(7) DRESSMAKING AND WOMEN'S LIGHT CLOTHING

(i) *England and Wales.* | (ii) *Scotland*, p. 4482.

(i) ENGLAND AND WALES

The Dressmaking and Women's Light Clothing Wages Council (England and Wales) Wages Regulation Order, 1948

1948 No. 1999

Made - - - - 1st *September*, 1948
Coming into Operation 17*th September*, 1948

W.D.(51)

Whereas the Minister of Labour and National Service (hereinafter referred to as " the Minister ") has received from the Dressmaking and Women's Light Clothing Wages Council (England and Wales) (hereinafter referred to as " the Wages Council ") the wages regulation proposals set out in the Schedule hereto, being proposals for fixing the remuneration to be paid by their employers to workers in relation to whom the Wages Council operates in substitution for the remuneration fixed for those workers by the Dressmaking and Women's Light Clothing Wages Council (England and Wales) Wages Regulation (No. 2) Order, 1946(**a**) (hereinafter referred to as " Order W.D.(46) ") as amended by the Dressmaking and Women's Light Clothing Wages Council (England and Wales) Wages Regulation Order, 1947(**b**) (hereinafter referred to as " Order W.D.(49) ");

Now, therefore, the Minister by virtue of the powers conferred on him by section 10 of the Wages Councils Act, 1945, and of all other powers in that behalf hereby makes the following Order:— 8 & 9 Geo. 6. c. 17.

1.—(1) This Order may be cited as the Dressmaking and Women's Light Clothing Wages Council (England and Wales) Wages Regulation Order, 1948. Short title and interpretation.

(2) In this Order the expression " the specified date " means the 17th day of September, 1948, 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) The Interpretation Act, 1889, applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament. 52 & 53 Vict. c. 63.

2.—(1) Effect is hereby given to the said wages regulation proposals set out in the Schedule hereto. Fixing of statutory minimum remuneration and revocation of Orders W.D. (46) and W.D. (49).

(2) The provisions of the Schedule hereto shall have effect as from the specified date and as from that date Order W.D.(46)(**a**) as amended by Order W.D.(49)(**b**) shall cease to have effect.

Signed by order of the Minister of Labour and National Service this 1st day of September, 1948.

H. H. Wiles,
Deputy Secretary of the
Ministry of Labour and National Service.

(**a**) S.R. & O. 1946 (No. 1782) I, p. 1876.
(**b**) S.R. & O. 1947 (No. 1839) I, p. 2390.

SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by Order W.D. (46) as amended by Order W.D. (49).

STATUTORY MINIMUM REMUNERATION

PART I

GENERAL

Paragraph 1

The minimum remuneration payable to a worker to whom this Schedule applies for all work except work to which a minimum overtime rate applies under Part V is:—

(*a*) in the case of a time worker the general minimum time rate payable to the worker under Part II or Part III of this Schedule.

(*b*) in the case of a worker employed on piece work, 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 piece work basis time rate applicable to the worker under Part II or Part III of this Schedule or, where no piece work basis time rate is applicable, at least the same amount of money as the general minimum time rate which would be payable under Part II or Part III of this Schedule if the worker were a time worker.

PART II

RETAIL BESPOKE BRANCH

FEMALE WORKERS

GENERAL MINIMUM TIME RATES

Paragraph 2

Subject to the provisions of this Schedule the general minimum time rates payable to female workers employed in the retail bespoke branch, in Areas A, B and C. respectively, are as follows:—

	Area A per hour s. d.	Area B per hour s. d.	Area C per hour s. d.
(*a*) BODICE, COAT, SKIRT, GOWN OR BLOUSE HANDS, aged 20 years or over, who—			
(i) having worked for *3 years* in the said branch in one or more of the occupations of learner, apprentice or improver and for at least 2 years in the said branch thereafter,			
(ii) take bodices, coats, skirts, gowns or blouses direct from the fitter in an establishment in which a fitter is employed and make them up without supervision other than the general supervision of the fitter or the workroom foreman or forewoman	1 3½	1 5½	1 6½

RECKONING EMPLOYMENT IN RETAIL BESPOKE BRANCH

Paragraph 8

Where a worker has been employed in the retail bespoke branch one half of the period of such employment shall be treated for the purposes of this Part of this Schedule as employment in the wholesale manufacturing branch.

