PARAGRAPH 29.—(*continued*)

(iv) All processes of embroidery or decorative needlework done by machine, whether before or after the making of the articles of the description specified above.

(v) The following processes, if done by machine :—Thread-drawing, thread-clipping, top-sewing, scalloping, nickelling and paring.

(vi) All processes of laundering, smoothing, folding, ornamenting, boxing, finishing, warehousing, packing and other similar operations incidental to or appertaining to the making of the articles of the description specified above.

(2) The making up in linen warehouses, or in establishments mainly engaged in linen lapping, of linen or mixed linen and cotton or other textile fabrics in the piece, or of linen or mixed linen and cotton or other textile articles cut from the piece, including :—

Measuring, cutting, lapping, ornamenting, boxing, warehousing, packing and similar operations.

PARAGRAPH 30.

The statutory minimum remuneration set out in this Schedule is without prejudice to workers earning higher rates of wages, or to agreements made, or that may be made, between employers and workers for the payment of wages in excess of the minimum rates.

Paper Box Wages Council (Northern Ireland)

THE PAPER BOX WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION (HOLIDAYS) ORDER, 1948, DATED 19TH APRIL, 1948, 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).

1948. No. 148

WHEREAS the Ministry of Labour and National Insurance (hereinafter referred to as " the Ministry ") has received from the Paper Box 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 for, and holiday remuneration fixed, by the Paper Box Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1946 (a) (hereinafter referred to as " Order N.I.B. (37) ") ;

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 :—

1. As from the specified date Order N.I.B. (37) shall cease to have effect and 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. Holidays and holiday remuneration.

(a) S. R. & O. 1946, No. 219.

Commencement.

2. In this Order the expression "the specified date" means the 23rd day of April, 1948. 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 and interpretation.

3.—(1) This Order may be cited as the Paper Box Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1948.

12 Geo. 5, Ch. 4.

(2) The Interpretation Act, 1921, applies to the interpretation of this Order as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this nineteenth day of April, nineteen hundred and forty-eight, in the presence of

(L.S.)

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

SCHEDULE

HOLIDAYS WITH PAY

PART I

APPLICATION

PARAGRAPH 1.

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

(2) For the purposes of this Schedule an out-worker is a worker who works in his or her 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 holiday and has worked for the employer for not less than half that period and (unless excused by the employer or absent by reason of proved illness) has worked for the employer throughout the last five working days on which work was available to him immediately preceding the holiday.

(2) The said customary holidays are :—

(*a*) Christmas Day, Boxing Day and the day following Boxing Day

Provided that—

(i) where Christmas Day falls on a Thursday, Friday or Saturday, the Saturday in that week shall be treated as one of the customary holidays irrespective of whether the worker normally works on Saturday or not;

(ii) where Christmas Day falls on a Sunday, the customary holidays shall be Boxing Day and the next two following days ;

(iii) where Boxing Day or the day following Boxing Day falls on a Sunday that Sunday shall not be treated as one of the customary holidays and a customary holiday shall be allowed to the worker on the Monday or Tuesday next following, as the case may be ;

Easter Monday, Easter Tuesday and the Wednesday following the last-mentioned day, or

(*b*) a day substituted by the employer for any one of the said days, being either a day recognised by local custom as a day of holiday in substitution for the said day, or a day agreed between the employer and the worker or his representative.

(3) Notwithstanding the preceding provisions of this paragraph, an employer may (except where in the case of a woman or 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, holiday remuneration in accordance with paragraph 6 of this Schedule.

Part III

ANNUAL HOLIDAYS

Paragraph 3.

(1) In addition to the customary holidays specified in Part II of this Schedule and subject to the provisions of sub-paragraph (2) of this paragraph, an employer shall, between the 31st March, 1948, and 30th September, 1948, and in each succeeding year between 31st March 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 twelve 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 twelve months as follows :—

(*a*) In the case of workers who are under 18 years of age when they enter the employment of the employer and who are under 19 years of age at the commencement of their first annual holiday under this Schedule :—

Where the worker's normal working week is 6 days		Where the worker's normal working week is 5 days or less	
Period of employment	Duration of holiday	Period of employment	Duration of holiday
At least 24 weeks	12 days	At least 24 weeks	10 days
,, 20 ,,	10 ,,	,, 19 ,,	8 ,,
,, 16 ,,	8 ,,	,, 14 ,,	6 ,,
,, 12 ,,	6 ,,	,, 9 ,,	4 ,,
,, 8 ,,	4 ,,	,, 5 ,,	2 ,,
,, 4 ,,	2 ,,		

Provided that this provision shall apply only to a worker who is in his first employment since leaving school and in respect of his first annual holiday under this or any previous Wages Regulation Order;

(*b*) In the case of all other workers :—

Where the worker's normal working week is 6 days		Where the worker's normal working week is 5 days or less	
Period of employment	Duration of holiday	Period of employment	Duration of holiday
At least 48 weeks	12 days	At least 48 weeks	10 days
,, 40 ,,	10 ,,	,, 38 ,,	8 ,,
,, 32 ,,	8 ,,	,, 29 ,,	6 ,,
,, 24 ,,	6 ,,	,, 19 ,,	4 ,,
,, 16 ,,	4 ,,	,, 9 ,,	2 ,,
,, 8 ,,	2 ,,		

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

(*a*) The number of days of annual holiday to which a worker is entitled in any period of twelve months commencing on 1st day of January shall not exceed in the aggregate twice the period constituting the worker's normal working week ;

(*b*) The holiday season may be varied in any year by agreemen between the employer and the worker if they jointly notify the Wages Council of such agreement and any reference to a holiday season in this Schedule shall be construed accordingly.

PARAGRAPH 4.

An annual holiday shall be allowed on consecutive working days, being days upon which the worker is normally called upon to work, and days of holiday shall be treated as consecutive notwithstanding the intervention of a customary holiday or a holiday in lieu of a customary holiday.

Provided that—

(i) 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 ;

(ii) the last day of the annual holiday or, as the case may be, of either of such separate periods, may be allowed on a non-consecutive working day (other than the worker's weekly short day) falling within the holiday season where the said annual holiday or, as the case may be, such separate period, is allowed immediately after a customary holiday or so that such a holiday intervenes.

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) Subject to the provisions of this paragraph, for each day of holiday 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 been employed on work to which statutory minimum remuneration applies for the time usually worked by him on that day of the week.