1978 No. 79

WAGES COUNCILS

Sugar Confectionery and Food Preserving Wages Regulation Order (Northern Ireland) 1978

Made . . . . . *3rd March* 1978

Coming into operation . . . *14th March* 1978

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 Sugar Confectionery and Food Preserving Wages Council (Northern Ireland).

Citation

1. This Order may be cited as the Sugar Confectionery and Food Preserving Wages Regulation Order (Northern Ireland) 1978.

Commencement

2. The wages regulation proposals set out in the Schedule shall come into operation on the specified date.

Interpretation

3. In this Order the expression "the specified date" means 14th March 1978, 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 3rd March 1978.

(L.S.)

D. J. Perham
Senior 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)

FIRST SCHEDULE

Statutory Minimum Remuneration

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Sugar Confectionery and Food Preserving Wages Regulation Order (Northern Ireland) 1975(c) (Order N.I.F. (94)) as amended by the Sugar Confectionery and Food Preserving Wages Regulation (Amendment)) Order (Northern Ireland) 1976(d) (Order N.I.F. (97)).

GENERAL MINIMUM TIME RATES

Paragraph 1.	Per hour
	p
Workers aged—	
18 years and over	*88·75*
17 and under 18 years	*71·00*
under *17* years	*66·56*

Paragraph 2.

Notwithstanding anything contained in Paragraph 1 the general minimum time rates for workers under 18 years of age are payable to such workers only if they are employed under conditions which, in the circumstances of the case, offer a reasonable prospect of advancement to the general minimum time rate of *88·75p* per hour. Otherwise the general minimum time rate will be *88·75p* per hour irrespective of age.

PIECE WORK BASIS TIME RATES

Paragraph 3.	Per hour
	p
ALL WORKERS	*90·00*

SHIFT WORKERS

Paragraph 4.

Notwithstanding the provisions of paragraphs 1 to 3 workers employed on a shift system are entitled, in addition to the statutory minimum remuneration otherwise applicable—

(a) in the case of a worker employed on a 2-shift system (alternating shift), to *40·00p* per week of 40 hours.

(b) in the case of a worker employed on a 3-shift system (rotary shift)—

(i) when engaged on a night-shift, to *66p* per week of 40 hours;

(ii) when engaged on a morning or an afternoon shift, to *44p* per week of 40 hours.

"Shift system" means a system of working which involves successive turns of duty for different groups of workers in the establishment in which they are employed.

"Night shift" means a turn of duty commencing after 8 p.m. on any day.

NORMAL WORKING DAY

Paragraph 5.

Normal Working Day means—

(a) a day not exceeding 8 hours' work on each of 5 days in the week, or

(b) a day not exceeding $8\frac{3}{4}$ hours' work on each of 4 days in the week and not exceeding 5 hours' work on the other day, or

(c) a day not exceeding 9 hours' work on each of 4 days in the week and not exceeding 4 hours' work on the other day.

(c) S.R. 1975 No. 247 (II, p. 1173) (d) S.R. 1976 No. 275

UNSOCIAL HOURS

Paragraph 6.

For hours worked between 8.00 p.m. and 6.00 a.m. there shall be paid (in addition to overtime, if applicable) an allowance not exceeding 20 per cent. of the above rates. (Note: Any shift premium payable shall be offset against this allowance).

OVERTIME

Paragraph 7.

All time worked in excess of the normal working day shall be regarded as overtime to which overtime rates shall apply.

OVERTIME RATES

Paragraph 8.

(1) Overtime rates are payable to workers employed on time work as follows:—

(a) (i) for the first two hours of overtime in any week (exclusive of Saturday, Sunday or a customary holiday)—TIME-AND-A-QUARTER;

(ii) after the said first two hours of overtime—TIME-AND-A-HALF;

(b) On a Saturday not being a customary holiday—
for all time worked—TIME-AND-A-HALF;

(c) On a Sunday or a customary holiday—
for all time worked—DOUBLE TIME.

(2) Overtime rates are payable to workers employed on piece work as follows:—

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 (1), 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 9.

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, *May Day,* and three 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 10.

For the purposes of paragraph 8, 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 or twice the amount of the general minimum time rate otherwise applicable.