(4) all processes of embroidery or decorative needlework where carried on in association with or in conjunction with the making, altering, repairing, renovating or re-making of such articles, other than hand embroidery or handdrawn thread-work on articles made of linen or cotton, or of mixed linen and cotton;

(5) the following processes if done by machine : thread-drawing, thread-clipping, top-sewing, scalloping, nickelling and paring ;

(6) laundering, smoothing, folding, ornamenting, boxing, packing, warehousing or other operations incidental to or appertaining to the making, altering, repairing, renovating or re-making of any of the above-mentioned articles ;

BUT EXCLUDING—

(*a*) the making of knitted articles, the making of underclothing, socks and stockings from knitted fabrics, and the making from knitted fabrics of articles mentioned in paragraphs (1) and (2) above, where carried on in association with or in conjunction with the manufacture of the knitted fabrics ;

(*b*) the making of gloves, spats, gaiters, boots, shoes and slippers ;

(*c*) the making of headgear, other than the articles mentioned in paragraph (2) above;

(*d*) the branches of trade covered by the Trade Boards (Corset) Order, 1919 (a) ;

(*e*) the making of rubberised or oilskin garments ;

(*f*) the making of women's collars and cuffs and of nurses' stiff washing belts where carried on in association with or in conjunction with the making of men's or boys' shirts or collars ;

(*g*) 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 ;

AND EXCLUDING ALSO—

Any processes or operations included in the Appendix to the Trade Boards (Shirtmaking) Order, 1920 (b).

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

PARAGRAPH 25.

Notwithstanding anything contained in this Schedule, the statutory minimum remuneration aforesaid SHALL NOT APPLY to workers employed as clerks, saleswomen, travellers, charwomen, time-keepers and outside messengers.

General Waste Materials Reclamation

THE GENERAL WASTE MATERIALS RECLAMATION WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION (HOLIDAYS) ORDER, 1953, DATED 18TH MARCH, 1953, 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).

1953. No. 68

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 and holiday remuneration fixed for these workers by the General Waste Materials Reclamation Wages Council (Northern Ireland) Wages

(a) S. R. & O. 1919, No. 570. (b) S. R. & O. 1920, No. 711.

Regulation (Holidays) Order, 1952 (a) dated the 20th day of February, 1952 (hereinafter in this Order referred to as " Order N.I.W.R. (43) ") ;

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 28th day of March, 1953. 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, 1953.

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. (43) is hereby revoked.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this eighteenth day of March, nineteen hundred and fifty-three in the presence of

(L.S.)

A. E. Goodbody,
Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

SCHEDULE

HOLIDAYS AND HOLIDAY REMUNERATION

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 in this Schedule referred to as a " customary holiday ") in each year on the days specified in the following sub-paragraph provided

(a) S. R. & O. 1952, No. 28.

that the worker has been in his employment for a period of not less than four weeks immediately preceding 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.

(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*) in the case of each of the said days (other than a day mutually agreed between the employer and the worker or his representative as aforesaid) a day substituted by the employer therefor, 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 customary holiday on which he so works, the worker shall be entitled to be allowed a day's holiday (hereinafter in this Schedule 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.

(1) 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, *1953*, and in each succeeding year, between the 1st day of May and the 30th day of September (hereinafter in this Schedule referred to as " the holiday season "), allow a holiday (hereinafter in this Schedule 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 one of the periods of employment (calculated in accordance with the provisions of paragraph 10 of this Schedule) set out in the table below, and the duration of the annual holiday shall in the case of each such worker be related to his period of employment during that twelve months as follows :—

Where the worker's normal working week is one of 6 days		*Where the worker's normal working week is one of 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*
,, *44* ,,	*11* ,,	,, *43* ,,	*9* ,,
,, *40* ,,	*10* ,,	,, *38* ,,	*8* ,,
,, *36* ,,	*9* ,,	,, *33* ,,	*7* ,,
,, *32* ,,	*8* ,,	,, *28* ,,	*6* ,,
,, *28* ,,	*7* ,,	,, *24* ,,	*5* ,,
,, *24* ,,	*6* ,,	,, *19* ,,	*4* ,,
,, *20* ,,	*5* ,,	,, *14* ,,	*3* ,,
,, *16* ,,	*4* ,,	,, *9* ,,	*2* ,,
,, *12* ,,	*3* ,,	,, *4* ,,	*1 day*
,, *8* ,,	*2* ,,		
,, *4* ,,	*1 day*		

(2) Notwithstanding the provisions of the last foregoing sub-paragraph the number of days of annual holiday to which a worker shall be entitled in any holiday season shall not exceed in the aggregate *twice* the number of days constituting the worker's normal working week.

PARAGRAPH 4.

(1) Subject to the provisions of this paragraph, an annual holiday shall be allowed on consecutive working days, being days on which the worker is normally called upon to work for the employer, and days of annual holiday shall be treated as consecutive notwithstanding that a day of holiday allowed to a worker under Part II of this Schedule or a day upon which he does not normally work for the employer intervenes.

