

ORDER

MADE UNDER

THE WAGES COUNCILS ORDINANCE, 1956,

(No. 51 of 1956)

UNDER SECTION 10 OF THE WAGES COUNCILS ORDINANCE, IN ACCORDANCE WITH PARAGRAPH (1) OF ARTICLE 22 OF THE CONSTITUTION OF BRITISH GUIANA, AND BY VIRTUE AND IN EXERCISE OF ALL POWERS ENABLING HIM IN THAT BEHALF, IT IS HEREBY ORDERED BY THE GOVERNOR AS FOLLOWS :—

1. This Order may be cited as the Aerated Water Factories Wages Council Wages Regulation Order, 1963.

2. In this Order —

“aerated water factory worker” means any person employed to perform manual labour in connection with the operation of an aerated water factory;

“aerated water factory” means any place where soft drinks or other carbonated beverages are manufactured by power driven or manually operated mechanical processes by way of trade or business;

“Christmas period” means the eight working days immediately preceding Christmas Day;

“commission” means extra remuneration, usually on a percentage basis paid to a salesman or driver-salesman, in addition to his wages;

“earnings” means the regular amounts paid by an employer to an aerated water factory worker in respect of the worker’s service but does not include any amount paid in respect of overtime work or by way of bonus or commission unless such bonus or commission forms part of such regular amounts;

“medical practitioner” means a person registered as a medical practitioner under the Colonial Medical Service Ordinance*;

“stoppage of work” means any cessation of work at an aerated water factory occasioned by shortage of materials, breakdown of mechani-

cal plant or equipment, or failure of power supply where the source of that power supply is owned or operated by the occupier of an aerated water factory or where the cessation of work is due to any circumstances whatever over which the employer has control, but shall not include cessations of work occasioned by strikes or lock-outs arising out of an industrial or trade dispute.

3. Subject to the provisions of this Order the minimum rate of wages at which an aerated water factory worker shall be paid shall be as set out in the schedule hereto;

Provided that where upon the commencement of this Order an aerated water factory worker is in receipt of a wage greater than that prescribed in this Order, the employer shall nevertheless continue to pay the said worker wages at the higher rate.

4. Where an aerated water factory worker habitually performs work in a category higher than the category to which he properly belongs in accordance with the classification prescribed in the schedule hereto, he shall be paid wages at the rate payable in respect of the higher category as prescribed in the said schedule.

5.(1) Where an aerated water factory worker undergoes training in a category higher than the category to which he properly belongs in accordance with the classification prescribed in the schedule hereto, he may be paid at the rate of wages applicable to his proper category for a period of four months after the date of the commencement of his training and thereafter he shall be paid at the rate of wages applicable to the higher category aforesaid.

(2) The provisions of paragraph (1) of this article shall not apply to an aerated water factory worker undergoing training under the provisions of the Industrial Training Ordinance* with a view to qualifying as a tradesman.

6.(1) The normal hours of work of aerated water factory workers mentioned in the schedule hereto shall be eight hours on each day and forty-four hours in each week.

(2) Aerated water factory workers employed in excess of the hours mentioned in paragraph (1) of this article, shall be paid wages at the rate of one and a half times the appropriate minimum rates as set out in the schedule hereto, provided that where a commission is paid to a salesman or driver-salesman, the commission paid shall not be less than wages paid at the rate of one and a half times the minimum rate.

(3) Any aerated water factory worker who at the request of his employer, reports for duty on any public holiday (including Sunday) or between the hours of midnight on any day and 6 a.m. on the following day, shall be paid a minimum of two dollars for any period worked up to the first two hours, and thereafter, at twice the appropriate minimum rate as set out in the schedule hereto.

(4) A worker who on any day, at the request of his employer, reports for duty at an aerated water factory, and who fails to obtain work during the whole or part of such day, on account of the shortage of material, or stoppage of work at such factory, shall nevertheless be entitled to the payment of wages in accordance with the appropriate category of work to which he belongs in respect of the whole of such day.

Holidays with Pay

7.(1) Every aerated water factory worker being in employment at the date of the commencement of this Order shall be allowed a period of holidays with pay of not less than one day for each completed month of employment computed as though his employment commenced on the date of commencement of the said Order.

