1980 No. 26

WAGES COUNCILS

Baking Wages Regulation Order (Northern Ireland) 1980

Made	*17th January 1980*
Coming into operation . . .	*29th January 1980*

The Department of Manpower Services, in exercise of the powers conferred on it by Section 10 of the Wages Councils Act (Northern Ireland) 1945(**a**), and now vested in it(**b**), hereby makes the following Order to give effect to wages regulation proposals received from the Baking Wages Council (Northern Ireland)

Citation

1. This Order may be cited as the Baking Wages Regulation Order (Northern Ireland) 1980.

Commencement

2. The wages regulation proposals set out in the Schedule shall come into operation on the specified date and on the day immediately preceding that date the Baking Wages Regulation Order (Northern Ireland) 1978(**c**) shall cease to have effect.

Interpretation

3. In this Order the expression "the specified date" means 29th January 1980, 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.

Sealed with the Official Seal of the Department of Manpower Services on 17th January 1980.

(L.S.) *R. O. Surgenor*
Assistant Secretary

(**a**) 1945 c. 21 (N.I.)
(**b**) 1946 c. 11 (N.I.); S.R. & O. (N.I.) 1964 No. 205 (p. 937) and S.R. & O. (N.I.) 1973 No. 504 Art. 6(1) and Sch. 3 (II, p. 2992)
(**c**) S.R. 1978 No. 89 (I, p. 233)

[N.I.Bk. (363)]

SCHEDULE

Statutory Minimum Remuneration

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Baking Wages Regulation Order (Northern Ireland) 1978 (Order N.I.Bk. (360)).

Paragraph 1.

Subject to the provisions of this Schedule the statutory minimum remuneration payable to workers of the classes specified in the following table is:—

Class of Worker	For time worked in the normal working week (as defined in paragraph 22)						
	Between 6 a.m. and 6 p.m. (Basic rate)		By workers (other than night workers) between 6 p.m. and 8 p.m.	By workers (other than night workers) between 8 p.m. and 10 p.m.	By workers (other than night workers) between 10 p.m. and 6 a.m.	By night workers (as defined in paragraph 20)	Holiday Bonus Rate
	per week	per hour	per hour	per hour	per hour	per hour	per day
Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6	Col. 7	Col. 8
	£	p	p	p	p	p	p
(A) PRODUCTION WORKERS							
(a) Baker ...	*58.00*	*145.00*	*169.16*	*174.00*	*193.33*	*193.33*	*174.00*
(b) Dough maker ...	*60.90*	*152.25*	*177.62*	*182.70*	*203.00*	*203.00*	*182.50*
(c) Oven Operative ...	*60.90*	*152.25*	*177.62*	*182.70*	*203.00*	*203.00*	*182.50*
(d) Confectionery Mixer ...	*60.90*	*152.25*	*177.62*	*182.70*	*203.00*	*203.00*	*182.50*
(e) Apprentice Baker —							
during 1st year of apprenticeship ...	*33.18*	*82.95*	*96.78*	*99.54*	*110.60*	*110.60*	*99.50*
" 2nd " " ...	*41.53*	*103.83*	*121.13*	*124.59*	*138.43*	*138.43*	*124.50*
" 3rd " " ...	*47.56*	*118.90*	*138.72*	*142.68*	*158.53*	*158.53*	*142.50*
" 4th " " ...	*51.62*	*129.05*	*150.56*	*154.86*	*172.07*	*172.07*	*155.00*
(f) Bakehouse Labourer ...	*53.80*	*134.50*	*156.92*	*161.40*	*179.33*	*179.33*	*161.50*
(g) Packer ...	*53.80*	*134.50*	*156.92*	*161.40*	*179.33*	*179.33*	*161.50*

(h) All other Workers (excluding workers of the classes specified in paragraph 27) aged —							
16 and under 17 years ...	29.86	74.65	87.09	89.58	99.53	99.53	89.50
17 " 18 " ...	34.78	86.95	101.44	104.34	115.93	115.93	104.50
18 years and over ...	53.80	134.50	156.92	161.40	179.33	179.33	161.50
(B) TRANSPORT WORKERS							
(a) Drivers (as defined in paragraph 14) of —							
(i) vehicles (other than articulated vehicles) with an overall length in excess of 25 feet	57.00	142.50	166.25	171.00	190.00	190.00	171.00
(ii) articulated vehicles with an overall length in excess of 30 feet ...	57.00	142.50	166.25	171.00	190.00	190.00	171.00
(iii) vehicles drawing trailers ...	57.00	142.50	166.25	171.00	190.00	190.00	171.00
(iv) vehicles (other than those specified in (i), (ii) and (iii)) with a carrying capacity of —							
(a) over 2 tons ...	55.60	139.00	162.17	166.80	185.33	185.33	167.00
(b) 2 tons and under ...	54.00	135.00	157.50	162.00	180.00	180.00	162.00
(b) Helpers (as defined in paragraph 15) ...	53.80	134.50	156.92	161.40	179.33	179.33	161.50
(c) Lorry Workers (as defined in paragraph 16) aged —							
16 and under 17 years ...	29.86	74.65	87.09	–	99.53	99.53	89.50
17 " 18 " ...	34.78	86.95	101.44	–	115.93	115.93	104.50
18 years and over ...	53.80	134.50	156.92	–	179.33	179.33	161.50
(d) Workers, *18* years of age and over, wholly or mainly employed as —							
Van Washers and Greasers ...	53.80	134.50	156.92	161.40	179.33	179.33	161.50

ADDITIONAL PAYMENTS FOR CERTAIN WORKERS

Paragraph 2.

