FEMALE WORKERS

Paragraph 2.	During the first six months of employment in the trade Per hour s. d.	After the first six months of employment in the trade Per hour s. d.
Workers of:—		
20 years of age and over	2 0	2 0½
19 and under 20 years of age	1 10½	1 11
18 „ 19 „	1 7¾	1 8¼
17 „ 18 „	1 5½	1 6
16 „ 17 „	1 3¾	1 4¼
15 „ 16 „	1 2	1 2½
under 15 years of age	1 1¼	1 1¾

PIECE WORK BASIS TIME RATE

Paragraph 3.	Per hour s. d.
FEMALE WORKERS	2 0½ "

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport).

This Order, which has effect on and from 28th May, 1957, amends the Laundry Wages Council (Northern Ireland) Wages Regulation Order, 1956 (Order N.I.L. (53)) by increasing the statutory minimum remuneration fixed by that Order. New provisions in the Schedule are printed in italics.

The Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) Wages Regulation (Amendment) Order, 1957

1957. No. 27 [NC]

This Order was revoked by S.R. & O. 1957, No. 256 and is not printed at length in this volume.

The Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1957

1957. No. 110 [NC]

Whereas the Ministry of Labour and National Insurance (hereinafter in this Order referred to as "the Ministry") has received from the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) the wages regulation proposals set out in the Schedule hereto;

Now, therefore, the Ministry by virtue of the powers conferred on it by Section 10 of the Wages Councils Act (Northern Ireland), 1945(a), and of all other powers enabling it in that behalf, hereby makes the following Order:—

1. The wages regulation proposals set out in the Schedule hereto shall have effect on and from the specified date and as from the date immediately preceding the specified date the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1953(b), shall cease to have effect.

2. In this Order the expression "the specified date" means the 1st day of June, 1957, 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.

3. 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, 1957.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this twenty-eighth day of May, nineteen hundred and fifty-seven, in the presence of

(L.S.) *R. W. Steele,*
Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

SCHEDULE

The following provisions as to holidays and holiday remuneration shall be substituted for the provisions as to holidays and holiday remuneration set out in the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1953 (Order N.I.H.H.G. (123)).

PART I

APPLICATION

Paragraph 1.

(1) This Schedule applies to every worker (other than an out-worker) for whom statutory minimum remuneration has been fixed.

(2) 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 will 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 preceding the customary holiday and

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(a) 1945, Ch. 21. (b) S.R. & O. (N.I.) 1953, No. 161.

has worked for the employer for the whole or part of that period and (unless excused by the employer or absent by reason of the proved illness of, or accident to, the worker) has worked for the employer on the last working day on which work was available to him within the period of six week-days immediately preceding the customary holiday.

(2) The said customary holidays are:—

Christmas Day (or, if Christmas Day falls on a Sunday, such other week-day 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, *after consultation with the worker or his representative*, and notified to the worker not less than twenty-eight days before the customary holiday.

(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 to work thereon and, in lieu of any holiday on which he so works, the worker is 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 must 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.

PART III

ANNUAL HOLIDAYS

Paragraph 3.

(1) In addition to the holidays specified in Part II, an employer will, between 1st June and 30th September, *1957*, and in each succeeding year between 1st June and 30th September (hereinafter 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—

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 annual holiday	Period of employment	Duration of annual holiday
At least 24 weeks	12 days	At least 24 weeks	10 days
„ 20 „	10 „	„ 19 „	8 „
„ 16 „	8 „	„ 14 „	6 „
„ 12 „	6 „	„ 10 „	4 „
„ 8 „	4 „	„ 5 „	2 „
„ 4 „	2 „		

Provided that this provision applies 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 or under the Schedule to the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1953.

(b) All other workers—

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 annual holiday	Period of employment	Duration of annual 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 sub-paragraph (1) the number of days of annual holiday to which a worker is 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.

Annual holidays must be allowed on consecutive working days, being days on which the worker is normally required to work, and days of holiday will be treated as consecutive notwithstanding that a Sunday or a customary holiday or a holiday in lieu of a customary holiday intervenes.

Provided that, where the duration of an annual holiday to which a worker is entitled exceeds the period constituting the worker's normal working week, the said annual holiday may, by agreement between the employer and the worker or his representative, be allowed in two separate periods of such consecutive working days if one of such periods is not less than the period constituting the worker's normal working week, or, failing such agreement, on application to and with the consent of the Council.

Any such application for the consent of the Council must be made between the 1st day of March immediately preceding the holiday season and the 31st day of May in the same year.

Paragraph 5.

