Sugar Confectionery and Food Preserving Wages Council (Northern Ireland)

THE SUGAR CONFECTIONERY AND FOOD PRESERVING WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION ORDER, 1949, DATED 13TH OCTOBER, 1949, 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).

Amended 1949 S.R.O.(N.I.) 216 1949. No. 183

WHEREAS the Ministry of Labour and National Insurance (hereinafter referred to as " the Ministry ") has received from the Sugar Confectionery and Food Preserving 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 Sugar Confectionery and Food Preserving Wages Council (Northern Ireland) Wages Regulation Order, 1948 (a) dated the 3rd day of August, 1948, (hereinafter referred to as " Order N.I.F. (29) ") ;

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 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 17th day of October, 1949. 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, interpretation and revocation.

3.—(1) This Order may be cited as the Sugar Confectionery and Food Preserving Wages Council (Northern Ireland) Wages Regulation Order, 1949.

52 & 53 Vict. Ch. 63.

(2) The Interpretation Act, 1889, applies to the interpretation of this Order as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

(3) As from the specified date Order N.I.F. (29) is hereby revoked.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this thirteenth day of October, nineteen hundred and forty-nine, in the presence of

(L.S.)

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

(a) S. R. & O. 1948, No. 271.

SCHEDULE

STATUTORY MINIMUM REMUNERATION

GENERAL MINIMUM TIME RATES

Male Workers	Per hour s.	d.
Paragraph 1.		
Workers of 21 years of age or over	2	1
,, 20 and under 21 years of age	1	7¾
,, 19 ,, 20 ,, ...	1	5½
,, 18 ,, 19 ,, ...	1	3
,, 17 ,, 18 ,, ...	1	0¾
,, 16 ,, 17 ,, ...	0	10
,, 15 ,, 16 ,, ...	0	8¾
,, under 15 years of age	0	7¼

Paragraph 2.

Notwithstanding anything in paragraph 1 of this Schedule—

The general minimum time rates for workers under 21 years of age shall be payable to such workers only if they are employed under conditions which, in the circumstances of the case, offer a reasonable prospect of advancement to the general minimum time rate of *2s. 1d.* per hour. Otherwise the general minimum time rate shall be *2s. 1d.* per hour, irrespective of age.

Female Workers	Per hour s.	d.
Paragraph 3.		
Workers of 18 years of age or over	1	4½
,, 17 and under 18 years of age	1	0¾
,, 16 ,, 17 ,, ...	0	10
,, 15 ,, 16 ,, ...	0	8¾
,, under 15 years of age	0	7¼

Paragraph 4.

Notwithstanding anything in paragraph 3 of this Schedule—

The general minimum time rates for workers under 18 years of age shall be payable to such workers only if they are employed under conditions which, in the circumstances of the case, offer a reasonable prospect of advancement to the general minimum time rate of *1s. 4½d.* per hour. Otherwise the general minimum time rate shall be *1s. 4½d.* per hour, irrespective of age.

PIECE WORK BASIS TIME RATES

	Per hour s.	d.
Paragraph 5.		
Male Workers	2	3
Paragraph 6.		
Female Workers	1	5½

OVERTIME

Paragraph 7.

(1) Overtime rates shall be payable to workers employed on time work as follows :—

(*a*) On any day other than Saturday, Sunday or a customary holiday—
For the first two hours worked in excess of
9 hours ... ... Time-and-a-quarter
Thereafter ... ... Time-and-a-half

(*b*) On a Saturday not being a customary holiday—
For the first two hours worked ... ... Time-and-a-quarter
Thereafter ... ... Time-and-a-half

(*c*) On a Sunday or a customary holiday—
For all time worked ... ... Double Time

(*d*) In any week—

For all time worked in excess of 45 hours, exclusive of any time for which overtime rates are payable under the foregoing provisions of this paragraph ... ... TIME-AND-A-QUARTER

(2) Overtime rates shall be payable to workers employed on piece work as follows :—

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 (1) 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 8.

Overtime rates shall be payable when on any day, not being a Saturday, Sunday or customary holiday, the number of hours worked exceeds 9, notwithstanding that the number of hours worked in the week does not exceed 45.

PARAGRAPH 9.

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 10.

For the purposes of paragraph 7, 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 or twice the amount of the general minimum time rate otherwise applicable.

GENERAL

APPLICATION OF STATUTORY MINIMUM REMUNERATION TO PIECE WORKERS

PARAGRAPH 11.

In the case of 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 12.

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 13.

(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.

CLASSES OF WORKERS FOR WHOM NO STATUTORY MINIMUM REMUNERATION HAS BEEN FIXED

PARAGRAPH 14.

The statutory minimum remuneration aforesaid shall not apply to clerks, salesmen, saleswomen, travellers, engineers, carpenters, vanmen, watchmen, outside messengers, cleaners of premises, time-keepers or to any other workers whose work stands in relationship to the trade similar to that of the foregoing excluded classes.

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

PARAGRAPH 15.

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 Sugar Confectionery and Food Preserving 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 (Sugar Confectionery and Food Preserving Trade, Northern Ireland) (Constitution, Proceedings and Meetings) Regulations, 1924 (a), dated 29th September, 1924, namely :—

> The making of sugar confectionery, cocoa, chocolate, jam, marmalade, preserved fruits, fruit and table jellies, meat extracts, meat essences, sauces and pickles ; the preparation of meat, poultry, game, fish, vegetables and fruit for sale in a preserved state in tins, pots, bottles and similar receptacles ; the processes of wrapping, filling, packing and labelling in respect of articles so made or prepared, EXCLUDING the covering and filling of biscuits, wafers and cakes with chocolate or sugar confectionery ; and EXCLUDING also certain processes or operations comprised in the Trade Boards (Sugar Confectionery and Food Preserving) Order, 1913, which are included also in the Appendix to the Trade Boards (Grocery and Provisions) Order, 1920.

THE SUGAR CONFECTIONERY AND FOOD PRESERVING WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION (AMENDMENT) ORDER, 1949, DATED 24TH NOVEMBER, 1949, 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).

1949. No. 216

WHEREAS the Ministry of Labour and National Insurance (hereinafter referred to as " the Ministry ") has received from the Sugar Confectionery and Food Preserving Wages Council (Northern Ireland)

(a) S. R. & O. 1924, No. 74.