(*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 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 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, or where under paragraph 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 minimum remuneration (other than holiday remuneration) fixed by a wages regulation order.

" week " 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.

General Waste Materials Reclamation Wages Council

THE GENERAL WASTE MATERIALS RECLAMATION WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION (HOLIDAYS) ORDER, 1952, DATED 20TH FEBRUARY, 1952, 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).

1952. No. 28

WHEREAS the Ministry of Labour and National Insurance (hereinafter referred to as " the Ministry ") has received from the General Waste Materials Reclamation 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 by the direction given, and holiday remuneration fixed, by the Council under the Holidays with Pay Act (Northern Ireland), 1938, and confirmed by the Order of the Ministry dated the 2nd day of August, 1939 (hereinafter referred to as " Order N.I.W.R. (12) "), as amended by the Second Schedule to the General Waste Materials Reclamation Wages Council

2 Geo. 6 Ch. 24.

(Northern Ireland) Wages Regulation Order, 1951 (a) dated the 8th day of October, 1951, (hereinafter referred to as " Order N.I.W.R. (39) ") ;

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 :—

Holidays and holiday remuneration.

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.

Commencement.

2. In this Order the expression " the specified date " means the 29th day of February, 1952. 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 General Waste Materials Reclamation Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1952.

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.W.R. (12) and the Second Schedule to Order N.I.W.R. (39) are hereby revoked.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this twentieth day of February, nineteen hundred and fifty-two 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.

This Schedule applies to every worker for whom statutory minimum remuneration has been fixed.

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 preceeding the customary 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 customary holiday.*

(a) S. R. & O. 1951, No. 192.

(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 mutually agreed between the employer and the worker or his representative ; 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 preceeding 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 customary 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 customary holidays specified in Part II of this Schedule, an employer shall, between the 1st day of May and the 30th day of September, 1952, and in each succeeding year between the 1st day of May and the 30th day of 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 annual holiday shall be related to the worker's period of employment during that twelve months as follows :—

Period of employment	Duration of annual 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 in the aggregate the number of days constituting the worker's normal working week.

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 annual holiday shall be treated as consecutive notwithstanding the intervention of a Sunday, a customary holiday or a holiday in lieu of a customary holiday.

Paragraph 5.

An employer shall give to a worker reasonable notice of the commencing date and duration of his annual holiday. Such notice may be given individually to a worker or by posting 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 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 customary 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 that payment of the said holiday remuneration shall be 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 working day immediately preceding the customary holiday and on the first working day following the customary holiday.

(*2*) *The 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 customary 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 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 if he ceases to be employed before being allowed such holiday in lieu of a customary holiday and in that case the conditions specified in sub-paragraph (1) of this paragraph shall not apply.*

B—ANNUAL HOLIDAYS

PARAGRAPH 7.

Subject to the provision 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, remuneration in accordance with the following table :—

TABLE OF HOLIDAY REMUNERATION

Col. 1	Col. 2 Holiday remuneration for workers with a normal working week of—				Col. 3
Period of holiday	6 days	5 days	4 days	3 days	Holiday remuneration for full normal working week
6 days	The amount in Col. 3	—	—	—	The amount which the worker would be entitled to receive from his employer at the date of the annual holiday 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.
5 days	Five-sixths of the amount in Col. 3	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	—	
3 days	One-half of the amount in Col. 3	Three-fifths of the amount in Col. 3	Three-quarters of the amount in Col. 3	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	
1 day	One-sixth of the amount in Col. 3	One-fifth of the amount in Col. 3	One-quarter of the amount in Col. 3	One-third of the amount in Col. 3	

PARAGRAPH 8.

If a worker ceases to be employed by an employer before being entitled to be allowed an annual holiday, 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 Schedule, holiday remuneration shall accrue to a worker during the period of twelve months commencing on the 1st day of May, 1951, and thereafter in each successive period of twelve months commencing on the 1st day of May, and such holiday remuneration shall accrue in accordance with the provisions of the following table :—

TABLE OF ACCRUED HOLIDAY REMUNERATION

Col. 1	Col. 2				Col. 3
Period of employment	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	
After 48 weeks employment, calculated in accordance with the provisions of paragraph 11 of this Schedule	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 the 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	Five-sixths of the amount in Col. 3	The amount in Col. 3	—	—	
After 32 weeks such employment	Two-thirds of the amount in Col. 3	Four-fifths of the amount in Col. 3	The amount in Col. 3	—	
After 24 weeks such employment	One-half of the amount in Col. 3	Three-fifths of the amount in Col. 3	Three-quarters of the amount in Col. 3	The amount in Col. 3	
After 16 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	
After 8 weeks such employment	One-sixth of the amount in Col. 3	One-fifth of the amount in Col. 3	One-quarter of the amount in Col. 3	One-third of the amount in Col. 3	

(2) 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 the worker 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 unless that remuneration has been deducted from a previous payment of 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 24 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 (provided that the number of weeks which may be treated as weeks of employment for such reason shall not exceed 6 in the aggregate in the period of 12 months immediately preceding the commencement of the holiday season) ; or

(*iii*) he has been suspended throughout the week owing to shortage of work (provided that the number of weeks which may be treated as weeks of employment for such reason shall not exceed 4 in the aggregate in the period of 12 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 for the employer for 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 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 to give effect to proposals submitted to it by the Council.
" week " 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.