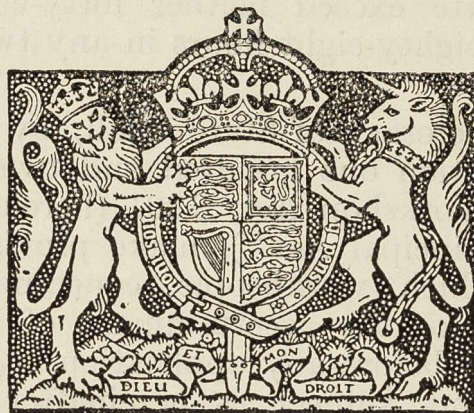


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Employment of Women [CH. 24.]
and Young Persons Act, 1936.

[1 EDW. 8.]



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CHAPTER 24.

An Act to make provision for the employment of women and young persons in factories and workshops on a system of shifts, and for purposes connected with the matter aforesaid. A.D. 1936.

[14th July 1936.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) The Secretary of State may, upon the application of the occupier of any factory or workshop, authorise in the factory or workshop, or in any department thereof, the employment of women and young persons of the age of sixteen years and upwards on a system of shifts whereby each shift may be employed between such times as may be specified in the authorisation being times during the period between the hours of six in the morning and ten in the evening on any weekday except Saturday, and between the hours of six in the morning and two in the afternoon on any Saturday, so however that, subject as hereinafter provided, the system of shifts shall be such that the hours for each shift shall not exceed an average of eight hours per day:

Employment of women and young persons in shifts.

Provided that, where the work or process for which the system of shifts is authorised is not carried on on more than five days in each week, the system may be such that the hours exceed the said average per day but

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A.D. 1936. — so that the hours are not more than ten in any day and in the aggregate exceed neither forty-eight hours in any week nor eighty-eight hours in any two consecutive weeks.

1 Edw. 7. c. 22.

(2) The Secretary of State shall, by Special Order made under section one hundred and twenty-six of the Factory and Workshop Act, 1901 (hereinafter referred to as "the principal Act"), make provision as to the manner in which workpeople concerned are to be consulted and for the ascertainment of their opinions by secret ballot before any application is granted under this section, and, subject as hereinafter provided, no such application shall be granted unless the Secretary of State is satisfied that the requirements of the Special Order have been complied with and that the majority of the workpeople concerned consent to the granting of the application :

Provided that, where the Secretary of State is satisfied that the application relates to a factory or workshop which is about to be, or has recently been, newly established and that the system of shifts is intended to be permanently adopted therein for the employment of women and young persons of the age of sixteen years and upwards, the application may be granted without any such consultation, ballot or consent as aforesaid.

(3) If upon any application made under this section it appears to the Secretary of State that the employment of women and young persons in accordance with the application is required only for the purpose of making provision for a temporary emergency or for temporary pressure of work not being of a seasonal and recurring character, any authorisation given by the Secretary of State shall be limited to such period as appears to him to be necessary for the purpose, but may, if necessary, be subsequently extended by him if the temporary emergency or temporary pressure of work continues.

(4) In granting any application under this section, the Secretary of State shall impose such conditions as he considers necessary for the purpose of safeguarding the welfare and interests of the persons employed on the system of shifts, and in considering any such conditions shall, in particular, consider the expediency of requiring the provision of suitable accommodation for clothing

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and of facilities for meals and of transport facilities for workers residing at a distance, and in the case of young persons of reasonable facilities for attendance at continuation schools. A.D. 1936. —

(5) The Secretary of State may direct that the duty of dealing with applications for such temporary purposes as are mentioned in subsection (3) of this section may be performed by the chief inspector of factories or by any superintending inspector of factories, and while such a direction is in force references in this section to the Secretary of State shall, in relation to such applications as aforesaid, be construed as including references to the inspector :

Provided that no authorisation given by an inspector shall be given or extended so as to have effect for more than six months.

2.—(1) Where it appears to the Secretary of State that any conditions imposed upon the granting of any authorisation under this Act have not been complied with or that abuses of any description have arisen out of the employment of any persons on the system of shifts, he may revoke the authorisation. Discontinu-
ance of
shift
system.

(2) Whenever in any factory or workshop, or in any department of a factory or workshop, the employment of women and young persons on a system of shifts in accordance with an authorisation given under this Act is discontinued, or is, after being discontinued, resumed, the occupier of the factory or workshop shall forthwith give notice in writing of the discontinuance or resumption to the inspector of factories for the district in which the factory or workshop is situated, and if he fails to do so he shall be liable to a fine not exceeding five pounds.

(3) If in any factory or workshop, or in any department thereof for which such an authorisation has been given, a period exceeding twelve months has at any time elapsed throughout which the employment of women and young persons on a system of shifts in accordance with the authorisation has not been in operation, the Secretary of State may revoke the authorisation, and if such employment has not been in operation during a period exceeding twenty-four months, the authorisation shall be deemed to be revoked.

A.D. 1936.

—
General power to make orders as to welfare and interests of young persons employed in shifts.

3. The Secretary of State may by order direct that such conditions as he considers necessary for the purpose of safeguarding the welfare and interests of the persons employed shall apply to the employment in day shifts of young persons who may lawfully be so employed under the provisions of the Factory and Workshop Acts, 1901 to 1929.

Contraven-
tion of
conditions.

4. If the conditions imposed by any authorisation given, or order made, under this Act are not complied with in the case of any factory or workshop, then—

(a) where the condition relates to the employment of a woman or young person, the woman or young person shall be deemed to be employed contrary to the provisions of the principal Act; and

(b) in any other case the factory or workshop shall be deemed not to be kept in conformity with the principal Act.

Short title,
construc-
tion,
commence-
ment, repeal
and extent.

5.—(1) This Act may be cited as the Employment of Women and Young Persons Act, 1936, and shall be construed as one with the principal Act, and this Act and the Factory and Workshop Acts, 1901 to 1929, may be cited together as the Factory and Workshop Acts, 1901 to 1936.

(2) This Act shall come into operation on the first day of January, nineteen hundred and thirty-seven.

10 & 11
Geo. 5. c. 65.

(3) Section two of the Employment of Women, Young Persons and Children Act, 1920, is hereby repealed:

Provided that any order made under that section authorising the employment of women or young persons in shifts and in force immediately before the commencement of this Act shall have effect as if it were an authorisation granted under this Act.

(4) This Act shall not extend to Northern Ireland.

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