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**THE BRITISH TRADE BOARDS SYSTEM**

# THE BRITISH TRADE BOARDS SYSTEM

15 SEP 1928

BY  
DOROTHY SELLS, Ph.D.

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## PREFACE

THREE monographs, published previous to 1916 by the Ratan Tata Foundation of the London School of Economics, give detailed accounts of the economic effects of Trade Board legislation in the Tailoring, Chain, and Paper Box-making trades under pre-war conditions. During those years the economic situation in Great Britain remained relatively stable and industry was generally prosperous. Since that time the world has undergone vicissitudes of a political, economic and social nature. Within the last four years one of the questions most frequently asked by persons concerned with reconstruction problems in the field of labour has been : " How has the Trade Boards System developed in Great Britain, and how has it worked under the test of time and economic chaos ? " This very economic confusion itself has made the collection of facts extremely difficult. The following pages, however, have been written in an attempt to answer the question in so far as it is possible to do so from available information. The main sources from which information has been obtained are the minutes and papers of the various Trade Boards themselves, the documents and papers of the Trade Boards Division of the Ministry of Labour, the records of numerous Employers' Associations and Trade Unions, and the personal experience of individual employers, workers, and other persons conversant with Trade Board activity in different parts of the country. The study, altogether, has covered a period of about two years, but most of the personal enquiry was carried on during the months of September, October and November, 1922, and the

opinions of employers and workers which have been quoted were given during those months. December 1st, 1922, therefore, may be taken as the date for which information is given unless another date is specified. For the opinions which are not quoted, I alone am responsible. In estimating the value of the Trade Boards System, whether by presentation of facts, by interpretation, or by judgments, my object has been to consider it rather as a part of an existing economic and social organisation than as one of the instruments for building up a new industrial or social order. It would have been impossible in dealing with thirty-nine different trades to prepare even this incomplete sketch of Trade Board activity had it not been for the generous assistance of Trades Union officials, particularly those of the Women's Section, National Union of General Workers, officers of Employers' Associations, and individual workers and employers too numerous to name here. Especially do I wish to acknowledge my thanks to the Trade Boards which have kindly given me access to their papers; to Mr. R. H. Tawney, Mr. C. M. Lloyd and Miss Lela Brown, who have read my manuscript and advised me regarding its preparation, and to Miss A. M. Richards, who has assisted me in preparing the graphs and tables.

DOROTHY SELLS.

LONDON,  
*6th February, 1923.*

# CONTENTS

## PART I

### AN INTERPRETATION OF THE TRADE BOARDS SYSTEM

CHAP.	PAGE
I. The Acts of 1909 and 1918 . . . . .	I
II. The Trade Boards System as it Works . . . . .	7

## PART II

### SPECIAL PROBLEMS

I. Enforcement . . . . .	32
II. District Trade Committees and District Rates . . . . .	46
III. Demarcation and Scope. . . . .	53
IV. Permits of Exemption . . . . .	62
V. Apprenticeship and Learnership . . . . .	66

## PART III

### ECONOMIC EFFECTS

I. On Wages . . . . .	77
II. On Wages ( <i>continued</i> ) . . . . .	121
III. On Hours . . . . .	178
IV. On Organisation . . . . .	184
V. On Employment . . . . .	192
VI. On Costs of Production, Output, and Prices . . . . .	224

## PART IV

### CONCLUSIONS

I. Recent Developments . . . . .	243
II. General Conclusions . . . . .	258
Appendices . . . . .	268
Index . . . . .	291

## APPENDICES

- I. List of Trade Boards and Date of Establishment.
- II. Definition of the Stamped or Pressed Metal Wares Trade.
- III. Definition of Dressmaking and Women's Light Clothing Trade.
- IV. Sample Form of Indenture of Apprenticeship.
- V. Application Form for a Permit of Exemption.
- VI. Form used for issuing Permit of Exemption.
- VII. Form used for issuing Certificate of Learnership.
- VIII. Form used for Report of Inspection.
- IX. Summary of Recommendations of the Committee of Enquiry into the Working and Effects of the Trade Boards Acts (1922).
- X. Chief Provisions of the Acts of 1909 and 1918.

### I.

#### LIST OF TRADE BOARDS ESTABLISHED TO DECEMBER 1ST, 1922, AND DATE OF ESTABLISHMENT.

1910.	
Chain (Great Britain) . . . . .	January 3rd.
Paper Box (Great Britain) . . . . .	July 29th.
Machine-made Lace and Net Finishing (United Kingdom) . . . . .	September 7th.
1911.	
Paper Box (Ireland) . . . . .	September 5th.
1914.	
Shirt-making (Great Britain) . . . . .	February 6th.
Sugar Confectionery and Food Preserving (Great Britain) . . . . .	February 6th.
Sugar Confectionery and Food Preserving (Ireland) . . . . .	May 8th.
Shirt-making (Ireland) . . . . .	May 14th.
Tin Box (Great Britain) . . . . .	July 30th.
Hollow-ware (Great Britain). . . . .	August 4th.



1916.

Linen and Cotton Embroidery (Ireland) . . . May 8th.

1919.

Tobacco (Great Britain) . . . April 23rd.  
 Laundry (Great Britain) . . . May 1st.  
 Boot and Shoe Repairing (Great Britain) . . . July 5th.  
 Paper Bag (Great Britain) . . . July 14th.  
 Corset (United Kingdom) . . . July 17th.  
 Brush and Broom (Great Britain) . . . July 17th.  
 Tobacco (Ireland) . . . August 13th.  
 Boot and Shoe Repairing (Ireland) . . . October 15th.  
 Fur (Great Britain) . . . October 25th.  
 Rope, Twine, and Net (Great Britain) . . . December 3rd.  
 Jute (Great Britain) . . . December 8th.  
<sup>1</sup>Retail Bespoke Tailoring (Great Britain) . . . December 12th.  
 Wholesale Mantle and Costume (Great Britain) . . . December 13th.  
 Coffin Furniture and Cerement Making (Great Britain) . . . December 16th.  
 Brush and Broom (Ireland) . . . December 22nd.

