Readymade and Wholesale Bespoke Tailoring Wages Council (Northern Ireland) Wages Regulation Order, 1958

1958. No. 67 [NC]

Whereas the Ministry of Labour and National Insurance (hereinafter in this Order referred to as "the Ministry") has received from the Readymade and Wholesale Bespoke Tailoring 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 Readymade and Wholesale Bespoke Tailoring Wages Council (Northern Ireland) Wages Regulation Order, 1954(b), shall cease to have effect.

2. In this Order the expression "the specified date" means the 14th day of April, 1958, 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 Readymade and Wholesale Bespoke Tailoring Wages Council (Northern Ireland) Wages Regulation Order, 1958.

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

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

(a) 1945, Ch. 21. (b) S.R. & O. (N.I.) 1954, No. 111.

SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Readymade and Wholesale Bespoke Tailoring Wages Council (Northern Ireland) Wages Regulation Order, 1954 (Order N.I.T.R.W. (42)).

STATUTORY MINIMUM REMUNERATION

GENERAL MINIMUM TIME RATES AND PIECE WORK BASIS TIME RATES FOR MALE WORKERS

Column 1	Column 2	Col. 3	Col. 4
Class of Worker	Qualifying period of employment and age of Worker	General Minimum Time Rates	Piece Work Basis Time Rates
		Per hour s. d.	Per hour s. d.
Paragraph 1. MALE WORKERS of the following classes:—			
(*a*) MEASURE CUTTER— that is to say, a person who is employed in any process of measure cutting and is capable of taking a complete set of measures and of cutting any garment for a male person from model patterns and has sufficient technical knowledge to draft men's trousers and alter the balance and distribution of widths, lengths, etc., for any garment for a male person (excluding alterations to stock patterns).	Not less than THREE years' employment after the age of 19 years as a measure cutter (as defined in paragraph 1(*a*)).	3 9½	3 11¼
(*b*) STOCK CUTTER— that is to say, a person employed in (i) marking-in or marking-up cloth or linings or other materials; (ii) laying-up, hooking-up, or folding cloth or linings or other materials; (iii) cutting cloth or linings or other materials; and (iv) dividing (the process ordinarily carried on by cutters or their assistants of dividing, parting or separating the parts of garments after being cut, and of assembling them into suitable bundles for making up).	Not less than THREE years' employment after the age of 19 years on the processes specified in paragraph 1(*b*).	3 7¼	3 9¼
(*c*) KNIFE CUTTER or KNIFEMAN— that is to say, a person wholly or mainly employed on band, electric or hand knife processes	Not less than THREE years' employment after the age of 19 years as a knife cutter or knifeman.	3 7¼	3 9¼

Column 1	Column 2	Col. 3	Col. 4
Class of Worker	Qualifying period of employment and age of Worker	General Minimum Time Rates	Piece Work Basis Time Rates
		Per hour s. d.	Per hour s. d.
(*d*) FITTER-UP— that is to say, a person employed on fitting-up (that is, a process between that of cutting and that of sewing, basting, or machining, which consists of preparing or fitting accurately the various parts of the garment before being basted, sewn or machined, such work of preparing or fitting being always done by shears or knives or other cutting appliances, sewing, basting, or machining forming no part or process of fitting up).	Not less than THREE years' employment after the age of 19 years as a fitter-up or tailor.	3 7¼	3 9¼
(*e*) TAILOR— that is to say, a person employed in sewing by hand in the process of making a garment or part of a garment.	Not less than THREE years' employment after the age of 19 years as a tailor.	3 7¼	3 9¼
(*f*) PRESSER— that is to say, a person employed in pressing-off by hand or by machine.	Not less than THREE years' employment after the age of 19 years as a presser or under-presser.	3 7¼	3 9¼
(*g*) MACHINIST— that is to say, a person employed as a machinist otherwise than as a plain machinist.	Not less than THREE years' employment after the age of 19 years as a machinist or plain machinist.	3 7¼	3 9¼
(*h*) PASSER— that is to say, a person employed in examining garments either in the process of being made-up or upon their completion.	Not less than THREE years' employment after the age of 19 years as a passer or tailor.	3 7¼	3 9¼
Paragraph 2. MALE WORKERS of the following classes:—			
(*a*) UNDER-PRESSER— that is to say, a person employed in pressing processes other than pressing-off.	Not less than THREE years' employment after the age of 19 years as an under-presser or presser.	3 4	3 5¾
(*b*) PLAIN MACHINIST— that is to say, a person employed in the process of making-up plain sleeves, facings, linings, inside pockets, quilting or padding.	Not less than THREE years' employment after the age of 19 years as a plain machinist or machinist.	3 4	3 5¾

