APPLICABILITY OF STATUTORY MINIMUM REMUNERATION.

PARAGRAPH 36.

The statutory minimum remuneration set out in this Schedule shall apply, subject to the provisions of the Wages Councils Act (Northern Ireland), 1945, to workers in relation to whom the Boot and Shoe Repairing Wages Council (Northern Ireland) operates, that is to say, workers employed in Northern Ireland in the trade specified in the Schedule to the Trade Boards (Boot and Shoe Repairing Trade, Northern Ireland) (Constitution, Proceedings and Meetings) Regulations, 1938, namely :—

The repairing, wherever carried on, of boots, shoes, slippers and all kinds of leather footwear,

Including—

(*a*) the taking in and giving out of such articles before and after repair when done by a worker who is in the same week also engaged in repairing as aforesaid ;

(*b*) the making of bespoke hand-sewn, riveted, or pegged leather footwear ;

But excluding—

the manufacture of leather footwear on a large scale, the repairing of saddlery and leather goods other than leather footwear, and the retailing of leather footwear.

Provided that, as regards trainees who, under the Government Vocational Training Scheme for resettlement training, have been placed by the Ministry of Labour and National Insurance with, and are being trained by, an employer for a period of approved training, the statutory minimum remuneration aforesaid shall not (subject to the condition that the requirements of the Training Scheme are complied with) apply during the first 39 weeks of their training with the employer.

THE BOOT AND SHOE REPAIRING WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION (NO. 2) ORDER, DATED 25TH SEPTEMBER, 1947, 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).

1947. No. 161

WHEREAS the Ministry of Labour and National Insurance (hereinafter referred to as " the Ministry ") has received from the Boot and Shoe Repairing Wages Council (Northern Ireland) wages regulation proposals for fixing the minimum remuneration to be paid to the workers in relation to whom the Council operates in substitution for the minimum remuneration fixed by the Boot and Shoe Repairing Wages Council (Northern Ireland) Wages Regulation Order, 1947, dated the 19th day of June, 1947 ;

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 the Boot and Shoe Repairing Wages Council (Northern Ireland) Wages Regulation Order, 1947, shall cease to have effect and the statutory minimum remuneration set out in the Schedule to this Order shall be paid to the workers therein specified. Statutory minimum remuneration.

Commencement.

2. In this Order the expression " the specified date " means the 1st day of October, 1947. 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 Boot and Shoe Repairing Wages Council (Northern Ireland) Wages Regulation (No. 2) Order, 1947.

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 twenty-fifth day of September, nineteen hundred and forty-seven in the presence of

(L.S.) *J. W. M'Connell,*

Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

SCHEDULE.

STATUTORY MINIMUM REMUNERATION.

GENERAL MINIMUM TIME RATES.

MALE WORKERS.	Per week of 45 hours s.	d.
PARAGRAPH 1. MALE WORKERS (other than male learners to whom the minimum rates specified in paragraph 3 or 4 of this Schedule apply), 21 years of age and over, employed in operating power sole stitchers or in operating *both* power sole stitchers and power Blake or other power sole sewing machines on the Blake principle	102	0
PARAGRAPH 2. MALE WORKERS (other than workers of the class specified in paragraph 1 and male learners to whom the minimum rates specified in paragraph 3 or 4 of this Schedule apply)	90	0
Provided that a male worker of the class specified in paragraph 3 of this Schedule who has completed a period of four years' learnership in the trade may be employed at not less than 50s. 9d. per week of 45 hours for a period of six months after the completion of learnership.		
Notwithstanding anything contained in this paragraph this proviso shall not apply to a worker to whom the general minimum time rate appropriate to a fully qualified worker applies while undergoing a period of training in the employer's establishment under the Scheme entitled I.A.S./Scheme No. 24 (N.I.)		
PARAGRAPH 3. MALE LEARNERS, whose period of learnership commenced prior to 8th January, 1945, and whose employment complies with the conditions specified in paragraphs 7 and 9 to 12 of this Schedule—		
During the first year of learnership	18	9
" second " "	24	0
" third " "	30	3
" fourth " "	38	3

	Per week of 45 hours s. d.
PARAGRAPH 4.	
MALE LEARNERS, whose period of learnership commenced on or after 8th January, 1945, and whose employment complies with the conditions specified in paragraphs 8 to 12 of this Schedule—	
During the first year of learnership	18 9
,, second ,, ,, ...	24 0
,, third ,, ,, ...	30 3
,, fourth ,, ,, ...	38 3
,, fifth ,, ,, ...	50 9

FEMALE WORKERS.