1920.

Aerated Waters (England and Wales) . . . January 2nd.  
 Aerated Waters (Scotland) . . . January 8th.  
 Hat, Cap and Millinery (England and Wales) . . . January 12th.  
 Dressmaking and Women's Light Clothing (England and Wales) . . . January 15th.  
 Perambulator and Invalid Carriage (Great Britain) . . . January 20th.  
 Flax and Hemp (Great Britain) . . . January 27th.  
 Aerated Waters (Ireland) . . . February 4th.  
 Button-making (Great Britain) . . . February 13th.  
 Stamped or Pressed Metal Wares (Great Britain) . . . February 13th.  
 Pin, Hook and Eye and Snap Fastener (Great Britain) . . . February 17th.  
<sup>1</sup>Ready-made and Wholesale Bespoke Tailoring (Great Britain) . . . February 17th.  
 Hair, Bass, and Fibre (Great Britain) . . . February 20th.  
 Milk Distributive (England and Wales) . . . February 27th.  
 Dressmaking and Women's Light Clothing (Scotland) . . . March 29th.  
 Dressmaking and Women's Light Clothing (Ireland) . . . March 31st.  
 Hat, Cap and Millinery (Scotland) . . . March 31st.  
 Hat, Cap and Millinery (Ireland) . . . March 31st.  
 Wholesale Mantle and Costume (Ireland) . . . March 31st.

<sup>1</sup> The Boards were established in place of the Tailoring Trade Board, which was established on November 23rd, 1910.

Laundry (Ireland)	April 14th.
Rope, Twine, and Net (Ireland)	April 21st.
Retail Bespoke Tailoring (Ireland)	April 24th.
Ready-made and Wholesale Bespoke Tailoring (Ireland)	April 24th.
Flax and Hemp Spinning and Weaving (Ireland)	May 20th.
Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods (Great Britain)	May 28th.
Linen and Cotton Handkerchief and Household Goods and Linen Piece Goods (Ireland)	June 4th.
Grocery and Provisions (England and Wales)	June 23rd.
Milk Distributive (Ireland)	August 6th.
Milk Distributive (Scotland)	August 17th.
Toy (Great Britain)	August 19th.
General Waste Materials Reclamation (Great Britain)	August 27th.
General Waste Materials Reclamation (Ireland)	August 27th.
Cotton Waste Reclamation (Great Britain)	September 16th.
Grocery and Provisions (Scotland)	November 1st.
Made-up Textiles (Great Britain)	November 24th.

## 1921.

Ostrich and Fancy Feather and Artificial Flower (Great Britain)	February 3rd.
Boot and Floor Polish (Great Britain)	July 11th.
Sack and Bag (Great Britain)	November 2nd.

## II.

## DEFINITION OF THE STAMPED OR PRESSED METAL WARES TRADE.

THE manufacture from metals (other than precious metals) by the processes of cold stamping or cold pressing (including cutting or piercing) of cabinet fittings, window fittings, curtain accessories, stationers' sundries, drapers' sundries, fittings for gas or electric light, fittings for suit cases, of handbags or purses, buckles, eyelets, ferrules, labels, collar studs, tie-clips, thimbles, photograph frames, stamped chains, bells, fancy nails (excluding the shanks), parts of safety razors (excluding the blades), parts of braces or suspenders, corset steels or busks, whistles, tin-openers, medals or any similar articles or metal parts of such articles;

*Including* :—

(a) The operations of annealing, hardening, barrelling, polishing, bronzing, nickelling, lacquering, japanning, non-vitreous enamelling, tinning or assembling, where these operations are carried

on in association with or in conjunction with the manufacture of such stamped or pressed metal articles;

(b) The operations of carding, boxing, packeting, labelling, weighing, packing, warehousing, or despatching, where these operations are incidental to or appertaining to the manufacture of such stamped or pressed metal articles;

*But excluding* :—

(a) The operations specified in the Trade Boards (Hollow-ware) Order, 1913;

(b) The making of buttons or any operations incidental thereto;

(c) The making of coffin furniture or any operations incidental thereto;

(d) The making of pins, hairpins, hooks and eyes, hair-curlers, snap fasteners or safety pins or any operation incidental thereto;

(e) The making of steel pens and the making of stationers' metal sundries or other similar metal articles when carried on as a subsidiary branch of work in association with or in conjunction with the making of steel pens, so as to provide a common or interchangeable form of employment for the workers;

(f) The minting of coinage of the realm;

(g) The process of hand-embossing.

### III.

#### DEFINITION OF DRESSMAKING AND WOMEN'S LIGHT CLOTHING TRADE.

THE trade, as specified in the Trade Board Order, is as follows :—

Those branches of the Women's Clothing trade that are engaged in the making of non-tailored garments, namely, the making from textile or knitted fabrics of (a) non-tailored wearing apparel (other than handkerchiefs) worn by women or girls, or by children without distinction of sex, or (b) boys' ready-made washing suits or sailor suits, where carried out in association with or in conjunction with the making of garments to be worn by women or girls or by children without distinction of sex;

*Including* :—

1. All operations or processes of cutting, making, or finishing by hand or machine of dresses, non-tailored skirts, wraps, blouses, blouse-ropes, jumpers, sports-coats, neckwear, tea-gowns, dressing-gowns, dressing-jackets, pyjamas, underclothing, under skirts, aprons, overalls, nurses' and servants' caps, juvenile clothing, baby-linen, or similar non-tailored articles;

2. The making of field bonnets, sun-bonnets, boudoir caps or infants' millinery, where carried on in association or in conjunction with the making of any of the articles mentioned in paragraph (1) above;

3. (a) The altering, repairing, renovating or remaking of any

of the above-mentioned articles: (b) the cleaning of any of the above-mentioned articles where carried on in association with or in conjunction with the altering, repairing, renovating or remaking of such garments;

4. All processes of embroidery or decorative needlework where carried on in association with or in conjunction with the making, altering, repairing, renovating, or remaking of such articles other than hand embroidery or hand drawn-thread work on articles made of linen or cotton or of mixed linen or cotton;

