

3. For the purposes of this Schedule the following expressions have the meanings hereby assigned to them, that is to say :—
- “pastry” and “articles of pastry” include articles of food made wholly or partly of pastry ;
 - “meat” includes game, poultry, egg, or fish ;
 - “flour confectionery” includes cakes, oatcakes, shortbread and biscuits ;
 - “biscuits” do not include oatcakes or shortbread ; and
 - “making” includes the packing, wrapping and other handling of the articles of food when made, before their first despatch for sale or distribution.

CLASSES OF WORKERS TO WHOM THE PROVISIONS OF THIS SCHEDULE DO NOT APPLY

PARAGRAPH 27.

Notwithstanding anything contained in this Schedule, the aforesaid statutory minimum remuneration shall not apply to workers employed as bread-servers, breadvan checkers, breadvan boys, outside messengers, shop assistants, or charwomen.

THE BAKING WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION (HOLIDAYS) ORDER, 1950, DATED 18TH DECEMBER, 1950, 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).

1950. No. 233

WHEREAS the Ministry of Labour and National Insurance (hereinafter referred to as “the Ministry”) has received from the Baking 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 Baking Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1948 (a) dated the 20th day of February, 1948, (hereinafter referred to as “Order N.I.Bk. (57)”) ; and the Baking Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1949 (b) dated the 1st day of February, 1949, (hereinafter referred to as “Order N.I.Bk. (85)”) ;

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
remunera-
tion.

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.

Commence-
ment.

2. In this Order the expression “the specified date” means the 29th day of December, 1950. 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.—(1) This Order may be cited as the Baking Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1950. Short title, interpretation and revocation.

(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.

(3) As from the specified date Order N.I.Bk. (57) and Order N.I.Bk. (85) are hereby revoked.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this eighteenth day of December, nineteen hundred and fifty, 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

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 (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 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) of this paragraph —

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 (hereinafter 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 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 March and 30th November, 1951, and in each succeeding year between 1st March and 30th November (herein and in Part IV 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		

Provided that 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.

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 intervenes.

PARAGRAPH 5.

An employer shall give to a worker reasonable notice of the commencing date and duration of his annual 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 the provisions of 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 holiday and he had worked the normal 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 aforesaid holiday remuneration shall be subject to the conditions that (a) the worker has worked the last working day on which work was available to him preceding the holiday and (b) presents himself for employment at his usual starting hour on the first working day following the holiday or, if in either case he fails to do so, failure is by reason of proved illness or with the consent of his employer.

- (2) Where the worker normally works in the week on every week-day, or in the case of a worker whose normal working week includes employment of at least $7\frac{1}{2}$ hours' duration on Sunday on every day in the week 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 the provisions of Part II of this Schedule if it had been a day on which he had normally worked.

- (3) Where, in the case of a worker whose normal working week includes employment of at least $7\frac{1}{2}$ hours' duration on a Sunday, a customary holiday or a holiday in lieu falls on a Sunday, that worker shall be paid, in respect of that customary holiday, holiday remuneration equal to the appropriate statutory minimum remuneration to which he would have been entitled if he had been a worker who did not normally work on Sunday and the day had not been a Sunday and he had worked for $7\frac{1}{2}$ hours on work to which statutory minimum remuneration applies.
- (4) 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.
- (5) Holiday remuneration in respect of any holiday in lieu shall be paid on the pay day on which the wages for the pay 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, and in that case condition (b) in sub-paragraph (1) of this paragraph shall not apply.

B — ANNUAL HOLIDAYS

PARAGRAPH 7.

Subject to the provisions of paragraph 8 of this Schedule, a worker entitled to be allowed an annual holiday under Part III of this Schedule shall be paid by his employer, on the last pay day preceding such annual holiday, one day's holiday pay (as defined in paragraph 12 of this Schedule) in respect of each day thereof.

PARAGRAPH 8.

Where any accrued holiday remuneration has been paid by the employer to the worker (in accordance with paragraph 9 of this Schedule) in respect of employment during any of the periods referred to in that paragraph, the amount of holiday remuneration payable by the employer in respect of any annual holiday for which the worker has qualified by reason of employment during any of the said periods shall be reduced by the amount of the said accrued holiday remuneration unless that remuneration has been deducted from a previous payment of holiday remuneration made under the provisions of this Schedule.

ACCRUED HOLIDAY REMUNERATION PAYABLE ON TERMINATION OF EMPLOYMENT

PARAGRAPH 9.

Subject to the provisions of this paragraph, if a worker ceases to be employed before being allowed or entitled to be allowed an annual holiday, the employer shall, immediately on the termination of the employment (hereinafter called "the termination date"), pay to the worker as accrued holiday remuneration :—

- (1) in respect of any period of employment occurring before the 1st day of March immediately preceding the termination date, an amount equal to the holiday remuneration to which the worker would have been entitled under the provisions of paragraph 7 of this Schedule if he had been allowed an annual holiday in respect of that period of employment at the termination date, LESS any holiday remuneration already paid for any day or days of annual holiday allowed subsequently to the 1st day of March aforesaid in respect of that period of employment and,
- (2) in respect of any period of employment since the 1st day of March immediately preceding the termination date, an amount equal to one day's holiday pay (as defined in paragraph 12 of this Schedule) multiplied by the number of days of annual holiday to which the worker would have been entitled under the provisions of paragraph 3 of this Schedule if by virtue of such period of employment he could have taken an annual holiday at the termination date, LESS any accrued holiday remuneration already paid by the employer to the worker in respect of that period.