PARAGRAPH 5.

FEMALE WORKERS of :—

21 years of age and upwards	61 3
20 and under 21 years of age	49 6
19 ,, 20 ,, ...	44 6
18 ,, 19 ,, ...	40 0
17 ,, 18 ,, ...	34 0
16 ,, 17 ,, ...	29 0

Provided that female workers of the age of 18 years or under shall, for the first twelve months' employment in the trade, be entitled only to a rate 25 per cent. less than the appropriate general minimum time rate otherwise applicable.

CALCULATION OF HOURLY RATES.

PARAGRAPH 6.

For the purpose of calculating the general minimum time rate payable in respect of each hour of employment the respective rates set out above must be divided by 45.

CONDITIONS OF EMPLOYMENT OF MALE LEARNERS.

PARAGRAPH 7.

The following conditions of employment shall apply to male learners whose period of learnership commenced prior to 8th January, 1945 :—

(*a*) That the worker is employed during the whole or a substantial part of his time in learning any branch or process of the trade by an employer who provides the learner with reasonable facilities for such learning,

(*b*) That the worker has received a certificate or has been registered in accordance with rules from time to time laid down by the Wages Council, or has made application for such certificate or registration which has been duly acknowledged and is still under consideration, and

(*c*) That the period of learnership shall be four years.

PARAGRAPH 8.

The following conditions of employment shall apply to male learners whose period of learnership commenced on or after 8th January, 1945 :—

(*a*) That the worker is employed during the whole or a substantial part of his time as a learner in the trade and is receiving, during such time, adequate instruction in a progressive manner in—

(i) benching by hand and all operations of benching by machine which are carried out in the establishment, and

(ii) finishing by hand and all operations of finishing by machine which are carried out in the establishment, and

not less than two-thirds of his time in each year is spent in either such benching or such finishing. Provided that the provisions of this sub-paragraph shall not apply to a learner during his first year of learnership in the trade,

And provided also that, for the purposes of this sub-paragraph, all machines, other than finishing and patching machines, shall be deemed to be benching machines,

(*b*) That the worker has received a certificate or has been registered in accordance with rules from time to time laid down by the Wages Council, or has made

application for such certificate or registration which has been duly acknowledged and is still under consideration,

(*c*) That the certificate of learnership is submitted to the Wages Council at the end of the second, third, fourth and fifth years of learnership,

(*d*) That the period of learnership shall be five years.

FURTHER CONDITIONS OF EMPLOYMENT OF ALL LEARNERS.

PARAGRAPH 9.

The general minimum time rates for male learners shall apply only if, as respects all male learners, the proportion in any establishment of learners to journeymen at any time be not more than one learner to every two (and not less than two) journeymen.

Provided that one learner may be employed in any establishment in which only one journeyman is employed.

PARAGRAPH 10.

For the purpose of determining the number of journeymen employed in any establishment at any time the following conditions shall apply :—

(1) A casual absence of a journeyman or a casual vacancy for a short period in the number of journeymen employed shall not affect compliance with the above condition, and

(2) Where an employer is himself performing the work of a journeyman he shall be treated as a journeyman for the purpose hereof.

PARAGRAPH 11.

For the purpose of determining the proportion of learners to journeymen in accordance with the provisions set out in paragraph 9 :—

(1) An apprentice shall count as a learner,

(2) A journeyman (subject to the provisions of sub-paragraph (2) of paragraph 10) shall be deemed to be—

(*a*) any male worker, whether employed on time work or on piece work, who, if employed on time work, would be entitled to the appropriate general minimum time rate specified in paragraph 1 or 2 of this Schedule for male workers other than learners, and

(*b*) any other workers employed at general minimum piece rates.