5. The following processes if done by machine: thread-drawing, thread-clipping, top-sewing, scalloping, nickelling, and paring;

6. Laundering, smoothing, folding, ornamenting, boxing, packing, warehousing, or other operations incidental to or appertaining to the making, altering, repairing, renovating or remaking of any of the above-mentioned articles;

*But excluding:—*

(a) The making of knitted articles, the making of underclothing, socks and stockings from knitted fabrics, and the making from knitted fabrics of articles mentioned in paragraphs (1) and (2) above, where carried on in association with or in conjunction with the manufacture of the knitted fabrics;

(b) The making of gloves, spats, gaiters, boots, shoes and slippers;

(c) The making of headgear other than the articles mentioned in paragraph (2) above;

(d) The branches of trade covered by the Trade Boards (Corset) Order, 1919;

(e) The making of rubberised or oilskin garments;

(f) The making of women's collars and cuffs and of nurses' stiff washing belts where carried on in association with or in conjunction with the making of men's or boy's shirts or collars;

(g) Warehousing, packing and other similar operations carried on in shops mainly engaged in the retail distribution of articles of any description that are not made on the premises;

*And excluding also:—*

(h) Any processes or operations included in the Appendix to the Trade Boards (Shirt-making) Order, 1920.

#### IV.

#### FORM OF INDENTURE OF APPRENTICESHIP.

*Used by the Perambulator and Invalid Carriage Trade Board  
(Great Britain).*

THIS INDENTURE made the            day of            between a  
minor of the age of            years (hereinafter called the "Appren-  
tice") of the first part,            of            the Parent or Guardian of

the Apprentice (hereinafter called the "Guardian") of the second part and of (hereinafter called the "Employer") of the third part :

WITNESSETH as follows, that is to say :—

1. The Apprentice of his or her own free will, and with the consent of the Guardian, hereby binds himself or herself to serve the Employer as his Apprentice in his trade of for the term of <sup>1</sup> years from the date of these presents.

2. In consideration of the covenants and agreements entered into by the Guardian and the Apprentice, the Employer hereby covenants with the Guardian and the Apprentice and with each of them severally as follows :—

- (a) That he will keep the Apprentice as his Apprentice during the said term and to the best of his power, skill and knowledge instruct the Apprentice or cause him or her to be instructed in the section or sections of the Perambulator and Invalid Carriage trade known as <sup>2</sup>
- (b) That he will keep the Apprentice under his own supervision or place him or her under a fully qualified journeyman (or journeymen).
- (c) That he will pay to the Apprentice every week during the said term wages in accordance with the appropriate scale of wages as fixed and as varied from time to time for Male and Female Apprentices by the Trade Board.
- (d)<sup>3</sup> That if the Employer [shall die or become permanently incapacitated through illness or injury (to be certified by a duly qualified medical practitioner or] cease to carry on the said trade of before the expiration of the said term of apprenticeship, then, and in any such case, the Employer (or his Executors or his Administrators as the case may be), shall, subject to the consent and approval of the Guardian and of the said Apprentice being obtained, find another suitable Employer for the Apprentice to take over this Indenture.
- (e) That he will not hold the Apprentice liable to make good to the value of any work which he or she may spoil whilst learning his or her trade, except in the case of wilful or malicious damage.
- (f) That he will cause the Apprentice to attend during the term of this Indenture such approved technical classes as may be agreed upon by the parties concerned in the Indenture, the Apprentice to suffer no loss of wages by reason of

<sup>1</sup> Insert "two" in the case of apprentices as (a) Upholsterers and Hood Covers; (b) Cutters; (c) Sewing Machinists. Insert "four" in all other cases.

<sup>2</sup> Insert section of trade.

<sup>3</sup> If the employer be a company incorporated under the Companies Acts omit the words in brackets.

attendance at any technical classes either as aforesaid or under the provisions of the Education Act, 1918, and the time so spent to be reckoned as an equivalent part of the usual working hours and not extra thereto.

- (g) That he will supply the Apprentice forthwith, upon its execution, with a true copy of this Indenture.

3. In consideration of the premises, the Guardian and the Apprentice respectively severally covenant with the Employer as follows :—

- (a) That the Apprentice shall truly and faithfully during the said term serve the Employer as his Apprentice, and his secrets keep, and shall diligently attend to the said trade and, at all times, willingly obey the lawful and reasonable commands of the Employer and shall not absent himself or herself from the Employer's service without leave.
- (b) That the Apprentice shall not do any damage or knowingly suffer any damage to be done to the goods, moneys or other property of the Employer.
- (c) That the Apprentice shall willingly perform all such shop duties as are usually done by Apprentices.
- (d) That the Apprentice shall attend such continuation classes between the hours of 9 a.m. and 7 p.m., as the Employer desires, provided that the Apprentice suffer no loss of wages by reason of such attendance.
- (e) That in case the Apprentice shall at any time during the said term be wilfully disobedient to lawful orders or commands of such Employer, or be slothful or negligent ; or shall otherwise grossly misbehave himself or herself towards the Employer, it shall be lawful to discharge the said Apprentice, who shall be entitled to the right of appeal to the Trade Board.

4. In consideration of the Covenants and Agreements entered into by the Guardian and the Apprentice with the Employer, it shall be mutually agreed that :—

If either of the parties hereto desires for any reason to determine this Agreement before the expiration of the said period of two or four years or in the event of any dispute arising involving allegations of unsuitability or of failure to apply himself or herself diligently to learn the said operation on the part of the Apprentice or of failure on the part of the Employer to cause him or her to be well and sufficiently instructed in the said operation or of wrongful exercise by the Employer of his power to dismiss the Apprentice under clause 3 (e) hereof, which cannot be settled between the parties hereto, the Employer and the Apprentice hereby mutually agree that the matters in dispute shall stand referred in the first instance to the Perambulator and Invalid Carriage

Trade Board (Great Britain) with a view to effecting a settlement thereof.