PART V.

GENERAL.

PARAGRAPH 10.

For the purposes of calculating any period of employment entitling a worker to an annual holiday or to any accrued holiday remuneration under this Schedule, the worker shall be treated :

- (a) as if he were employed for a week in respect of any week in which —
- (i) he has worked for the employer for not less than 16 hours and has performed some work to which statutory minimum remuneration applies ; or
 - (ii) he has been absent throughout the week by reason of proved illness or accident (provided that the number of weeks which may be treated as weeks of employment for such reason shall not exceed 12 in the aggregate in the period of 12 months immediately preceding the commencement of the holiday season) ; or
 - (iii) he has been suspended throughout the week owing to shortage of work (provided that the number of weeks which may be treated as weeks of employment for such reason shall not exceed 12 in the aggregate in the period of 12 months last mentioned) ;
- or (b) as if he were employed on any day of holiday allowed under the provisions of this Schedule and for the purposes of the provisions of sub-paragraph (a) of this paragraph, a worker who is absent on such a holiday shall be treated as having worked thereon for the employer for 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.

PARAGRAPH 11.

Where any day of annual holiday allowed to any worker under this Schedule falls upon a day of holiday or half holiday to which the worker may be entitled under any enactment other than the Wages Councils Act (Northern Ireland), 1945, that holiday or half holiday shall be treated as part of the holiday allowed under this Schedule.

PARAGRAPH 12.

In this Schedule, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say :

“normal working week” means the number of days on which it has been usual for the worker to work in a week while in the employment of the employer during the 12 months immediately preceding the commencement of the holiday season or, where under paragraph 9 of this Schedule, accrued holiday remuneration is payable on the termination of the employment, during the 12 months immediately preceding the termination date,

Provided that —

- (i) part of a day shall count as a day,
- (ii) no account shall be taken of any week in which the worker did not perform any work for which statutory minimum remuneration has been fixed.

“one day’s holiday pay” means the appropriate proportion of the worker’s weekly remuneration, that is to say,

where the worker’s normal working week is six days	— one-sixth
where the worker’s normal working week is five days	— one-fifth
where the worker’s normal working week is four days	— one-quarter
where the worker’s normal working week is three days	— one-third
where the worker’s normal working week is two days	— one-half
where the worker’s normal working week is one day	— the whole,

and in this definition, “weekly remuneration” means the remuneration which the worker would be entitled to receive from the employer at the date of the holiday or, where accrued holiday remuneration is payable, at the termination date, for one week’s work —

- (a) if working his normal working week and the daily number of hours normally worked by him (exclusive of overtime other than time worked on a Sunday in the case of a worker whose normal working week includes employment on Sunday) ; and
- (b) if paid at the appropriate rate of statutory minimum remuneration for work to which statutory minimum remuneration applies and at the same rate for any work for the same employer to which such remuneration does not apply.

“statutory minimum remuneration” means minimum remuneration (other than holiday remuneration) fixed by a Wages Regulation Order made by the Ministry to give effect to proposals submitted to it by the Baking Wages Council (Northern Ireland).

“week” means “pay week.”

PARAGRAPH 13.

The provisions of this Schedule are without prejudice to agreements made or that may be made, for payment of higher rates of holiday remuneration or for the allowance of holidays in addition to those herein provided.

Brush and Broom Wages Council

THE BRUSH AND BROOM WAGES COUNCIL (NORTHERN IRELAND) (CONSTITUTION) ORDER, 1950, DATED 13TH JANUARY, 1950, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE FOR NORTHERN IRELAND UNDER SECTION TWENTY-ONE OF THE WAGES COUNCILS ACT (NORTHERN IRELAND), 1945 (9 & 10 GEO. 6, CH. 21).

1950. No. 15

WHEREAS by virtue of section twenty-one of the Wages Councils Act (Northern Ireland), 1945 (hereinafter referred to as "the Act") the Ministry of Labour and National Insurance (hereinafter referred to as "the Ministry") is empowered by order to direct that on such date as may be specified the constitution of any Wages Council that was in existence as a Trade Board at the commencement of the Act shall be in accordance with the provisions of the Act ;

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 Brush and Broom Wages Council (Northern Ireland) shall be in accordance with the provisions of the Act.

Citation,
commence-
ment and in-
terpretation.

2.—(1) This Order may be cited as the Brush and Broom Wages Council (Northern Ireland) (Constitution) Order, 1950, and shall come into force on the date hereof.

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.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this thirteenth day of January, nineteen hundred and fifty in the presence of

(L.S.)

R. W. Steele,

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