Column 1	Column 2	Col. 3	Col. 4
Class of Worker	Qualifying period of employment and age of Worker	General Minimum Time Rates	Piece Work Basis Time Rates
		Per hour	Per hour
		s. d.	s. d.
(*c*) WAREHOUSEMAN— that is to say, a person employed wholly or mainly upon one or more of the following operations, viz.:— assembling, keeping, storing and distributing stock, but excluding such operations included in the definition of packer or porter.	(i) 24 years of age or over and not less than TWO years' experience as a warehouseman after the age of 22 years.	3 5¾	3 7½
	(ii) 23 years of age or over and not less than ONE year's experience as a warehouseman after the age of 22 years.	3 3¾	3 6¼
	(iii) 22 years of age or over with LESS than one year's experience as a warehouseman.	3 2½	3 5
(*d*) PACKER— that is to say, a person employed wholly or mainly upon the operations of packing goods or materials, but excluding such operations included in the definition of porter or warehouseman.	(i) 24 years of age or over and not less than TWO years' experience as a packer after the age of 22 years.	3 4¾	3 7
	(ii) 23 years of age or over and not less than ONE year's experience as a packer after the age of 22 years.	3 3¼	3 5½
	(iii) 22 years of age or over with LESS than one year's experience as a packer.	3 2½	3 5
(*e*) PORTER— that is to say, a person employed wholly or mainly upon one or more of the following operations, viz.:— unpacking, moving, loading or unloading of goods or materials or in cleaning or sweeping premises, but excluding such operations included in the definition of packer or warehouseman.	22 years of age or over	3 2½	3 5
Paragraph 3. MALE WORKERS other than those for whom minimum rates are specified in paragraphs 1 and 2.	(i) Workers of 22 years of age or over.	3 2½	
	(ii) Workers aged—		
	21 and under 22 years	3 2	
	20 ,, ,, 21 ,,	2 9¾	
	19 ,, ,, 20 ,,	2 6	
	18 ,, ,, 19 ,,	2 2¼	3 5
	17 ,, ,, 18 ,,	1 10¾	
	16 ,, ,, 17 ,,	1 7½	
	15 ,, ,, 16 ,,	1 4¼	
	Under 15 years	1 1¾	

LATE ENTRANTS

Paragraph 4

Notwithstanding the provisions of paragraph 3, a male worker under 22 years of age who commences employment in the trade at or over the age of 19 years may be employed for a period of twelve months as follows:—

(*a*) for the first six months of employment, at a general minimum time rate of *2s. 4¾d.* per hour.

(*b*) for the second six months of employment, at a general minimum time rate of *2s. 6½d.* per hour.

On the expiration of twelve months' employment in the trade such worker is entitled to the minimum rate appropriate to a worker of his age.

GENERAL MINIMUM TIME RATES FOR FEMALE WORKERS

Paragraph 5.

FEMALE WORKERS other than LEARNERS (as defined in paragraph 7).

	Per hour s.	d.
(*a*) FEMALE WORKERS (including OUT-WORKERS) other than workers of the class specified in sub-paragraph (*b*) ... The expression "Out-Worker" means a worker who works in her own home or in any other place not under the control or management of the employer.	*2*	*4¼*
(*b*) CONVEYOR BELT MACHINISTS, that is to say, female workers employed in machining any work conveyed to or from the worker on a mechanical conveyor belt	*2*	*5¾*

Paragraph 6.

FEMALE LEARNERS (as defined in, and whose employment complies with, the conditions specified in paragraphs 7 to 11).

Period of employment	LEARNERS COMMENCING AT under 15 years of age (Column 1)		15 and under 18 years of age (Column 2)		18 and under 21 years of age (Column 3)		21 years of age and over (Column 4)		
	Per hour								
	s.	d.	s.	d.	s.	d.		s.	d.
During 1st six months of employment	*1*	*0½*	*1*	*0¾*	*1*	*4½*	1st three months	*1*	*4½*
„ 2nd „ „ „	*1*	*1¾*	*1*	*2¼*	*1*	*7½*	2nd „	*1*	*7½*
„ 3rd „ „ „	*1*	*3¼*	*1*	*4¼*	*1*	*10½*	3rd „	*1*	*10½*
„ 4th „ „ „	*1*	*4¾*	*1*	*6½*	*2*	*1½*	4th „	*2*	*1½*
„ 5th „ „ „	*1*	*6¾*	*1*	*9½*	—				
„ 6th „ „ „	*1*	*9*	*2*	*1½*	—				
„ 7th „ „ „	*1*	*11¼*	—		—				
„ 8th „ „ „	*2*	*1½*	—		—				

DEFINITION AND CONDITIONS OF EMPLOYMENT OF LEARNERS

Paragraph 7.

A female learner is a worker who—

(*a*) is employed during the whole or a substantial part of her time in learning any branch or process of the trade by an employer who provides the learner with reasonable facilities for such learning; and

(b) has received a certificate, or has been registered in accordance with rules from time to time laid down by the Wages Council, or has made application for such certificate or registration which has been duly acknowledged and is still under consideration. Provided that the certification or registration of a learner becomes invalid if at any time during learnership the provisions relating thereto are not complied with.

Provided that an employer may employ a female learner on her first employment in the trade without a certificate or registration for a probation period not exceeding four weeks, but in the event of such learner being continued thereafter at her employment, the probation period will be included in her period of learnership.