IN WITNESS whereof the said parties to these presents have hereunto set their hands and seals this            day of            , in the year of Our Lord one thousand nine hundred and            .

Signed, sealed and delivered by all the above named parties in the presence of	{	Employer . . . . .	(Seal.)
		Guardian . . . . .	(Seal.)
		Apprentice . . . . .	(Seal.)

Witness  
Address  
Occupation

## V.

## TRADE BOARDS ACTS, 1909 AND 1918.

*Trade Board.*

## APPLICATION FOR PERMIT OF EXEMPTION UNDER SECTION 5 (5) OF THE TRADE BOARDS ACT, 1918.

1. Name of worker
2. Address of worker
3. Name of employer
4. Address of employer
5. Age of worker
6. Particulars of infirmity or physical injury by which worker is affected which renders him/her incapable of earning the general minimum time rate. (*A medical certificate should be furnished.*)
7. Length of time in present employment
8. Total experience in the trade
9. Particulars of work on which it is proposed to employ the worker
10. Reasons why the case cannot suitably be met by employing the worker on piece work.<sup>1</sup>
11. Rate of wages at which it is proposed to employ the worker. (NOTE.—*If a weekly rate, state number of hours per week.*)

Application is hereby made to the above Trade Board for the issue of a Permit of Exemption under section 5 (5) of the Trade Boards Act, 1918, to            , whose case cannot suitably be met by his/her employment on piece work:

Signature of Worker  
Signature of Employer

Date

<sup>1</sup> It should be specially noted that a Permit can be issued only to a person employed or desiring to be employed on TIME work, and cannot be issued, and is not required, in a case which can suitably be met by employing the worker on piece work.

VI.

*(For use where full Overtime Rates are payable, but Permit Rate based on less than the normal week.)*

Number .

TRADE BOARDS ACTS, 1909 AND 1918.

TRADE BOARD. *(England and Wales.)*  
*(Great Britain.)*  
*(Ireland.)*

PERMIT UNDER SECTION 5 (5) OF THE TRADE BOARDS ACT, 1918.

WHEREAS , of , now employed by , of , in , applied to the above-mentioned Trade Board for a Permit under sub-section five of section (5) of the Trade Boards Act, 1918, AND WHEREAS the Trade Board are satisfied that (he) (she) is affected by an infirmity or physical injury, namely: which renders (him) (her) incapable of earning the general minimum time rate (guaranteed time rate) applicable to (him) (her), AND are also satisfied that the case is one in which they should exercise their powers under the said sub-section,

THE TRADE BOARD DO HEREBY GRANT TO (HIM) (HER)

A PERMIT exempting (his) (her) employment from the provisions of the Trade Boards Acts relating to the payment of wages at less than the minimum rate, subject to the following conditions:—

1. That (he) (she) is employed at a time rate which is not less than clear of all deductions (other than deductions under the National Insurance Act, 1911, as amended by any subsequent enactments or deductions authorised by any Act, to be made from wages in respect of contributions to any superannuation or other provident fund). The above-mentioned sum of is subject to a proportionate reduction or increase according as the number of hours of employment in any week is less or more than , but not more than

2. That for all hours in excess of the number declared by the Trade Board to be the normal number of hours of work in the trade, the full overtime rates fixed by the Trade Board shall be payable in like manner as though the worker had not been granted a Permit of Exemption.

3. That (he) (she) gives notice to the Secretary of the Trade Board of any change in (his) (her) employment.

4. That this Permit is granted from the and is subject to revision or cancellation at the discretion of the Trade Board.



5. That this Permit is granted for a period not exceeding months from the and shall cease to be valid on and after the , or previously if cancelled by the Trade Board.

While this Permit is in force an employer shall not be liable to any penalty for paying wages to the above worker, at a rate less than the minimum rate applicable, so long as the above conditions prescribed by the Trade Board are complied with.

## VII.

## TRADE BOARDS ACTS, 1909 AND 1918.

*Paper Box Trade Board (Great Britain).*

## STATEMENT OF PARTICULARS IN CONNECTION WITH APPLICATION FOR CERTIFICATE BY UNDERMENTIONED WORKER.

Worker's name in full

Worker's full private address

Date of birth . (Verified by employer by reference to birth certificate.)

Name and address of present employer(s)

Date of commencement of present employment

Previous employment in the trade. (If none, state "none.")

- |           |    |    |    |              |    |   |
|-----------|----|----|----|--------------|----|---|
| * 1. From | 19 | to | 19 | with Messrs. | of | . |
| 2. From   | 19 | to | 19 | with Messrs. | of | . |
| 3. From   | 19 | to | 19 | with Messrs. | of | . |
| 4. From   | 19 | to | 19 | with Messrs. | of | . |

I hereby declare that the particulars set out above are true to the best of my knowledge and belief.

Signature of worker

Date

I hereby declare that the applicant's birth certificate has been produced to me.

Signature of Employer or Authorised Agent

Date

(After the above form has been completed the attached application should also be signed.)

(After registration this form will be detached and returned. It should then be carefully kept for production if required by or on behalf of the Trade Board, whose property it remains.)

## TRADE BOARDS ACTS, 1909 AND 1918.

*Paper Box Trade Board (Great Britain).*

## PART I.—APPLICATION FOR CERTIFICATE AS LEARNER.

I hereby apply for a Certificate as a Learner in the trade for

which the Paper Box Trade Board (Great Britain) has been established :—

Signature of Worker .  
Address .

Date .  
The foregoing is made with my knowledge and approval.  
Signature of Employer or Authorised Agent .  
Name and Address of Firm .

Date .  
*(The above application and the attached sheet should be sent at once to the Secretary, Paper Box Trade Board (Great Britain), 1, Whitehall Gardens, London, S.W. 1.)*

PART II.

*(To be filled in at the office of Trade Boards.)*

The above application has been granted, and this Certificate is issued on behalf of the Trade Board, the date of birth of the learner being declared as , and the length of previous employment in the trade prior to as years months.

Signature

Date .  
*(Instructions for learners are enclosed.)*

PART III.