PIECE WORK BASIS TIME RATE

Paragraph 9

	per hour s.	d.
The piece work basis time rate applicable to a female worker of any age employed in the wholesale manufacturing branch on piece work is	1	6½

MALE WORKERS

GENERAL MINIMUM TIME RATES

Paragraph 10

Subject to the provisions of this Schedule the general minimum time rates payable to male workers in the wholesale manufacturing branch are as follows:—

	per hour s.	d.
(*a*) CUTTERS aged *21 years* or over who have had at least *4 years'* experience as cutters in the wholesale manufacturing branch	2	4
(*b*) All other workers:—		
Workers aged *21 years* or over	1	11½
,, ,, 20 and under 21 years	1	7½
,, ,, 19 ,, ,, 20 ,, ...	1	5
,, ,, 18 ,, ,, 19 ,, ...	1	3
,, ,, 17 ,, ,, 18 ,, ...	1	1
,, ,, 16 ,, ,, 17 ,, ...		10½
,, ,, *under 16 years*		8½
Provided that the general minimum time rate payable during his first year's employment in the trade to a worker who enters, or has entered, the trade for the first time at the age of 19 years or over shall be—		
During the 1st six months of such employment	1	2½
,, ,, 2nd ,, ,, ,, ,, ,, ...	1	2½

PIECE WORK BASIS TIME RATES

Paragraph 11

The piece work basis time rates applicable to male workers employed in the wholesale manufacturing branch on piece work are as follows:—

	per hour s.	d.
(*a*) CUTTERS aged *21 years* or over who have had at least *4 years'* experience as cutters in the wholesale manufacturing branch	2	6
(*b*) All other workers	2	1½

PART IV

EXPERIENCE UNDER THE GOVERNMENT VOCATIONAL TRAINING SCHEME

Paragraph 12

Where any worker has completed *a full course of training as a machinist or as a hand sewer* under the Government Vocational Training Scheme for resettlement training such period of training shall, for the purpose of reckoning the period of the worker's employment in the trade, be treated as though it were

(*a*) in the case of a female worker, a period of *three years'* employment as a learner in the branch of the trade in which she is employed, or

(*b*) in the case of a male worker, a period of at least one year's employment in the trade.

WORKERS WHOSE TRAINING HAS BEEN INTERRUPTED BY WAR SERVICE

Paragraph 13

(1) Where a worker whose employment has been interrupted by war service has completed his period of training under the Scheme entitled I.A.S./Scheme No. 43 for the training of apprentices whose apprenticeship has been interrupted by war service (which Scheme was adopted by the Wages Council for the trade and approved by the Minister on the 24th day of December, 1946) he shall be treated, for the purpose of this Schedule—

(*a*) if a male worker, as a worker aged *21 years* or over who has worked at least *4 years* as a cutter in the branch of the trade in which he is employed or,

(*b*) if a female worker, as a worker who has worked for *3 years* as a learner in the branch of the trade in which she is employed.

(2) A male worker who, immediately before entering on war service, was undergoing with an employer a course of not less than *4 years'* training as a cutter and had completed after the age of 17 years at least *3 years* of such period shall, upon re-employment in the same occupation, be treated for the purpose of this Schedule as a cutter aged *21 years* or over who has had at least *4 years'* employment as a cutter in the branch of the trade in which he is employed.

(3) A female worker who, immediately before entering on war service, was undergoing with an employer a course of not less than *3 years'* training—

(i) in any branch of the trade as a cutter, or hand sewer in all processes of sewing by hand, including felling,

(ii) in the retail bespoke branch, as a coat, skirt, gown or blouse hand, (whether hand or machine), or

(iii) in the wholesale manufacturing branch, in the machining of a garment throughout as a flat machinist or conveyor belt machinist (other than a special machinist)

and had completed at least *2 years'* employment as a learner in the trade shall, on re-employment in the same occupation, be treated for the purpose of this Schedule as a worker who has worked for *3 years* as a learner in the branch in which she is employed.

Paragraph 14

For the purpose of this Schedule, " war service " means any period of whole-time service in—

(*a*) His Majesty's Armed Forces (including training under the Military Training Act, 1939(a));

(*b*) The Merchant Navy or Mercantile Marine;

(a) 2 & 3 Geo. 6. c. 25.

(i) a time rate equal respectively to one quarter and one half and the whole of the piece work basis time rate otherwise applicable to the worker, and, in addition thereto,

(ii) the piece rates otherwise payable to the worker under paragraph 1 (*b*) of this Schedule.

(*c*) in the case of a female worker employed on piece work in the retail bespoke branch—

(i) a time rate equal respectively to one quarter, one half and the whole of the general minimum time rate which would be payable to the worker under Part II of this Schedule if she were a time worker and a minimum overtime rate did not apply, and, in addition thereto,

(ii) the piece rates otherwise payable to the worker under paragraph 1 (*b*) of this Schedule.

WAITING TIME

Paragraph 18

(1) A worker is entitled to payment of the minimum remuneration specified in this Schedule for all time during which he is present on the premises of his employer unless he is present thereon in any of the following circumstances:—

(*a*) without the employer's consent, express or implied;

(*b*) for some purpose unconnected with his work and other than that of waiting for work to be given to him to perform;

(*c*) by reason only of the fact that he is resident thereon;

(*d*) during normal meal times in a room or place in which no work is being done, and he is not waiting for work to be given to him to perform.

(2) The minimum remuneration payable under sub-paragraph (1) of this paragraph to a piece worker when not engaged on piece work is that which would be payable if he were a time worker.

