NOW, THEREFORE, the Ministry by virtue of the powers conferred by the said section and of every other power in that behalf hereby makes the following Order :—

Constitution of Council.

1. As from the date of this Order the constitution of the Dressmaking and Women's Light Clothing Wages Council (Northern Ireland) shall be in accordance with the provisions of the Act.

Citation, commencement and interpretation.

2.—(1) This Order may be cited as the Dressmaking and Women's Light Clothing Wages Council (Northern Ireland) (Constitution) Order, 1949, and shall come into force on the date hereof.

(2) The Interpretation Act, 1889, applies to the interpretation of this Order as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

52 & 53 Vict. Ch. 63.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this eighteenth day of July, nineteen hundred and forty-nine in the presence of

(L.S.)

J. W. McConnell,
Assistant Secretary of the Ministry of Labour and National Insurance for Northern Ireland.

THE DRESSMAKING AND WOMEN'S LIGHT CLOTHING WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION (HOLIDAYS) ORDER, 1949, DATED 10TH NOVEMBER, 1949, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER SECTION 10 OF THE WAGES COUNCILS ACT (NORTHERN IRELAND), 1945 (9 & 10 GEO. 6, CH. 21).

1949. No. 199

WHEREAS the Ministry of Labour and National Insurance (hereinafter referred to as " the Ministry ") has received from the Dressmaking and Women's Light Clothing Wages Council (Northern Ireland) wages regulation proposals for requiring workers in relation to whom the Council operates to be allowed by their employers the holidays set out in the Schedule to this Order and for fixing the holiday remuneration specified therein in substitution for the holidays provided and holiday remuneration fixed, for these workers by the Dressmaking and Women's Light Clothing Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1946 (a), dated the 17th day of October, 1946, (hereinafter referred to as " Order N.I.W.D. (51) ") ;

NOW, THEREFORE, the Ministry by virtue of section 10 of the Wages Councils Act (Northern Ireland), 1945, and of every other power in that behalf hereby makes the following Order :—

(a) S. R. & O. 1946, No. 171.

Holidays and holiday remuneration.

1. As from the specified date the workers to whom the Schedule to this Order applies shall be entitled to be allowed the holidays and paid the holiday remuneration specified therein.

Commencement.

2. In this Order the expression " the specified date " means the 16th day of November, 1949. 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.

Short title, interpretation and revocation.

3.—(1) This Order may be cited as the Dressmaking and Women's Light Clothing Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1949.

52 & 53 Vict. Ch. 63.

(2) The Interpretation Act, 1889, applies to the interpretation of this Order as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

(3) As from the specified date Order N.I.W.D. (51) is hereby revoked.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this tenth day of November, nineteen hundred and forty-nine in the presence of

(L.S.)

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

SCHEDULE

HOLIDAYS WITH PAY

PART I.

APPLICATION

(1) This Schedule applies to every worker (other than an out-worker) for whom statutory minimum remuneration has been fixed.

(2) For the purpose of this Schedule 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 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, 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 6 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 December, 1949*, and in each succeeding year, between 1st May and 30th September (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 those 12 months as follows :—

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*		

(2) *Notwithstanding the provisions of the last foregoing sub-paragraph* —

(*a*) *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 period constituting the worker's normal working week,*

(*b*) *the duration of the worker's annual holiday during the period 1st May to 31st December, 1949 shall be reduced by any days of annual holiday duly allowed to him by the employer under the provisions of the Dressmaking and Women's Light Clothing Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1946 (Order N.I.W.D. (51)) between 1st May and 30th September, 1949,*

PARAGRAPH 4.

Annual holidays under this Schedule 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.

PARAGRAPH 5.

An employer shall give to a worker reasonable notice of the commencing date and duration of his holiday. Such notice 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 holiday (including a holiday falling on a Saturday) to which a worker is entitled under Part II of this Schedule he shall be paid by the employer holiday remuneration equal to the appropriate statutory minimum remuneration to which he would have been entitled as a time worker if the day had not been a day of holiday and he had worked the number of hours ordinarily worked by him on that day of the week for the employer on work to which statutory minimum remuneration applies :—

Provided that payment of the said holiday remuneration shall be subject to the condition that the worker presents himself for employment at the usual starting hour on the working day immediately preceding the holiday and on the first working day following the holiday or, if he fails to do so, such failure is by reason of proved illness or with the consent of his employer.

(2) Where a worker normally works in the week on every weekday except Saturday, he shall be paid a sum equivalent to the holiday remuneration in respect of any Saturday in respect of which he would have been entitled to a holiday under Part II of this Schedule if it had been a day on which he had normally worked.

(3) Holiday remuneration in respect of any customary holiday shall be paid by the employer to the worker on the pay day on which the wages for the pay week including the holiday are paid.

(4) Holiday remuneration in respect of any holiday in lieu of a customary holiday shall be paid on the pay day on which the wages for the week including that holiday in lieu are paid.

Provided that the said payment shall be made immediately upon the termination of the worker's employment in the case where he ceases to be employed before being allowed such holiday in lieu.

B — ANNUAL HOLIDAYS.

PARAGRAPH 7.

(1) Subject to the provisions of paragraph 10 of this Schedule, a worker entitled to be allowed an annual holiday under this Schedule shall be paid by his employer in respect thereof, on the last pay day preceding such annual holiday, remuneration in accordance with the following table :—