*(To be filled in when the learner leaves the employment referred to in the above Certificate.)*

When the learner leaves her employment she should hand this form to her employer in order that he may enter the *date of leaving* in the space below.

The learner above-mentioned left my employment on  
Signature of Employer or Authorised Agent

PART IV.—SUBSEQUENT EMPLOYMENTS.

This Certificate is valid only in respect of the foregoing employment. When the learner obtains new employment the new employer should insert the *date of commencement*, and forward the Certificate to THE SECRETARY, PAPER BOX TRADE BOARD (GREAT BRITAIN), 1, WHITEHALL GARDENS, LONDON, S.W. 1.

i. Name and address of firm

Date of commencement of employment , 19 .

Signature of Employer or Authorised Agent .

Application is hereby made for a certificate in respect of the above employment.

Signature of Worker

[ Date

When the above particulars are filled in, this form should be forwarded, by the employer, to the Secretary of the Trade Board. If in order it will be duly certified and returned. *Until so certified it is not valid.*

*(To be filled in at the office of Trade Boards.)*

Certified on behalf of the Trade Board . . . Date

*(To be filled in by the employer when the learner leaves.)*

The learner above-mentioned left my employment on . . . , 19

Signature of Employer or Authorised Agent

Date . . .

2. Name and address of firm

Date of commencement of employment . . . , 19

Signature of Employer or Authorised Agent

Application is hereby made for a certificate in respect of the above employment.

Signature of Worker

Date . . .

When the above particulars are filled in, this form should be forwarded, by the employer, to the Secretary of the Trade Board. If in order it will be duly certified and returned. *Until so certified it is not valid.*

*(To be filled in at the office of Trade Boards.)*

Certified on behalf of the Trade Board . . . Date

*(To be filled in by the employer when the learner leaves.)*

The learner above-mentioned left my employment on . . . , 19

Signature of Employer or Authorised Agent

Date . . .

3. Name and address of firm

Date of commencement of employment . . . , 19

Signature of Employer or Authorised Agent

Application is hereby made for a Certificate in respect of the above employment.

Signature of Worker

Date . . .

When the above particulars are filled in, this form should be forwarded, by the employer, to the Secretary of the Trade Board. If in order it will be duly certified and returned. *Until so certified it is not valid.*

*(To be filled in at the office of Trade Boards.)*

Certified on behalf of the Trade Board . . . Date

(To be filled in by the employer when the learner leaves.)

The learner above-mentioned left my employment on  
 19 . . . . .  
 Signature of Employer or Authorised Agent  
 Date

VIII. T.B. 1 (d).

REPORT OF INSPECTION.

Registered No. . . . . Date of visit  
 Firm and address  
 Class of trade . . . . .  
 Person(s) seen and status  
 Object of visit . . . . .

I.—Summary of Results of Inspection.

Matter Investigated.	Infractions.	Action taken.
Posting of Notices . . . . .		
Records { Wages . . . . .		
{ Time . . . . .		
{ Time Workers . . . . .		
{ Piece Workers . . . . .		
{ Learners . . . . .		
Wages { Homeworkers . . . . .		
{ Overtime Rates . . . . .		
{ General Minimum . . . . .		
{ Piece Rates . . . . .		

II.—Matters referred for Information or for Action to—

	Initialled by
1. Registry . . . . .	
2. Mr. { Official List . . . . .	
{ Notices . . . . .	
{ Application Forms . . . . .	
{ Permit Rates . . . . .	
3. Mr. { Letter . . . . .	
{ Proceedings . . . . .	

III.—Report.

1. Notices { Description of notices posted . . . . .	M.
{ F.	
2. Records { Wages . . . . .	
{ Time . . . . .	

3. Wages (summary of Print 6).

(a) Time Workers.

	Workers entitled to the full minimum rate.		Workers entitled to lower minimum rates. (1)		
	M	F.	M.	F.	
Number employed.					(1) Whether required to hold certificates . . . . . Whether holding certificates . . . . . Whether rates were checked by ages . . . . . (2) Number holding permits or to apply for permits . . . . (particulars attached).
Number under minimum applicable. (2)					

(b) Piece Workers (for whom General Minimum Piece Rates have not been fixed).

Groups.	M. or F.	Number in Group.	Number under Basis Rate of.....	Number under Guaranteed Time Rate of.....	General Conclusions.

Whether earnings shown above are nett, i.e., clear of all deductions

(Information relating to sub-ordinary workers should be given on Print 5.)

(c) General Minimum Piece Rates

(d) Homeworkers { Kind(s) of work given out  
Whether rates appear satisfactory

Officer

Date

## IX.

### SUMMARY OF RECOMMENDATIONS OF THE COMMITTEE APPOINTED TO ENQUIRE INTO THE WORKING AND EFFECTS OF THE TRADE BOARDS ACTS, 1922. (Cmd. 1645.) 1922.

1. That the power of the Minister of Labour to apply the Acts to a trade be confined to cases where he is satisfied (a) that the rate of wages prevailing in the trade or any branch of the trade is unduly low as compared with those in other employments; and (b) that no adequate machinery exists for the effective regulation of wages throughout the trade.

2. That in any case in which the Minister considers that a *prima facie* case exists for applying the Acts to any trade, he shall cause a public enquiry to be held into the matter and shall have regard to the report of such enquiry.

3. That it be the duty of a Trade Board to fix—

(a) A general minimum time rate for the general body of workers in the trade, such rate to be fixed with reference to the lowest grade of ordinary workers in the trade;

and that a Trade Board be authorised to fix—

(b) If so authorised by Order of the Minister of Labour, a special minimum time rate for workers performing work ancillary to that performed by the general body of workers;

(c) A piece work basis time rate;

(d) A guaranteed time rate for piece workers;

(e) Minimum piece rates for out- or homeworkers engaged in piece work in the trade;

(f) Overtime rates based upon the above rates;

and that such rates when confirmed be enforceable in manner now provided by the Trade Boards Acts.

