(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 32.

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.

THE LINEN AND COTTON HANDKERCHIEF AND HOUSEHOLD GOODS AND LINEN PIECE GOODS WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION (HOLIDAYS) ORDER, 1951, DATED 5TH DECEMBER, 1951, 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).

1951. No. 215

WHEREAS the Ministry of Labour and National Insurance (hereinafter referred to as " the Ministry ") has received from the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods 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, and holiday remuneration fixed, for these workers by the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1947, (a) dated the 10th day of March, 1947, (hereinafter referred to as " Order N.I.H.H.G. (90) ") ;

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 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.

2. In this Order the expression " the specified date " means the 12th day of December, 1951. Provided that where, as respects any worker who is paid wages at intervals not exceeding seven days, Commencement.

(a) S. R. & O. 1947, No. 36.

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 Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1951.

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.H.H.G. (90) is hereby revoked.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this fifth day of December, nineteen hundred and fifty-one, in the presence of

(L.S.)

R. W. Steele,
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 worker (*other than an outworker*) 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 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 eight weeks immediately preceding the holiday and has worked for the employer during the whole or part of that period and is in his employment on the day of the holiday.

(2) The said customary holidays are :—

(*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 28 days 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.

(3) Notwithstanding the preceding provisions of this paragraph, an employer may (except where in the case of a woman or a 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, in accordance with paragraph 6 of this Schedule.

Part III.

ANNUAL HOLIDAYS

Paragraph 3.

In addition to the holidays specified in Part II of this Schedule, an employer shall, between 1st June and 30th September, 1952, and in each succeeding year between 1st June 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 12 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 12 months as follows :—

A. Workers under 18 years of age when they enter the employment of the employer and under 19 years of age at the commencement of their first annual holiday—

Period of employment	Duration of holiday
At least 24 weeks	6 days
„ 20 „	5 „
„ 16 „	4 „
„ 12 „	3 „
„ 8 „	2 „
„ 4 „	1 day

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 allowed under this Schedule ;

B. All other workers—

Period of employment	Duration of holiday
At least 48 weeks	6 days
„ 40 „	5 „
„ 32 „	4 „
„ 24 „	3 „
„ 16 „	2 „
„ 8 „	1 day

Provided that the number of days of annual holiday to which a worker shall be entitled in any holiday season shall not exceed the period of his normal working week.

Paragraph 4.

Annual holidays under this Schedule shall be allowed on consecutive days and days of holiday shall be treated as consecutive notwithstanding that a Sunday or a customary holiday or a holiday in lieu of a customary holiday intervenes.

Paragraph 5.

An employer shall give to a worker notice of the commencing date and duration of his annual holiday. Such notice shall be given at least 28 days before the first day of the holiday and 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) For each day of customary holiday (including a customary holiday falling on a Saturday) to which a worker is entitled under Part II of this Schedule he shall be paid by the employer holiday remuneration equal to the *sum which would be payable to him by his employer if that day were not a day of customary holiday and he had worked thereon the number of hours normally worked by him on that day of the week and been paid—*

(*a*) *in the case of a time worker, at the rate of wages (being at least the appropriate general minimum time rate) paid to him by the employer immediately prior to the customary holiday* ;

(*b*) *in the case of a piece worker, at a time rate equal to the piece work basis time rate applicable to him,*

provided that payment of the said holiday remuneration shall be subject to the condition that the worker presents himself for employment at the usual starting hour on the working day immediately preceding the customary holiday and on the first working day following the customary holiday or, if he fails to do so, failure is due to absence with the consent of his employer or to proved illness.

(2) Where a worker normally works in the week on every weekday except Saturday, he shall be paid a sum equivalent to the holiday remuneration in respect of any Saturday in respect of which he would have been entitled to a customary holiday under Part II of this Schedule if it had been a day on which he had normally worked.

(3) 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.

(4) 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.

B — ANNUAL HOLIDAYS

PARAGRAPH 7.

Subject to the provisions of paragraphs 8 and 9 hereof, a worker entitled to be allowed an annual holiday under this Schedule shall be paid by the employer in respect thereof on the last pay day preceding such annual holiday

an amount equal to one-fiftieth (2 per cent.) of the remuneration which the worker was entitled to receive from his employer for work done in the period of twelve months immediately preceding the commencement of the holiday season in which the holiday is to be allowed, not being remuneration taken into account in connection with any previous payment of holiday remuneration.

PARAGRAPH 8.

On a worker ceasing to be employed the employer shall, immediately on the termination of the employment, pay to the worker any holiday remuneration which has accrued to that worker up to the end of the employment, and, subject to the provisions of paragraph 9 hereof, such accrued holiday remuneration shall consist of an amount equal to one-fiftieth (2 per cent.) of the remuneration which the worker was entitled to receive from his employer for work done in the preceding twelve months, not being remuneration taken into account in connection with any previous payment of holiday remuneration.

PARAGRAPH 9.

For the purposes of paragraphs 3 and 8 hereof, holiday remuneration shall accrue during the period of twelve months commencing on 1st June, 1951, and thereafter in

each successive period of twelve months commencing on 1st June, and such accured holiday remuneration shall be an amount equal to one-fiftieth (2 per cent.) of the remuneration which the worker was entitled to receive from his employer for work done during the twelve months aforesaid.

Part V.

GENERAL

Paragraph 10.

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 three days and has performed some work to which statutory minimum remuneration applies

provided that absence from work on the remaining days of the week is by permission of the employer ; or

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

provided that the worker returns to employment with the same employer on the termination of his period of absence through proved illness or accident ; or

(iii) he has been suspended throughout the week owing to shortage of work but not exceeding four weeks in the aggregate in the period of twelve months immediately preceding the commencement of the holiday season

provided that the worker returns to employment with the same employer on the termination of his period of suspension ; or

(*b*) as if he were employed on any day of holiday allowed under the provisions of this Schedule.

Paragraph 11.

Where any day of 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 12.

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

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 Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland).

" week " in paragraphs 3 and 10 means " pay week."

Paragraph 13.

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.