**1960. No. 37** **[NC]**

## WAGES COUNCILS

### Wages Regulation (Boot and Shoe Repairing)

ORDER, DATED 15TH MARCH, 1960, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER SECTION 10 OF THE WAGES COUNCILS ACT (NORTHERN IRELAND), 1945(a), TO GIVE EFFECT TO WAGES REGULATION PROPOSALS RECEIVED FROM THE BOOT AND SHOE REPAIRING WAGES COUNCIL (NORTHERN IRELAND).

*Citation*

**1.** This Order may be cited as the Boot and Shoe Repairing Wages Regulation (Holidays) Order (Northern Ireland), 1960.

*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 Boot and Shoe Repairing Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1951(b), shall cease to have effect.

*Interpretation*

**3.** In this Order the expression "the specified date" means the 1st day of April, 1960, 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 Labour and National Insurance for Northern Ireland this fifteenth day of March, nineteen hundred and sixty.

(L.S.)

*R. W. Steele,*
Assistant Secretary.

(a) 1945. c. 21.

(b) S.R. & O. (N.I.) 1951, No. 17.

## 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 Boot and Shoe Repairing Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1951 (hereinafter referred to as "Order N.I.B.S. (62)").

**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 in his employment 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 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 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 and 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 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 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 (hereafter 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.

In addition to the customary holidays specified in Part II, an employer shall, between 1st April and 30th November, *1960*, and in each succeeding year between 1st April and 30th November (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 of employment specified below, and the duration of the annual holiday shall be related to his period of employment during that 12 months as follows:—

| *Period of employment* | *Duration of annual holiday where the worker's normal working week is:—* | | | |
|---|---|---|---|---|
| | *Six days* | *Five days* | *Four days* | *Three days or less* |
| *At least 48 weeks* | *12 days* | *10 days* | *8 days* | *6 days* |
| *„ 44 „* | *11 „* | *9 „* | *7 „* | *5 „* |
| *„ 40 „* | *10 „* | *8 „* | *6 „* | *5 „* |
| *„ 36 „* | *9 „* | *7 „* | *6 „* | *4 „* |
| *„ 32 „* | *8 „* | *6 „* | *5 „* | *4 „* |
| *„ 28 „* | *7 „* | *5 „* | *4 „* | *3 „* |
| *„ 24 „* | *6 „* | *5 „* | *4 „* | *3 „* |
| *„ 20 „* | *5 „* | *4 „* | *3 „* | *2 „* |
| *„ 16 „* | *4 „* | *3 „* | *2 „* | *2 „* |
| *„ 12 „* | *3 „* | *2 „* | *2 „* | *1 day* |
| *„ 8 „* | *2 „* | *2 „* | *1 day* | *1 „* |
| *„ 4 „* | *1 day* | *1 day* | *1 „* | — |

Provided that the number of days of annual holiday which an employer is required to allow to a worker in any holiday season shall not exceed in the aggregate twice the number of days constituting the worker's normal working week.

Paragraph 4.

Annual holidays shall be allowed on consecutive working days and days of holiday shall be treated as consecutive notwithstanding that a Sunday or some other holiday intervenes:

*Provided that where the number of days of annual holiday which an employer is required to allow to a worker is more than the number of days constituting the worker's normal working week, the said annual holiday may be allowed in two or three separate periods of such consecutive working days, provided that one of the periods is of not less duration than the number of days constituting the worker's normal working week and that the remaining days of annual holiday are allowed on whole days upon which the worker is normally employed by the employer.*

Paragraph 5.

An employer shall give to a worker notice of the commencing date and duration of his annual holiday. Such notice shall be given at least 28 days before the first day of the annual holiday *or, where, under the provisions of paragraph 4, an annual holiday is allowed in more than one period, before each separate period* and may be given individually to a worker or by the posting of a notice in the place where the worker is employed.

## PART IV

## HOLIDAY REMUNERATION

### A—CUSTOMARY HOLIDAYS

Paragraph 6.

(1) For each day of customary holiday to which a worker is entitled under Part II he shall be paid by the employer holiday remuneration equal to the