4. That a Trade Board have power to fix—

(a) Special minimum time rates and piece work basis time rates for special classes of workers in the trade or workers engaged in any special process;

(b) Minimum piece rates for in-workers;

(c) Special minimum piece rates for in-workers to be fixed on the application of an individual employer to apply in respect of workers employed by him;

(d) Overtime rates based upon the above rates ;  
and to apply for confirmation of such rates, and that such rates, if confirmed, be recoverable by civil proceedings only.

5. That any question arising under the last preceding recommendation be determined by agreement between the members representing employers and the members representing workers, and that for this purpose the assent of not less than three-fourths of the members of either side present and voting on the question (not less than one-half of the members on the side being present) do bind the side.

6. That provision be made for enabling the representative members of a Trade Board to refer any difference which may have arisen with regard to any rate proposed to be fixed under the recommendation numbered (4) above, to such person or persons as they may appoint.

7. That as regards any rate fixed or proposed to be fixed under the above recommendation numbered (4), the provisions of the Corn Production Acts (Repeal) Act, 1921, section 4, sub-sections (3) to (5), have effect subject to the modification proposed in paragraph 62 of the Report.

8. That as regards any manufacturing or productive trade to which the Acts have been or may be applied, the Minister of Labour be authorised, after consultation with the Trade Board for such trade, to set up for any area a district committee for the regulation of such trade in the area, and that every such committee have the powers conferred by the Acts upon district committees.

9. That where a district trade committee has been established it shall be consulted by the Board before a proposal for a rate affecting the district is made.

10. That a Trade Board which has established a district trade committee shall have power at any time to dissolve it.

11. That as regards the distributive and retail making-up trades to which the Acts have been or may be applied (including the Laundry Trade), the Minister of Labour shall be authorised to divide the country into suitable areas and to set up for any area a District Board or District Boards for the regulation of such trades in the area.

12. That a co-ordinating committee for each trade or group of trades for which District Boards are so formed be set up.

13. That the Trade Boards which have not already adopted this course be recommended in fixing minimum rates for learners to have regard to experience not less than to age to make suitable provision for late entrants.

14. That Trade Boards be recommended in trades where apprenticeship is of value to encourage that system by fixing a minimum rate for apprentices lower than that fixed for learners of the same age.

15. That the power of exemption conferred upon Trade Boards by the Acts be extended so as to cover any worker employed in a trade who, from age or any other cause, is incapable of earning the minimum rate applicable to him.

16. That permits of exemption when given may be made retrospective to the date of application.

17. That the rates fixed by Trade Boards be subject to confirmation by the Minister as at present, but that the Minister be authorised, before confirming any rate or referring it back to a Trade Board for reconsideration, to refer the matter to the Industrial Court for its consideration and advice, or to cause a public enquiry to be held into the matter.

18. That the Minister of Labour be authorised to establish a Trade Board for two or more trades and to transfer to any such Board the powers of any existing Board.

19. That the Minister of Labour be authorised, on the application of a proprietor of any establishment in which two or more trades to which the Acts apply are carried on, by Order to determine which minimum rates of wages shall apply to the workers or any class of workers in such establishment.

20. That the Minister of Labour be authorised, on the application of a trader or any person concerned, by Order to determine whether any worker or class of workers falls within the scope of an Order under which a Trade Board are established or of a determination made by such a Board.

21. That any Trade Board or persons aggrieved by any such decision shall have a right of appeal to a judge of the High Court in manner provided by section 10 of the Unemployment Insurance Act, 1920.

22. That the Minister shall be authorised, if he is of opinion that the circumstances of any trade or any branch of a trade to which the Acts apply are of such a character as to render the application of the Acts no longer necessary, by special Order to withdraw that trade or branch from the operation of the Acts either altogether or for such period and upon such conditions as he may think fit, but that before making any such Order the Minister shall cause a public enquiry to be made into the matter.

23. That the Minister be authorised by Order to empower the Lace Finishing Board, and any other Board to which he may consider that similar considerations apply, to fix a minimum remuneration for middle-women.

24. That Trade Boards be authorised to fix a series of minimum rates to come into operation contingently on the occurrence of specified events.

25. That Trade Boards be authorised in fixing overtime rates to make the payment of a daily overtime rate conditional on the completion by the workers of a specified number of hours' work in the week, subject to such work being provided by the employer ;



and also to fix such rates by reference to a different number of hours' work in different districts.

26. That the provision which prevents a Trade Board from giving notice of a proposal to vary a rate within six months after it has been fixed, without the consent of the Minister of Labour, be repealed.

27. That the period allowed for objections to a proposal for the cancellation or variation of a rate be reduced in the case of a rate specified in the above recommendation numbered (3) to one month, and in all other cases to fourteen days, from the date of notice being given of the proposal.

28. That the maximum period allowed to the Minister for confirming a cancellation or a variation of a rate or referring it back to the Trade Board be reduced (unless in his opinion there are special circumstances which make a postponement desirable, and excepting when he refers the rate to the Industrial Court or orders a public enquiry to be held) to fourteen days.

29. That where, as a result of objections to a proposal for a minimum rate, a rate different from the proposed rate is agreed to by not less than three-fourths of the representative members on each side of the Board present and voting, not less than one-half of the members on each side being present, the Minister be authorised (unless he is of opinion that the difference is of so serious a nature that fresh notice of it should be given) to confirm such different rate as the minimum without any further notice thereof being given.

30. That when on investigation it is found that an employer is not complying with a compulsory Order, the employer be warned forthwith of the non-compliance.

31. That when a magistrate convicts an employer of an offence against the Acts, it be the duty of the magistrate to order payment of all arrears incurred within six months before the commencement of the proceedings, but without prejudice to his power to order payment of arrears for a longer period.

32. That it be the duty of the Minister to obtain an annual report on the working of the Acts and to present the same to Parliament.

33. That provision be made for applying the amendments proposed in this Report to the existing Boards.

34. That the Trade Boards Acts be repealed and a Consolidating Act containing the necessary amendments be passed.

## X.

### SUMMARY OF THE CHIEF PROVISIONS OF THE TRADE BOARDS ACTS OF 1909 AND 1918.

1. The Acts apply to four trades specified in the Act of 1909, and may be applied by special Order of the Minister of Labour to any other trade if—

2. He is convinced that no adequate machinery exists for the effective regulation of wages in the trade, and having regard to the rate of wages prevailing in the trade that it is expedient.