(3) An apprentice undergoing a period of training in the employer's establishment under the Scheme entitled I.A.S./Scheme No. 24 (N.I.) shall not count as a learner.

LEARNERS TO BE REGISTERED AND TO HOLD CERTIFICATES.

PARAGRAPH 12.

Application must be made to the Wages Council for a certificate of learnership in respect of every worker whom it is desired to employ at the special rates for learners. Unless such certificate has been obtained or application made to the Wages Council therefor the general minimum time rate payable shall be the appropriate rate for workers other than learners as set out in paragraph 1 or 2 of this Schedule.

Provided that the certification of a learner may be cancelled by the Wages Council if the other conditions of learnership are not complied with.

An employer may employ a learner on his first employment in the trade for a probation period not exceeding four weeks, but, in the event of the learner being continued thereafter at his employment, the probation period shall be included in his period of learnership.

YEARLY ADVANCES TO LEARNERS.

PARAGRAPH 13.

The advances to be given to learners shall become due on the completion of each twelve months' employment in the trade.

TERMINATION OF PERIOD OF LEARNERSHIP.

PARAGRAPH 14.

A learner shall cease to be a learner and shall be entitled, if employed on time work, to payment at not less than the appropriate general minimum time rate set out in

PARAGRAPH 14.—*Continued.*

paragraph 1 or 2 of this Schedule, on the completion of four years' employment in the trade in the case of a learner whose period of learnership commenced prior to 8th January, 1945, and on the completion of five years' employment in the trade in the case of a learner whose period of learnership commenced on or after 8th January, 1945.

Notwithstanding compliance with the conditions relating to learnership set out above a person shall not be deemed to be a learner if he works in a room used for dwelling purposes and is not in the employment of his parent or guardian.

PIECE WORK BASIS TIME RATES.

PARAGRAPH 15.

MALE WORKERS ... ... 2s. 0d. per hour.

PARAGRAPH 16.

FEMALE WORKERS ... ... 1s. 5d. per hour.

APPLICATION OF PIECE WORK BASIS TIME RATES.

PARAGRAPH 17.

Where the piece work basis time rate applies, each piece rate paid must be such as will yield, in the circumstances of the case, to an ordinary worker at least the same amount of money as the appropriate piece work basis time rate. In determining whether any piece rate satisfies the foregoing condition regard shall be had only to the earnings of ordinary workers, that is, workers of ordinary skill and experience in the class of work in question and not to the earnings of workers of less than ordinary skill and experience, for example, juvenile and infirm workers.

PARAGRAPH 18.

Where workers are employed on operations for which in-workers' and out-workers' general minimum piece rates have been fixed, piece rates calculated to yield, in the circumstances of the case, to an ordinary worker, not less than the appropriate piece work basis time rate, shall be deemed to include all such general minimum piece rates.

EMPLOYMENT OF JUVENILE WORKERS ON PIECE WORK.

PARAGRAPH 19.

An employer shall, in any case where a learner or other juvenile worker is employed on piece work during the first six months of his employment in the trade, be deemed to pay remuneration at less than the statutory minimum remuneration unless he shows that such worker has received, in respect of his employment on piece work in each week during that period, at least the same amount of money as such worker would have been entitled to receive if employed on time work.

An employer shall, in any case where any such worker is so employed at any time subsequent to the first six months of his employment in the trade, be deemed to pay remuneration at less than the statutory minimum remuneration unless he shows that such worker has, in respect of his employment on piece work, been paid at piece rates each of which would yield, in the circumstances of the case, to an ordinary worker (not being a juvenile worker) at least the same amount of money as the appropriate piece work basis time rate.

GENERAL MINIMUM PIECE RATES.

MALE AND FEMALE WORKERS.

The general minimum piece rates for male and female workers employed on boot and shoe repairing and boot and shoe making are the piece rates for the several operations specified below with the addition of 30 per cent., that is, 6s. 0d. in the £.

REPAIRING.

PARAGRAPH 20.

HAND FINISHED KNEE-WORK (Completed Work).