SECOND SCHEDULE

HOLIDAYS AND HOLIDAY REMUNERATION

The provisions of Order N.I.B.B. (45), dated 9th September, 1939, shall have effect subject to the following amendments :—

(1) Any reference in Order N.I.B.B. (45) to the appropriate Trade Board rate for work to which the Trade Boards Acts apply and to work to which those Acts do not apply shall be read as including a reference to the appropriate statutory minimum remuneration fixed by a wages regulation order in respect of the worker and to work to which a wages regulation order does not apply ;

(2) Any reference in Order N.I.B.B. (45) to a minimum rate of wages fixed by the Trade Board shall be read as including a reference to statutory minimum remuneration fixed by a wages regulation order pursuant to proposals of the Brush and Broom Wages Council (Northern Ireland) and the reference in paragraph 8 of Order N.I.B.B. (45) to the Holidays with Pay Act (Northern Ireland), 1938, shall be construed as including a reference to the Wages Councils Act (Northern Ireland), 1945 ; and

(3) The amount of any holiday remuneration due to any worker under Order N.I.B.B. (45) shall be calculated in accordance with the provisions of Part II. of the Wages Councils Act (Northern Ireland), 1945.

EXPLANATORY NOTE.

(This note is not part of the Order, but is intended to indicate its general purport)

1. The First Schedule to this Order, in conjunction with Parts V. and VI. of the Schedule to Order N.I.B.B. (47) as amended by paragraphs 7 and 8 of the First Schedule to this Order, sets out the statutory minimum remuneration payable as from 23rd September, 1946, to workers in relation to whom the Brush and Broom Wages Council (Northern Ireland) operates.

2. The Second Schedule amends the Direction for Holidays with Pay confirmed by the Ministry's Order N.I.B.B. (45) dated 9th September, 1939, by a number of formal amendments necessitated by the enactment of the Wages Councils Act (Northern Ireland), 1945.

3. The provisions of Order N.I.B.B. (49) cease to have effect, and the provisions of Parts V. and VI. of the Schedule to Order N.I.B.B. (47) have effect subject to the amendments aforesaid, when the new provisions under this Order come into force.

N.I.W.D. (51)

The Dressmaking and Women's Light Clothing Wages Council (Northern Ireland) Holidays

THE DRESSMAKING AND WOMEN'S LIGHT CLOTHING WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION (HOLIDAYS) ORDER, 1946, DATED 17TH OCTOBER, 1946, 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).

1946. No. 171

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 specified in the Schedule to this Order and for fixing the holiday remuneration

specified therein in substitution for the holidays provided for by the direction given, and holiday remuneration fixed by the Council under the Holidays with Pay Act (Northern Ireland), 1938, and confirmed by the Order of the Ministry dated the 3rd day of July, 1939 (hereinafter referred to as " Order N.I.W.D. (32) "), as amended by the Order of the Ministry N.I.W.D. (34 and 35) dated the 1st day of March, 1940 ; 2 Geo. 6, Ch. 24.

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 :—

Holidays and holiday remuneration.

1. As from the specified date the Order N.I.W.D. (32) as amended 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.

Commencement.

2. In this Order the expression " specified date " means the 23rd day of October, 1946. Provided that where, as respects any worker who is paid wages at intervals not exceeding seven days, the specified date does not correspond with the beginning of the period for which wages are paid, this Order shall, as respects that worker, become effective as from the beginning of the next such period following the specified date.

Short title and interpretation.

3.—(1) This Order may be cited as the Dressmaking and Women's Light Clothing Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1946.

(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. 12 Geo. 5, Ch. 4.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this seventeenth day of October, nineteen hundred and forty-six, 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 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.

In addition to the holidays specified in Part II of this Schedule, an employer shall, between 1st May and 30th September, 1947, 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 that 12 months as follows :—

Period of employment	*Duration of holiday*
At least 48 weeks	6 days
,, 40 ,,	5 ,,
,, 32 ,,	4 ,,
,, 24 ,,	3 ,,
,, 16 ,,	2 ,,
,, 8 ,,	1 day

provided that the number of days of annual holiday to which a worker shall be entitled in any holiday season shall not exceed the period of his normal working week.

PARAGRAPH 4.

Annual holidays under this Schedule shall be allowed on consecutive days and days of holiday shall be treated as consecutive notwithstanding that a Sunday or a customary holiday or a holiday in lieu of a customary 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.