3. The Minister of Labour may by special Order withdraw a trade from operation of the Act if he is of opinion that the conditions of employment have so altered as to render the application of the principal Act to the trade unnecessary.

4. A Trade Board shall consider and report upon any industrial matter referred to them by any Government department and shall fix a minimum rate of wages for time work for their trade. On application of an employer they shall fix special minimum piece rates to apply to the persons employed by him to which the minimum time rate, but no general minimum piece rate, is applicable.

5. A Trade Board may make recommendations to a Government department with reference to the industrial conditions of the trade. They may also fix for their trade—

- (a) A general minimum rate of wages for piece workers.
- (b) A minimum time rate to apply in the case of workers employed on piece work for the purpose of securing to such workers a minimum rate of remuneration on a time-work basis.
- (c) A minimum rate (whether a time rate or a piece rate) to apply, in substitution for the minimum rate which would otherwise be applicable in respect of hours worked by a worker in any week or on any day in excess of the number of hours declared by the Trade Board to be the normal number of hours of work per week or for that day in the trade.

6. These rates may be fixed to apply universally to the trade or so as to apply to any special process in the work of the trade, or to any special area, or to any class of workers in the trade, or to any class of workers in any special process or in any special area.

7. The power of a Trade Board to fix a minimum rate of wages shall include the power to fix a series of minimum rates to come into operation successively on the expiration of specified periods, and the power to vary a minimum rate shall include the power so to vary a rate that the variation shall be operative only during a specified period.

8. A Trade Board may attach to the fixing of a minimum rate for a special class of workers the conditions that—

- (a) Workers who are members of the class must be holders of certificates to that effect issued by the Trade Board.
- (b) If the class consists of learners, such conditions as the Trade Board think necessary for securing the effective instruction of those persons in the trade.

9. A Trade Board may cancel or vary any minimum rate fixed under the Act. They shall reconsider any minimum rates if the

Minister of Labour directs them to do so. Before fixing, cancelling, or varying any minimum rate of wages (not being a special minimum piece rate) a Trade Board shall give notice of their proposal and shall consider any objections to the proposal which shall be lodged with them within two months.

10. If a rate has not been effective for six months, the consent of the Minister of Labour must be obtained before variation.

11. When a Trade Board have fixed any minimum rate of wages, or have cancelled or varied any such rate, they shall send notification to the Minister of Labour, who shall take the matter into his consideration, and unless he thinks it necessary to refer the matter back to the Boards for reconsideration, shall make an order confirming the rate, cancellation or variation within one month unless in his opinion it is necessary to postpone the making of the Order. The Trade Boards shall give notice of the making of the Order and its contents after it has been confirmed by the Minister.

12. If a Trade Board are satisfied that any worker employed in the trade is affected by any physical injury which renders him incapable of earning that minimum rate which is applicable to him, they may grant him a permit exempting him from the provisions of the Act, and the employer shall not be liable for paying wages to the worker at a rate less than the minimum.

13. It shall be the duty of every employer in a trade to which the Act applies to keep such records of wages as are necessary to show that the provisions of the Act are being complied with. If he fails to do so he shall be liable on summary conviction in respect of each offence to a fine not exceeding one pound for every day during which the default continues after conviction.

14. In any prosecution of a person for failing to pay wages at not less than the minimum rate, it shall lie on that person to prove that he has not paid wages at less than the minimum rate.

15. Any shopkeeper, dealer, or trader who by way of trade makes any arrangement, express or implied, with any worker in pursuance of which the worker performs any work for which a minimum rate has been fixed under the Act shall be deemed to be the employer of the worker.

16. An employer shall in cases where persons are employed on piece work and a general minimum time rate, but no general minimum piece rate has been fixed, be deemed to pay wages at less than the minimum rate—

- (a) In cases where a special minimum piece rate has been fixed, if the rate of wages is less than that special minimum piece rate ; and
- (b) In cases where a special minimum piece rate has not been so fixed unless he shows that the piece rate of wages paid would yield in the circumstances of the case to an ordinary worker at least the same amount of money as the basis rate.

17. It shall not be lawful for the employer of a learner or an apprentice to receive directly or indirectly from him or on his behalf or on his account any payment by way of premium after the first four weeks from the commencement of his employment.

18. A worker shall be deemed to have been employed during all time during which he was present on the premises of the employer unless the employer proves that he was present without his consent, express or implied, or that he was so present for some purpose unconnected with his work other than waiting for work to be given him to perform. A worker employed on piece work shall be deemed during any time during which he was so present, and was not doing piece work, to have been employed at the general minimum time rate applicable to workers of his class. Provided that a worker who resides on the premises of the employer shall not be deemed to be employed during time when he is on the premises, by reason only of the fact that he is so resident, and a worker while present during normal meal times in a room or place where no work is being done shall be deemed to be present for a purpose unconnected with his work.

19. An employer who fails to pay wages at not less than the minimum rate shall be liable, on summary conviction in respect of each offence, to a fine not exceeding £20 and to a fine not exceeding £5 for each day on which the offence is continued after conviction. The Court may adjudge the convicted employer to pay in addition such sum as appears to the Court to be due to the person employed on account of wages, calculated on the basis of the minimum rate, and if notice of intention to do so is served with the summons, warrant, or complaint, evidence may be given of any failure on the part of the employer to pay wages at not less than the minimum rate to that worker at any time during the two years immediately preceding the date on which the information was laid, and upon proof the employer may be required to pay arrears during those years.

20. The Minister of Labour may make regulations with respect to the constitution of Trade Boards, which shall consist of members representing employers and members representing workers in equal proportions and of the appointed members. Women are eligible as members of Trade Boards as well as men, and at least one woman must be designated as an appointed member on the Trade Boards for any trades in which women are largely employed.

