1969. No. 82 **[NC]**

WAGES COUNCILS

Wages Regulation (Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods)

ORDER, DATED 3RD APRIL 1969, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER THE WAGES COUNCILS ACT (NORTHERN IRELAND) 1945.

The Ministry of Health and Social Services, in exercise of the powers conferred on it by Section 10 of the Wages Councils Act (Northern Ireland) 1945(a), hereby makes the following Order to give effect to wages regulation proposals received from the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland):—

Citation

1. This Order may be cited as the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Regulation (Holidays) Order (Northern Ireland) 1969.

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 Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) Wages Regulation (Holidays) Order 1957(b) and the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) Wages Regulation (Holidays) (Amendment) Order 1958(c) shall cease to have effect.

Interpretation

3. In this Order the expression "the specified date" means the 22nd day of April 1969, 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 Ministry of Health and Social Services for Northern Ireland this 3rd day of April 1969.

(L.S.)

W. Slinger,
Assistant Secretary.

(a) 1945. c. 21.
(b) S.R. & O. (N.I.) 1957, No. 110.
(c) S.R. & O. (N.I.) 1958, No. 75.

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 1957 (Order N.I.H.H.G. (147)) as amended by the Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods Wages Council (Northern Ireland) Wages Regulation (Holidays) (Amendment) Order 1958 (Order N.I.H.H.G. (153)):—

Holidays and Holiday Remuneration

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 shall 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 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 of the week on which the worker normally works) in the course of a calendar year to be allowed at a time agreed between the employer and his workers (or a majority thereof) or their representative and notified to the workers not less than two calendar months before the date proposed for the customary holiday. In default of such agreement the customary holiday shall be allowed at a time fixed by the Wages Council on application in writing thereto by any of the parties concerned such application to be made not less than one calendar month before the date proposed for 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 shall be 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 shall 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 shall, between 1st June and 30th September *1969*, 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 5 days or less

Period of employment	Duration of annual holiday
At least *24* weeks	*11* days
„ *20* „	*9* „
„ *16* „	*7* „
„ *12* „	*5* „
„ *8* „	*3* „
„ *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 1957, as amended.

(b) All other workers—

Where the worker's normal working week is one of 5 days or less

Period of employment	Duration of annual holiday
At least *48* weeks	*11* days
„ *43* „	*10* „
„ *38* „	*9* „
„ *33* „	*8* „
„ *28* „	*7* „
„ *24* „	*6* „
„ *20* „	*5* „
„ *16* „	*4* „
„ *12* „	*3* „
„ *8* „	*2* „
„ *4* „	*1* day

(2) Notwithstanding the provisions of sub-paragraph (1) the number of days of annual holiday to which a worker shall be entitled in any holiday season shall not exceed in the aggregate twice the number of days constituting the worker's normal working week *plus one day*.