Paragraph 8.

A learner ceases to be a learner and becomes entitled to the full general minimum time rate of her class on the fulfilment of the appropriate conditions set out below:—

Age at entering employment	Conditions
Under 15 years of age ...	The completion of four years' employment.
15 and under 18 years of age	The completion of three years' employment.
18 and under 21 years of age	The completion of two years' employment.
21 years of age or over ...	The completion of one year's employment.

Paragraph 9.

Any worker who has been previously employed in any branch of the trade as defined in paragraph 19 and has not been registered nor held a certificate, and who is subsequently engaged as a learner, will count the whole period of such previous employment for the purpose of claiming the time rate at which she is to be paid.

Paragraph 10.

No learner who has left the trade and subsequently re-enters the trade as a learner will, after re-entry, serve a longer period as a learner than would be permissible in the case of a person of the same age entering the trade for the first time.

Paragraph 11.

Notwithstanding compliance with the conditions contained in paragraphs 7 to 10 a person will not be deemed to be a learner if she works in a room used for dwelling purposes and is not in the employment of her parent or guardian.

PIECE WORK BASIS TIME RATE FOR FEMALE WORKERS

Paragraph 12.

	Per hour
FEMALE WORKERS including OUT-WORKERS (as defined in paragraph 5 (*a*))	*2s. 5¾d.*

OVERTIME

Paragraph 13.

Overtime rates are payable as follows:—

A.—WORKERS EMPLOYED ON TIME WORK:

(i) For the first two hours worked in excess of 44 in any week—TIME-AND-A-QUARTER.

(ii) For the next two hours—TIME-AND-A-HALF.

(iii) Thereafter—DOUBLE TIME.

(iv) For all hours worked on a Sunday or customary holiday—DOUBLE TIME.

B.—WORKERS EMPLOYED ON PIECE WORK:

Male and female workers employed on piece work are 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 A, 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 14.

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 15.

For the purpose of paragraph 13A 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 and twice the amount of the general minimum time rate otherwise applicable.

GENERAL

APPLICATION OF STATUTORY MINIMUM REMUNERATION TO PIECE WORKERS

Paragraph 16.

In the case of male or female 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 will be had only to the earnings of ordinary workers, that is, 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, for example, juvenile and infirm workers.

EMPLOYMENT OF JUVENILE WORKERS ON PIECE WORK

Paragraph 17.

An employer will, 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 will, 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.

Paragraph 18. WAITING TIME

(1) A worker is entitled to payment of statutory minimum remuneration 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 is, during any time during which he is present as aforesaid and is not doing piece work, entitled to payment of the general minimum time rate applicable to 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.

APPLICABILITY OF STATUTORY MIMIMUM REMUNERATION

Paragraph 19.

The statutory minimum remuneration applies, subject to the provisions of the Wages Councils Act (Northern Ireland), 1945, to workers in relation to whom the Readymade and Wholesale Bespoke Tailoring 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 (Readymade and Wholesale Bespoke Tailoring Trade, Northern Ireland) (Constitution, Proceedings and Meetings) Regulations, 1925, dated 9th April, 1925(a), namely:—

Men's and boys' readymade and wholesale bespoke tailoring; and all men's and boys' retail bespoke tailoring carried on in any factory where garments are made up for three or more retail establishments; and any other branch of men's and boys' tailoring which is not included within the scope of the Regulations dated 16th September, 1924, with respect to the Constitution and Proceedings of a Trade Board in Northern Ireland for Retail Bespoke Tailoring:—

INCLUDING:—

(1) (*a*) The altering, repairing, renovating or re-making of men's or boys' tailored garments, except where included within the scope of the above-mentioned Regulations with respect to Retail Bespoke Tailoring.

(a) S.R. & O. (N.I.) 1925. No. 98.

(*b*) The cleaning of such garments where carried out in association with or in conjunction with the altering, repairing, renovating or re-making of the garments.

(2) The lining with fur of the above-mentioned garments where carried out in association with or in conjunction with the making of such garments.

(3) All processes of embroidery or decorative needlework where carried out in association with or in conjunction with the above-mentioned branches of tailoring.

(4) All warehousing, packing and other operations incidental to or appertaining to any of the branches of tailoring in question.

BUT EXCLUDING—

(1) The making of head-gear.

(2) The making of rubberised or oil-skin garments.

(3) The making of boys' readymade washing suits or sailor suits where carried out in association with or in conjunction with the making of garments to be worn by women or girls, or by children without distinction of sex.

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 14th April, 1958, sets out the statutory minimum remuneration payable in substitution for that fixed by the Readymade and Wholesale Bespoke Tailoring Wages Council (Northern Ireland) Wages Regulation Order, 1954, (Order N.I.T.R.W. (42)), as amended by the Readymade and Wholesale Bespoke Tailoring Wages Council (Northern Ireland) Wages Regulation (Amendment) Order, 1956 (Order N.I.T.R.W. (46)), which Orders are revoked.

New provisions in the Schedule are printed in italics.