An employer will give to a worker notice of the commencing date or dates and duration of the period or periods of his annual holiday. Such notice must be given at least 28 days before the first day of the annual holiday or, where under the provisions of paragraph 4 an annual holiday is allowed in more than one period, before the first day of each separate period, and 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 (including a customary holiday falling on a Saturday) to which a worker is entitled under Part II he

will 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 apropriate 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 is subject to the condition that the worker works for the employer on the first two working days on which work is available to him following the customary holiday for the number of hours normally worked by him on each of those days of the week or, if he fails to do so, failure is because of the proved illness of, or accident to, the worker or is with the consent of, or on the instruction of, the employer.

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

(3) Holiday remuneration in respect of any customary holiday will be paid by the employer to the worker on the pay day on which the wages for the pay week including the second working day following the customary holiday are paid.

(4) Holiday remuneration in respect of any holiday in lieu of a customary holiday will be paid on the pay day on which the wages for the pay week including the second working day following that holiday in lieu of a customary holiday are paid. Provided that the said payment will be made immediately upon the termination of the worker's employment in the case where he ceases to be employed before being allowed a holiday in lieu of a customary holiday to which he is entitled, and in that case the condition specified in sub-paragraph (1) of this paragraph will not apply.

B—Annual Holidays

Paragraph 7.

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

an amount equal to one twenty-fifth (4 per cent.) of the total 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 and including holiday remuneration which the worker was entitled to receive from his employer in respect of customary holidays during the same period, not being remuneration taken into account in connection with any previous payment of annual holiday remuneration.

(2) Where, under the provisions of paragraph 4, an annual holiday is allowed in two periods, the holiday remuneration will be apportioned accordingly.

Paragraph 8.

Where, in accordance with paragraph 9 or under the provisions of the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1953, any accrued holiday remuneration has been paid by the employer to the worker in respect of employment during any of the periods referred to in that paragraph or that Order, 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 periods will be reduced by the amount of the said accrued holiday remuneration unless that remuneration has been deducted from a previous payment of holiday remuneration.

ACCRUED HOLIDAY REMUNERATION PAYABLE ON TERMINATION OF EMPLOYMENT

Paragraph 9.

(1) If a worker ceases to be employed by an employer after the provisions of this Schedule become effective and before being allowed or entitled to be allowed an annual holiday, the employer will, immediately on the termination of the employment, pay to the worker accrued holiday remuneration in accordance with the provisions of the next following sub-paragraph.

Provided that where a worker ceases to be employed after being allowed a part of the annual holiday for which he has qualified, but before being allowed the rest of that annual holiday, the accrued holiday remuneration payable to him on termination of his employment will be reduced by the amount of holiday remuneration received by him in respect of the part of the annual holiday he has been allowed.

(2) Holiday remuneration will accrue to a worker during the period of twelve months commencing on 1st June, *1956*, and thereafter in each succeeding period of twelve months commencing on 1st June and such accrued holiday remuneration will be calculated as follows:

(*a*) In respect of any period of twelve months ended on 31st May immediately preceding the termination of his employment
an amount equal to one-twentyfifth (4 per cent.) of the total remuneration which the worker was entitled to receive from his employer for work done during that period and including holiday remuneration which the worker was entitled to receive from his employer in respect of customary holidays during the same period; and

(*b*) In respect of any period of employment between such 31st May and the date of termination of his employment
an amount equal to one-twentyfifth (4 per cent.) of the total remuneration which the worker was entitled to receive from his employer for work done during that period and including holiday remuneration which the worker was entitled to receive from his employer in respect of customary holidays during the same period.

(3) Any accrued holiday remuneration payable under the provisions of this paragraph shall be reduced by the amount of accrued holiday remuneration already paid by the employer to the worker in pursuance of this Order or of the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1953 in respect of the same period of employment or part thereof

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, 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 of or accident to the worker 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 the employment of the 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 the employment of the 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 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 will be treated as part of the holiday allowed under this Schedule.

Paragraph 12.

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 will count as a day;

(ii) no account will 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" 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.

EXPLANATORY NOTE

(*This Note is not part of the Order, but is intended to indicate its general purport.*)

This Order, which has effect on and from 1st June, 1957, sets out the holidays which an employer is required to allow to workers and the remuneration payable for those holidays in substitution for the holidays and holiday remuneration fixed by the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1953 (Order N.I.H.H.G. (123)), as amended by the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) Wages Regulation (Holidays) (Amendment) Order, 1955 (Order N.I.H.H.G. (139)), which Orders are revoked.

New provisions in the Schedule are printed in italics.