(2) Every aerated water factory worker not being in employment at the date of the commencement of this Order, but thereafter being in employment shall be allowed a period of holidays with pay of not less than one day for each completed month of employment computed from the date of his engagement.

8.(1) No employer shall require an aerated water factory worker to take his holidays with pay in periods of less than twelve consecutive days and no such worker shall require his employer to allow him such holidays with pay prior to the completion of twelve consecutive months' service or during the Christmas period:

Provided that any of the days which are public holidays under the provisions of the Public Holidays Ordinance* for the time being in force shall not be computed as holidays with pay under the provisions of this Order.

(2) The holidays with pay shall be given by the employer and shall be taken by such worker before the expiration of ten months after the date upon which the right to such holidays shall have accrued.

(3) The employer shall determine the date on which the holidays with pay shall commence and shall give such worker not less than seven days' notice of such date.

9. Notwithstanding the provisions of paragraph (1) of article 8 of this Order, an employer and a worker may agree that such worker shall take his holidays with pay in periods of not less than six consecutive days upon the completion of six consecutive months' service in which case such holidays with pay shall be given by the employer and taken by the worker before the expiration of three months after each period of six consecutive months' service aforesaid :

Provided that no such holidays with pay shall be taken during the Christmas period.

10. In respect of a period of holidays with pay the employer shall pay to the aerated water factory worker for each day of such period, remuneration at the rate of one-sixth of the average weekly earnings of such worker during the previous twelve months or during the period of his employment with the employer whichever is the lesser period.

11. When the employment of an aerated water factory worker is terminated, either by such worker or by the employer, the employer shall pay to such worker, in lieu of such period of holidays with pay that shall have accrued under the provisions of this Order and in respect of which no payment has been made, a sum equal to the remuneration which would have been paid for a like period of holidays with pay if taken at that date.

12. For the purposes of this Order a period of employment shall be deemed to be continuous if it has not been interrupted by absence from work without the permission of the employer for a period not exceeding two consecutive days :

Provided that periods of illness certified by a medical practitioner not exceeding fourteen days shall not be deemed to be a break in employment for the purposes of this Order.

13. This Order shall come into operation on the 9th day of March, 1963.

SCHEDULE

Category	Automatic per week	Non-automatic per week
Foreman	\$26.00	\$26.00
Machine attendants		
16 years and under 18 years	\$13.75 (\$2.50 per day)	—
18 years and over	\$17.16 (\$3.12 per day)	—
Crowners		
14 years and under 18 years	—	\$15.40 (\$2.80 per day)
18 years and over	—	\$18.70 (\$3.40 per day)
Bottle Washers		
14 years and under 16 years	\$11.00 (2.00 per day)	\$11.00 (2.00 per day)
16 years and under 18 years	\$13.75 (\$2.50 per day)	\$13.75 (\$2.50 per day)
18 years and over	\$17.16 (\$3.12 per day)	\$17.16 (\$3.12 per day)
General Labourers		
14 years and under 16 years	\$11.00 (\$2.00 per day)	\$11.00 (\$2.00 per day)
16 years and under 18 years	\$13.75 (\$2.50 per day)	\$13.75 (\$2.50 per day)
18 years and over	\$17.16 (\$3.12 per day)	\$17.16 (\$3.12 per day)
Mechanics	\$26.00 (\$4.80 per day)	\$26.00 (\$4.80 per day)
Syrup Boiler/Mixer	\$30.25 (\$5.50 per day)	—
Assistant Mixers (and all others in syrup room)	\$18.15 (\$3.30 per day)	—
Truck Drivers	\$20.00 (\$3.84 per day) (48c. per hour)	\$20.00 (\$3.84 per day) (48c. per hour)
Salesmen	\$18.70 per week (\$3.40 per day)	\$18.70 per week (\$3.40 per day)
Delivery men	\$17.16 per week (\$3.12 per day)	\$17.16 per week (\$3.12 per day)
Trailer drivers	\$23.00	—
Checkers	\$28.00 per week	—
Sign Artists	\$22.50 per week	—

Ordered this 5th day of March, 1963.

R. F. A. GREY,
Governor.