21. The representative members shall be elected or nominated or partly elected and partly nominated as provided in the regulations. The representation of homeworkers shall be provided for in all trades in which a considerable proportion of homeworkers are engaged. The Minister of Labour may appoint such number of persons as he thinks fit to be appointed members.

22. A Trade Board may establish district trade committees consisting partly of members of the Trade Board, but representing

employers or workers engaged in the trade and constituted in accordance with regulations made for the purpose. Any matters may be referred by a Board to a district trade committee or any power may be delegated to them except that to fix rates of wages.

23. Where a district trade committee has been established for any area, it shall be the duty of the committee to recommend to the Trade Boards minimum rates which shall be applicable to the trade in that area, and no minimum rates of wages fixed under the Act, and no variation or cancellation shall have effect within that area unless it has been submitted to the district trade committees and a report has been made to the Trade Board.

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## INDEX

- Agriculture : Corn Production Act, 3, 27, 116, 265; and milk trade, 60, 116; wages, 174, 175
- Appointed Members : on boards, 8; number, 11, 12; selection of, 14, 15; function of, 18, 20, 21, 22, 23
- Australia : early legislation, 1; New South Wales, 30; distributive trades, 120; attack on arbitration system, 243; fixation of rates, 263
- Aves, Ernest, 15, 32
- Balance Sheets, 20, 21, 238
- Board of Trade, 5
- Bowley, A. L. : wages during war, 160, 161; index numbers, 163
- Cave Committee : evidence, 14, 43, 142, 193, 194, 206, 210, 215; recommendations, 65, 208, 250-257, 262; establishment, 248
- Central Europe, exchange, 214
- Committee on Production, 103, 105, 112
- Competition : unfair, 32; foreign, 212, 213-216
- Co-operative Societies : wages of, 12, 89, 91, 92, 111, 112
- Co-ordination : of rates, 16, 61; between inspectorate and boards, 32, 33; lack of, 45
- Cost of Living : argument, 29; index number, 29, 30, 91, 105, 115, 119, 136, 157, 168, 195; district trade committees, 49; country and town, 49, 117; and cost of operating, 49; skilled rates, 135; sliding scales, 136, 137
- Court of Arbitration : laundry award, 89, 90; jute award, 97, 98; metal trades awards, 102, 103, 104
- Definition : of minimum wage, 27, 28; of trades, 53-59; stamped metal trade, 56; of learners, 67
- Employers' Trade Boards Consultative Committee, 25
- Factory Acts, 181
- Homeworkers : on boards, 8; inspection of, 41; district trade committees, 46; sweating, 78; net trade, 95, 210; metal trades, 102; overtime rates, 132; wages of, 147 *et seq.*; extent of, 149-153

- Industrial Court : net award, 95, 96 ; jute and flax, 98 ; dress-making, 112 ; care committee, 253, 265
- Industrial Training, 75, 76
- Infirm Workers : permits, 34, 37, 47, 62-65 ; numbers of, 63, 249, 250
- Inspection : success of Acts, 32-45 ; staff of inspectors, 40
- Investigations : *re* setting up boards, 7, 35 ; *re* rate fixing, 25 ; infraction of Acts, 33 ; permits, 62, 63 ; jute and flax, 98 ; piece rates, 123
- Late Entrants : rates for, 69 ; provisions for, 147
- Members : of boards, 10, 13
- Mining : Minimum Wage Act, 2 ; wages, 174, 175
- Ministry of Labour : establishment of trade boards, 5, 7, 8, 9, 15, 24, 122, 190, 245 ; executive functions, 7, 253 ; regulations of, 9, 17 ; confirmation of rates, 10, 16, 44 ; dissolution of boards, 11 ; district trade committees, 48 ; sliding scales, 136 ; enforcement, 186 ; investigations, 25 ; inspection, 32, 40-45 ; prosecutions, 43, 63 ; definition of trades, 53 ; industrial training, 75 ; distributive trades, 116, 119, 183 ; laundry, 123, 130 ; and trade boards, 246-249 ; attack on boards, 244
- Notices : posting of, 33, 34 ; complexity of, 34, 35, 36
- Objections : to rates, 17, 26, 27, 51
- Parliament : special Orders, 8 ; responsibility of Minister of Labour to, 16.
- Penalties : for non-compliance, 33
- Piece-work : yield of rates, 18 ; appointed members and rates, 21 ; rates in hair, bass and fibre industries, 25 ; in lace finishing, 25 ; powers under the Act, 76 ; inspection of, 33, 36-39 ; permits of exemption, 62 ; tobacco, 86 ; in cotton trade, 96 ; Act of 1918..121 ; general minimum piece rates, 123 *et seq.* ; special minimum piece rates, 124
- Prosecution : Minister of Labour, 43 ; cases, 44 ; expense, 45 ; by workers, 45
- Rates of Wages : operative December 1st, 1922..139-141 (Table)
- Rowntree, B. S. : wage standards, 29, 160, 165, 168-170, 173, 261
- Secretary of Trade Boards : function, 24
- Sliding Scales, 136, 138



- Standardisation, 231, 232
- Strikes : in trade board trades, 218
- Sub-contractors, 10, 11
- Sweating : establishment of trade boards, 7 ; and apprenticeship, 73 ; object of 1909 Act, 77, 78, 258 ; level, 160, 233 ; laundry trade, 88 ; Act, 1918..122 ; level of wages, 160, 233 ; unemployment, 192
- Trade Boards Advisory Council, 25
- Trade Unions : power of, 12 ; general unions, 13
- United Dairies Company, 117
- United States : minimum wage, 30 ; constitutionality of minimum wage, 17 ; distributive trades, 120 ; guaranteed time rate, 39, 233 ; cost of living, 49 ; laundry machinery, 92 ; lace manufacture, 209, 213 ; open shop movement, 243 ; fixation of rates, 263
- Votes : equalisation of, 9, 10 ; side voting, 10, 11 ; abstaining 10 ; quorum, 10 ; cross voting, 11, 12, 21 ; on rates, 21, 22, 23
- Whitley Report : second, 3, 191 ; councils, 3, 4

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