1968. No. 58 **[NC]**

WAGES COUNCILS

Wages Regulation (Sugar Confectionery and Food Preserving)

ORDER, DATED 15TH MARCH 1968, 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 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 (Holidays) Order (Northern Ireland) 1968.

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 Sugar Confectionery and Food Preserving Wages Council (Northern Ireland) Wages Regulation (Holidays) Order 1949(b) shall cease to have effect.

Interpretation

3. In this Order the expression "the specified date" means the 2nd day of April 1968, 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 15th day of March 1968.

(L.S.) *W. Slinger,*
Assistant Secretary.

(a) 1945. c. 21. (b) S.R. & O. (N.I.) 1949, No. 217.

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 Sugar Confectionery and Food Preserving Wages Council (Northern Ireland) Wages Regulation (Holidays) Order 1949 (hereinafter referred to as "Order N.I.F. (35)"):—

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 eight weeks immediately preceding the customary holiday and has worked for the employer during the whole or part of that period and is in his employment on the day of the customary holiday.

(2) The said customary holidays are:—

(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.

(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 under the foregoing provisions of this Schedule 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 7 of this Schedule.

PART III

ANNUAL HOLIDAYS

Paragraph 3.

(1) In addition to the holidays specified in Part II of this Schedule, an employer shall, between 1st May and 31st October *1968*, and in each succeeding year between 1st May and 31st October (in this Schedule 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:—

Period of employment	*Duration of annual holiday*
At least 48 weeks	*10 days*
„ *43* „	*9* „
„ *38* „	*8* „
„ *33* „	*7* „
„ *28* „	*6* „
„ *24* „	*5* „
„ *19* „	*4* „
„ *14* „	*3* „
„ *9* „	*2* „
„ *4* „	*1 day*

(2) Notwithstanding the provisions of sub-paragraph (1)—

(a) *Subject to the provisions of paragraph 5* the number of days of annual holiday to which a worker is entitled in any holiday season shall not exceed in the aggregate twice the period constituting the worker's normal working week.

Paragraph 4.

Annual holidays shall be allowed on consecutive working days, being days on which the worker is normally required to work, and days of holiday shall be treated as consecutive notwithstanding that a customary holiday or a holiday in lieu of a customary holiday intervenes.

Provided that, where the duration of an annual holiday to which a worker is entitled exceeds the period constituting the worker's normal working week, the said holiday may be allowed in two separate periods of such consecutive working days if one of such periods is not less than the period constituting the worker's normal working week.

ADDITIONAL ANNUAL HOLIDAYS

Paragraph 5.

A worker who, at 31st December 1967 and at 31st December in each succeeding year, has completed 5 years' continuous employment with the same employer shall be entitled to 5 days' of additional annual holidays during the calendar year next following that date. Such days of additional annual holidays shall be allowed by the employer to the worker on days on which the worker is normally required to work and at a time or times to be determined by the employer.

Provided that the number of days of additional annual holidays shall not exceed in the aggregate in any calendar year the period constituting the worker's normal working week.

Paragraph 6.

An employer shall give to a worker reasonable notice of the commencing date and duration of his holiday *and of his additional annual holidays.* Such notice may be given individually to a worker or by the posting of a notice in the place where the worker is employed.