Provided that, where the number of days of annual holiday for which a worker has qualified exceeds the number of days constituting his normal working week, the holiday may be allowed in two periods of consecutive working days; so however that when a holiday is so allowed, one of the periods shall consist of a number of such days not less than the number of days constituting the worker's normal working week.

(2) 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 annual holiday allowed under this Schedule.

PARAGRAPH 5.

An employer shall give to a worker reasonable notice of the commencing date *or dates* and of the duration of the period *or periods* of his annual holiday. Such notice may be given individually to the 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 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 been not 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 week including the *first working day following 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 *the first working day following* 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 the proviso to sub-paragraph (1) of this paragraph shall not apply.

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, remuneration in accordance with the following table :—

TABLE OF HOLIDAY REMUNERATION.

Col. 1	*Col.* 2				Col. 3
Period of annual holiday	*Holiday remuneration for workers with a normal working week of—*				Holiday remuneration for full normal working week
	6 days	5 days	4 days	3 days	
12 *days*	*Twice the amount in Col.* 3	—	—	—	The amount which the worker would be entitled to receive from his employer at the date of the holiday *or the first period of the holiday as the case may require,* 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.
11 *days*	*One and five-sixths times the amount in Col.* 3	—	—	—	
10 *days*	*One and two-thirds times the amount in Col.* 3	*Twice the amount in Col.* 3	—	—	
9 *days*	*One and one-half times the amount in Col.* 3	*One and four-fifths times the amount in Col.* 3	—	—	
8 *days*	*One and one-third times the amount in Col.* 3	*One and three-fifths times the amount in Col.* 3	*Twice the amount in Col.* 3	—	
7 *days*	*One and one-sixth times the amount in Col.* 3	*One and two-fifths times the amount in Col.* 3	*One and three-quarters times the amount in Col.* 3	—	
6 days	The amount in Col. 3	*One and one-fifth times the amount in Col.* 3	*One and one-half times the amount in Col.* 3	*Twice the amount in Col.* 3	
5 days	Five-sixths of the amount in Col. 3	The amount in Col. 3	*One and one-quarter times the amount in Col.* 3	*One and two-thirds times 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 times 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	

(2) In the application of the provisions of the foregoing table to the case of a piece worker the appropriate statutory minimum remuneration for time work is the appropriate minimum rate that would have been applicable to him if he had been employed as a time worker.

(3) *Where under the provisions of paragraph 4 of this Schedule an annual holiday is allowed in two periods, the holiday remuneraition shall be apportioned accordingly.*

PARAGRAPH 8.

Where any accrued holiday remuneration has been paid by the employer to the worker in accordance with paragraph 9 of this Schedule or in accordance with the provisions of Order N.I.W.R. (43) in respect of employment during any of the periods referred to in that paragraph, or that Order respectively, the amount of holiday remuneration payable by the employer in respect of any annual holiday for which the worker has qualified by reason of employment during the said period 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 made under the provisions of this Schedule or Order N.I.W.R. (43).

ACCRUED HOLIDAY REMUNERATION PAYABLE ON TERMINATION OF EMPLOYMENT

PARAGRAPH 9.

Where a worker ceases to be employed by an employer before being allowed or entitled to be allowed an annual holiday, the employer shall, immediately on the

termination of the employment (hereinafter in this Schedule referred to as " the termination date "), pay to the worker as accrued holiday remuneration :—

(1) in respect of any period of employment occurring in the twelve months up to the 30th day of April immediately preceding the termination date, an amount equal to the holiday remuneration to which the worker would have been entitled under the provisions of paragraph 7 of this Schedule if he had been allowed an annual holiday in respect of that period of employment at the termination date, less any holiday remuneration already paid for any day or days of annual holiday allowed after the 30th day of April aforesaid in respect of that period of employment and,

(2) in respect of any period of employment since the 30th day of April immediately preceding the termination date, an amount equal to the holiday remuneration to which the worker would have been entitled under the provisions of paragraph 7 of this Schedule if by virtue of such period of employment he could have been allowed an annual holiday at the termination date, less any accrued holiday remuneration already paid by the employer to the worker in respect of that period of employment.

Part V

GENERAL

Paragraph 10.

For the purpose of calculating any period of employment qualifying a worker for an annual holiday or for 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 twenty-four hours and has performed some work to which statutory minimum remuneration applies ; or

(ii) he has been absent throughout the week by reason of the proved illness of or accident to the worker, *or for a like reason has worked for the employer for less than twenty-four hours* provided that the number of weeks which may be treated as weeks of employment for such reason shall not exceed six 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 provided that the number of weeks which may be treated as weeks of employment for such reason shall not exceed four in the aggregate in the period of twelve months last mentioned ;

(*b*) as if he were employed on any day of holiday allowed under the provisions of this Schedule or of Order N.I.W.R. (43) 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 for the employer on that day of the week on work for which statutory minimum remuneration is payable.

Paragraph 11.

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 statutory minimum remuneration (other than holiday remuneration) fixed by a wages regulation order made by the Ministry to give effect to proposals submitted to it by the Wages Council.

" week " means " pay week."