PART VI

INTERPRETATION

Paragraph 19

In this Schedule:—

(*a*) " The trade " means the trade of dressmaking and the making of women's light clothing, that is to say, those branches of the women's clothing trade which are specified in paragraph 21 of this Schedule.

(*b*) The retail bespoke branch means that branch of the trade in which the employer supplies the garment direct to the individual wearer and employs the worker direct.

(*c*) The wholesale manufacturing branch means any branch of the trade other than the retail bespoke branch.

(*d*) A cutter means a person who is substantially employed in one or more of the following processes:—

(i) marking-in or marking-out or marking-up materials;

(ii) laying-up or hooking-up or folding materials;

(iii) cutting materials;

(iv) dividing, that is to say, the process ordinarily carried on by cutters or their assistants of dividing, parting or separating parts of garments which are being cut and of assembling them into suitable bundles for making up.

(*e*) A learner means a female worker who:—

(i) is employed by an employer who provides her with reasonable facilities for learning, practically and efficiently, one of the branches of the trade or the various processes involved in the making of any of the articles specified in the definition of the trade set out in paragraph 21, and

(ii) has received a certificate of registration from the Wages Council, and held subject to compliance with the foregoing provisions of this sub-paragraph or has made an application to the Wages Council for such certificate, which has been duly acknowledged and is still under consideration.

Provided that:—

(i) the certification of a learner may be cancelled by the Wages Council if the provisions of (i) of this sub-paragraph are not complied with;

(ii) an employer may employ a learner on her first employment without a certificate for a probationary period not exceeding four weeks, but in the event of such learner being continued thereafter at her employment, the probationary period shall be treated for the purposes of this Schedule as part of her period of learnership; and

(iii) the provisions of (ii) of this sub-paragraph shall not apply before the date declared by His Majesty in Council under section four of the Trade Boards and Road Haulage Wages (Emergency Provisions) Act, 1940(a), to be the date on which the emergency that was the occasion of the passing of that Act came to an end.

PART VII

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

Paragraph 20

This Schedule shall not apply to—

(*a*) machinists

(*b*) hand sewers

during *any period in respect of which they are in receipt of allowances* as provided under the Government Vocational Training Scheme for resettlement training if they are trainees who have been placed by the Ministry of Labour and National Service with the employer for a period of approved training and if the requirements of the said Scheme are duly complied with.

Paragraph 21

Subject to the provisions of paragraph 20 of this Schedule and to the provisions of the Wages Councils Act, 1945, this Schedule applies to workers in relation to whom the Dressmaking and Women's Light Clothing Wages Council (England and Wales) operates that is to say, workers employed in England and Wales in those branches of the Women's Clothing Trade which are specified in Regulation 1 of the Trade Boards (Dressmaking and Women's Light Clothing Trade, England and Wales) (Constitution and Proceedings) Regulations, 1928(b), excluding any processes or operations included in the Appendix to the Trade Boards (Shirtmaking) Order, 1920(c).

The said branches of the women's clothing trade are specified in the said Regulation as follows:—

Those branches of the women's clothing trade that are engaged in the making of non-tailored garments, namely, the making from textile or knitted fabrics of (*a*) non-tailored wearing apparel (other than handkerchiefs) worn by women or girls, or by children without distinction of sex, or (*b*) boys' ready-made 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;

(a) 3 & 4 Geo. 6. c. 7. (b) S.R. & O. 1928 (No. 628) p. 1265.
(c) S.R. & O. 1920 (No. 711) II, p. 790.

INCLUDING:—

(1) All operations and processes of cutting, making or finishing by hand or machine of dresses, non-tailored skirts, wraps, blouses, blouse-robes, jumpers, sports-coats, neckwear, tea-gowns, dressing gowns, dressing jackets, pyjamas, under-clothing, underskirts, aprons, overalls, nurses' and servants' caps, juvenile clothing, baby-linen, or similar non-tailored articles;

(2) The making of field bonnets, sun-bonnets, boudoir caps or infants' millinery, where carried on in association with or in conjunction with the making of any of the articles mentioned in paragraph (1) above;

(3) (*a*) The altering, repairing, renovating or re-making of any of the above-mentioned articles;

(*b*) The cleaning of any of the above-mentioned articles, where carried on in association with or in conjunction with the altering, repairing, renovating or re-making of such garments;

(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 hand-drawn 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 pairing;

(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 under-clothing, 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.

EXPLANATORY NOTE

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

1. The Schedule to this Order sets out the statutory minimum remuneration payable as from the 17th September, 1948, to workers in relation to whom the Dressmaking and Women's Light Clothing Wages Council (England and Wales) operates.

2. The provisions of Order W.D.(46) as amended by Order W.D.(49) cease to have effect when the provisions of this Order come into force.

3. The provisions of the Schedule to this Order which differ substantially from those in the Schedule to Order W.D.(46) (as amended) are set out in italics.

(a) S.R. & O. 1919 (No. 570) II, p. 509.