The Baking Wages Council (Northern Ireland) Wages Regulation (Amendment) (No. 3) Order, 1955

1955. No. 131 [NC]

This Order has been revoked by S.R.O. 1955 No. 195 and is not printed at length in this Volume.

The Baking Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1955.

1955. No. 133 [NC]

Whereas the Ministry of Labour and National Insurance (hereinafter in this Order referred to as "the Ministry") has received from the Baking Wages Council (Northern Ireland) the wages regulation proposals set out in the Schedule hereto;

Now, therefore, the Ministry by virtue of the powers conferred on it by Section 10 of the Wages Councils Act (Northern Ireland), 1945(a), and of all other powers enabling it in that behalf, hereby makes the following Order:—

1. The wages regulation proposals set out in the Schedule hereto shall have effect on and from the specified date and as from the date immediately preceding the specified date the Baking Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1950(b), shall cease to have effect.

2. In this Order the expression "the specified date" means the 29th day of July, 1955, 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.

3. This Order may be cited as the Baking Wages Council (Northern Ireland) Wages Regulations (Holidays) Order, 1955.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this fourteenth day of July, nineteen hundred and fifty-five in the presence of

(L.S.)

R. W. Steele,
Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

(a) 1945, Ch. 21. (b) S.R. & O. (N.I.) 1950, No. 233.

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 Baking Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1950 (Order N.I.Bk. (131)).

PART I

APPLICATION

PARAGRAPH 1.

This Schedule applies to every worker for whom statutory minimum remuneration has been fixed.

PART II

CUSTOMARY HOLIDAYS

PARAGRAPH 2.

(1) An employer shall allow to every worker to whom this Schedule applies a holiday (hereafter 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 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) in the case of a worker employed in the County Borough of the City of Belfast and in districts situate within a radius of 15 statute miles therefrom—

Christmas Day, Easter Monday, 12th July, and one other day (being a day of the week on which the worker normally works) immediately preceding or immediately following each of the aforesaid days, being a day which is, by custom in the establishment, recognised as a day of holiday in addition to each of the said days;

(b) in the case of a worker employed in the County Borough of the City of Londonderry—

Christmas Day, Easter Monday, August Bank Holiday, and one other day (being a day of the week on which the worker normally works) immediately preceding or immediately following each of the aforesaid days, being a day which is, by custom in the establishment, recognised as a day of holiday in addition to each of the said days;

(c) in the case of a worker employed in all areas other than those specified in sub-paragraphs (2) (a) and (2) (b)—

Christmas Day, Easter Monday, August Bank Holiday, and one other day (being a day of the week on which the worker normally works) immediately preceding or immediately following each of the aforesaid days, being a day which is, by custom in the establishment recognised as a day of holiday in addition to each of the said days.

Provided that, in the case of August Bank Holiday and the day immediately preceding or the day immediately following that day, as the case may be, two other days (being days of the week on which the worker normally works) may be substituted therefor, being days recognised by local custom, or by custom in the establishment, as days of holiday.

Provided that—

(i) where Christmas Day or 12th July falls on a day of the week on which the worker does not normally work, the customary holiday shall be allowed by the employer to the worker on the working day immediately preceding or immediately following that day,

(ii) in the case of a night worker, irrespective of the area in which he is employed, the day immediately preceding or the day immediately following each of the days Christmas Day, Easter Monday, 12th July and August Bank Holiday (or the day substituted for any of those days under the provisions of this sub-

paragraph) shall be deemed to include the spell of duty prior to or next following that which would ordinarily end on Christmas Day, Easter Monday, 12th July, or August Bank Holiday (or the day substituted for any of these days as aforesaid) as the case may be, had each of those days been a day on which the worker would normally have worked.

(3) Notwithstanding the foregoing 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 customary 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") on a week-day within the period of four weeks next ensuing.

Provided that—
in the case of a worker who is so required to work on a customary holiday—

(i) if, in respect of such work, the worker is paid by the employer the statutory minimum remuneration appropriate to work on a customary holiday, a holiday in lieu need not be allowed by the employer to that worker,

(ii) if, in respect of such work on a customary holiday other than Christmas Day, Easter Monday, 12th July, or August Bank Holiday (or the day substituted therefor), the worker is paid by the employer the statutory minimum remuneration appropriate to work on a week-day other than a customary holiday, a holiday in lieu shall be allowed to that worker in accordance with the provisions of this sub-paragraph and the worker shall be paid, in respect of that holiday in lieu, holiday remuneration in accordance with the provisions of paragraph 6.

PART III

ANNUAL HOLIDAYS

PARAGRAPH 3.

(1) In addition to the holidays specified in Part II an employer shall between *the date on and from which the provisions of this Schedule become effective and* 30th November, *1955*, and in each succeeding year between 1st March and 30th November (hereafter referred to as the "holiday season") allow a 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:—

Col. 1		Col. 2	
Where the worker's normal working week is one of 6 days		Where the worker's normal working week is one of 5 days or less	
Period of employment	Duration of annual holiday	Period of employment	Duration of annual holiday
At least 48 weeks	12 days	At least 48 weeks	10 days
" 44 "	11 "	" 43 "	9 "
" 40 "	10 "	" 38 "	8 "
" 36 "	9 "	" 33 "	7 "
" 32 "	8 "	" 28 "	6 "
" 28 "	7 "	" 24 "	5 "
" 24 "	6 "	" 19 "	4 "
" 20 "	5 "	" 14 "	3 "
" 16 "	4 "	" 9 "	2 "
" 12 "	3 "	" 4 "	1 day
" 8 "	2 "		
" 4 "	1 day		