short day substituted therefor), Sunday or a customary holiday—

For the first two hours worked in excess of 8½ hours ... TIME-AND-A-QUARTER

Thereafter ... ... TIME-AND-A-HALF

Provided that where it is or may become the established practice of the employer to require the worker's attendance on only 5 days in the week, the said overtime rates of time-and-a-quarter and time-and-a-half shall be payable on those 5 days after 9 and 11 hours' work respectively.

(ii) On a Saturday not being a customary holiday—

(*a*) in respect of that class of worker which customarily attends on 6 days in the week

For all time worked in excess of 4 hours TIME-AND-A-HALF

(*b*) in respect of that class of worker which customarily attends on 5 days only in the week

For all time worked ... ... DOUBLE TIME

(iii) On a Sunday or a customary holiday—

For all time worked ... ... DOUBLE TIME

(iv) In any week—

For all time worked in excess of 44 hours TIME-AND-A-QUARTER except in so far as higher overtime rates may be payable under the provisions of sub-paragraphs A (i), (ii) and (iii) of this paragraph.

B. WORKERS EMPLOYED ON PIECE WORK :

Male and female workers employed on piece work shall be entitled to receive in respect of each hour of overtime worked, in addition to piece rates each of which would yield, in the circumstances of the case, to an ordinary worker, at least the same amount of money as the appropriate piece work basis time rate—

an amount equivalent to ONE-QUARTER, ONE-HALF or the WHOLE of the appropriate piece work basis time rate

according as the overtime rate payable under the provisions of sub-paragraph A of this paragraph, if the worker had been employed on time work, would have been equivalent to time-and-a-quarter, time-and-a-half, or double time, respectively.

PARAGRAPH 13.

The expression " customary holiday " means—

(*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 two 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.

PARAGRAPH 14.

For the purpose of paragraph 12A the expressions time-and-a-quarter, time-and-a-half and double time mean, respectively, one-and-a-quarter times, one-and-a-half times and twice the amount of the general minimum time rate otherwise applicable.

GENERAL.

APPLICATION OF STATUTORY MINIMUM REMUNERATION TO PIECE WORKERS.

PARAGRAPH 15.

In the case of male or female workers employed on piece work, each piece rate paid must be such as will yield, in the circumstances of the case to an ordinary worker, at least the same amount of money as the appropriate piece work basis time rate. In determining whether any piece rate satisfies the foregoing condition regard shall be had only to the earnings of ordinary workers, *i.e.*, workers of ordinary skill and experience in the class of work in question and not to the earnings of workers of less than ordinary skill and experience, *e.g.*, juvenile and infirm workers.

EMPLOYMENT OF JUVENILE WORKERS ON PIECE WORK.

PARAGRAPH 16.

An employer shall, in any case where a learner or other juvenile worker is employed on piece work during the first six months of his employment in the trade, be deemed

to pay wages at less than the minimum rate unless he shows that such worker has received in respect of his employment on piece work in each week during that period, at least the same amount of money as such worker would have been entitled to receive if employed on time work.

An employer shall, in any case where any such worker is so employed at any time subsequent to the first six months of his employment in the trade, be deemed to pay wages at less than the minimum rate unless he shows that such worker has, in respect of his employment on piece work, been paid at piece rates which would yield, in the circumstances of the case, to an ordinary worker (not being a juvenile worker) at least the same amount of money as the appropriate piece work basis time rate.

WAITING TIME.

PARAGRAPH 17.

(1) A worker shall be entitled to payment of statutory minimum remuneration as aforesaid 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.

(2) A piece worker shall during any time during which he is present as aforesaid and is not doing piece work be entitled to payment of the general minimum time rate applicable to the workers of the class to which he belongs.

Provisions (1) and (2) do 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 18.

The statutory minimum remuneration aforesaid shall apply, subject to the provisions of the Wages Councils Act (Northern Ireland), 1945, to workers in relation to whom the Wholesale Mantle and Costume 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 (Wholesale Mantle and Costume Trade, Northern Ireland) (Constitution, Proceedings and Meetings) Regulations, 1925, (a) dated 28th January, 1925, namely :—

Women's, girls' and children's readymade and wholesale bespoke tailoring and all women's, girls' and children's retail bespoke tailoring carried on in a factory where garments are made up for three or more retail establishments, and any other branch of women's, girls' and children's tailoring which is not included within the scope of the Retail Bespoke Tailoring Trade Board.

Including—

(1) All operations and processes of cutting, making or finishing by hand or machine of coats, costumes, tailored skirts, coat frocks, mantles, service clothing or similar garments made by tailoring processes ;

(2) (*a*) The altering, repairing, renovating, or remaking of any of the abovementioned tailored garments, except where included within the scope of the Retail Bespoke Tailoring Trade Board ;

(*b*) The cleaning of such garments where carried out in association with or in conjunction with the altering, repairing, renovating or remaking of the garments ;

(3) The lining with fur of any of the abovementioned garments where carried out in association with or in conjunction with the making of such garments ;

(4) (*a*) All processes of embroidery or decorative needle-work where carried on in association with or in conjunction with the making, altering, repairing,

(a) S. R. & O. 1925, No. 13.

renovating, or remaking of any of the abovementioned tailored garments other than hand-embroidery or hand-drawn thread-work on garments made of linen or cotton or of mixed linen and cotton;

(*b*) The following processes if done by machine, namely—thread-drawing, thread-clipping, top-sewing, scalloping, nickelling and paring;

(5) Warehousing, packing and all other operations incidental to or appertaining to any of the abovementioned branches of tailoring.

But excluding—

(1) Those branches of women's or girls' Bespoke Tailoring and all operations or processes covered by the Trade Boards (Tailoring) Order, 1919 (a);

(2) The making of head-gear;

(3) The making of rubberised or oilskin garments;

(4) Warehousing, packing and other similar operations carried on in shops mainly engaged in the retail distribution of articles of any description that are not made on the premises.

SUPPLIES AND SERVICES (TRANSITIONAL POWERS)

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Control of Employment (Agriculture)

THE REVOCATION OF CONTROL OF EMPLOYMENT (AGRICULTURE) (NORTHERN IRELAND) ORDER, 1948, DATED 5TH MARCH, 1948, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE FOR NORTHERN IRELAND UNDER REGULATIONS 58A AND 98 OF THE DEFENCE (GENERAL) REGULATIONS, 1939, AS HAVING EFFECT BY VIRTUE OF THE SUPPLIES AND SERVICES (TRANSITIONAL POWERS) ACT, 1945 (b), AS EXTENDED BY THE SUPPLIES AND SERVICES (EXTENDED PURPOSES) ACT, 1947.

1948. No. 43

In exercise of the powers conferred upon it by Regulations 58A and 98 of the Defence (General) Regulations, 1939, as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945 (b), as extended by the Supplies and Services (Extended Purposes) Act, 1947, the Ministry of Labour and National Insurance for Northern Ireland hereby orders as follows:—

1. The following Orders are hereby revoked:

The Control of Employment (Agriculture) (Northern Ireland) Order, 1942 (c);

(a) S. R. & O. 1919, No. 1201.
(b) 9 and 10 Geo. 6, C. 10; and S.R.& O. 1945, Nos. 1620 and 1625.
(c) S.R.& O. (Northern Ireland), 1942, No. 32.