The statutory minimum remuneration applicable to workers set out in paragraphs 1 and 2 shall be increased by the appropriate amount specified hereafter, which amount shall not be taken into account for the purpose of the calculation of statutory minimum remuneration payable in respect of overtime—

(a) where the worker's spell of duty commences at or after 2 a.m. and before 3 a.m.—by *£1·00* per week of 40 hours;

(b) where the worker's spell of duty commences between 3 a.m. and 4.30 a.m. both times inclusive—by *£2·20* per week of 40 hours.

GUARANTEED MINIMUM REMUNERATION

Paragraph 3.

Where in any week a worker has worked for an employer on work to which statutory minimum remuneration applies for not less than 40 hours and the total remuneration payable to that worker for that week for time worked (inclusive of any bonus payments but exclusive of overtime) is less than:

(i) *£62·40* in the case of a dough maker, oven operative or confectionery mixer;

(ii) *£59·50* in the case of a baker;

(iii) *£55·50* in the case of any other worker (including a transport worker) who is *18* years of age or over;

then, notwithstanding anything contained in this Schedule, the minimum remuneration payable to that worker shall be £62·*40*, or *£59·50*, or *£55·50* per week as the case may be.

STATUTORY MINIMUM REMUNERATION FOR CERTAIN TIME WORKED ON A DAY PRECEDING A CUSTOMARY HOLIDAY

Paragraph 4.

Where a worker is required by his employer to work for more than two hours in excess of his normal working day on a day immediately preceding a customary holiday he shall be paid, in respect of all time so worked in excess of those two hours, twice the appropriate rate set out in Col. 3 of the table in paragraph 1.

OVERTIME

Paragraph 5.

Overtime rates are payable as follows:—

(1) On a day other than the worker's rest day, a Sunday, or a customary holiday—for each hour worked in excess of the worker's normal working day—

One-and-a-half times the appropriate minimum rate set out in Col. 3 or in the case of night workers as defined in paragraph 20; one-and-a-half times the appropriate minimum rate set out in Column 7 of the table in paragraph 1.

Provided that, where it is, or may become, the established practice of an employer to require the worker to work on only four-and-a-half days in the week the said overtime rate of time-and-a-half shall be payable on each of four days after 9 hours' work and on the short day after 4 hours' work.

(2) On a rest day, not being a customary holiday—

(i) where the time worked does not exceed 4 hours—one-and-a-half times the appropriate minimum rate set out in Col. 3 of the table in paragraph 1 for 4 hours,

(ii) where the time worked exceeds 4 hours—one-and-a-half times the appropriate minimum rate set out in Col. 3 of the table in paragraph 1 for all time worked.

(3) On a Sunday—

twice the appropriate minimum rate set out in Col. 3 of the table in paragraph 1 for all time worked.

(4) On a customary holiday—

twice the appropriate minimum rate set out in Col. 3 of the table in paragraph 1 for all time worked subject to any alternative provisions contained in a wages regulation order made by the Department of Manpower Services pursuant to Proposals by the Baking Wages Council (Northern Ireland) relating to holidays and holiday remuneration.

OVERTIME IN RESPECT OF TIME WORKED ON CERTAIN WEEKDAYS FOLLOWING A NAMED DAY OF CUSTOMARY HOLIDAY

Paragraph 6.

Where the day immediately following a named day of customary holiday (as defined in paragraph 24) falls on a Monday or Tuesday (or, in the case of a Tuesday to Saturday worker, on a Tuesday or a Wednesday) and the worker is required by the employer to work on that day he shall be paid, in respect of all time so worked, twice the appropriate minimum rate set out in Col. 3 of the table in paragraph 1.

Provided that—

in the case of a night worker (as defined in paragraph 20) whose spell of duty commences on either the said Monday or Tuesday, or the said Tuesday or Wednesday, as the case may be, he shall be paid, in respect of each hour of his normal working day, the appropriate rate set out in Col. 6 of the table in paragraph 1 and, in addition, the appropriate rate set out in Col. 3 of that table for each hour of his normal working day, and, in respect of each hour worked in excess of his normal working day, he shall be paid twice the appropriate rate set out in Col. 3 of the said table.

DEFINITIONS

Paragraph 7.

A BAKER is—

A. A worker who is engaged on the production of bread and/or cake and flour confectionery, including any part of the baking process incidental to the production of the complete article of food, and the feeding and drawing of ovens, and who has served an apprenticeship of four years in the baking trade, or

B. A worker who has served a period of learnership of not less than three years in the trade of baking and is employed on all or any of the following processes in the making of bread, pastry or flour confectionery:—

(a) the mixing of flour, eggs, sugar or other ingredients into dough or batter;

(b) the manipulating, moulding, or shaping of dough by hand;

(c) the ovening of bread, pastry, or flour confectionery;

(d) decorating, icing, or piping; or

(e) any other similar operations incidential to or appertaining to the manufacture of the above-mentioned articles.

Paragraph 8.

A DOUGH MAKER is a baker who is engaged wholly or mainly in doughmaking in the making of bread or fancy bread.

Paragraph 9.

An OVEN OPERATIVE is a baker who is in charge of one or more ovens and who is responsible for the opening of goods.

Paragraph 10.

A CONFECTIONERY MIXER is a baker who is engaged wholly or mainly in the mixing of dough or batter for flour confectionery.

Paragraph 11.

An APPRENTICE BAKER is a worker who—

(a) is employed under an oral or written agreement by an employer who undertakes to provide the apprentice with reasonable and effective facilities for learning the trade of baking and,

(b) (i) if employed in the County Borough of the City of Belfast or in districts situated within a radius of fifteen statute miles therefrom, is employed in an establishment in which the number of apprentice bakers is limited in proportion to the number of bakers regularly employed as follows—