

(707.) WELLINGTON BAKERS.—AWARD.

In the Court of Arbitration of New Zealand, Wellington Industrial District.—In the matter of “The Industrial Conciliation and Arbitration Act, 1900,” and its amendment; and in the matter of an industrial dispute between the Wellington Operative Bakers’ Industrial Union of Workers (hereinafter called “the workers’ union”) and the undermentioned persons, firms, and companies (hereinafter called “the employers”): Walter Macklin, Tory Street, Wellington; Davies and Son, Riddiford Street, Wellington; Thomas Joseph Bell, Revans Street, Newtown, Wellington; Walter Abraham Kellow, Taranaki Street, Wellington; John Reid, Taranaki Street, Wellington; John H. Kilduff, Taranaki Street, Wellington; McParland Bros., Taranaki Street, Wellington; Josephus Kirkus, Tory Street, Wellington; George Dickson, Courtenay Place, Wellington; J. Stratford and Son, Clyde Quay, Wellington; Harte Langdon,

Brougham Street, Wellington; W. H. Payne, Berhampore, Wellington; Mrs. D. I. Greeks, Riddiford Street, Wellington; William Edward Tinnings, Constable Street, Wellington; Michael Henry McCarthy, Riddiford Street, Wellington; Thomas Smith, Riddiford Street, Wellington; B. Wade, Aro Street, Wellington; William Isaac, Aro Street, Wellington; Henry Denhard, Willis Street, Wellington; William Tonks and Son, Herbert Street, Wellington; Mrs. Charlotte McDonald, Manners Street, Wellington; McEwen and Churchill, Lambton Quay, Wellington; William Freeman, Molesworth Street, Wellington; Walter Freeman, Molesworth Street, Wellington; Mrs. Robert Leadbetter, Tinakori Road, Wellington; George Harris, jun., Tinakori Road, Wellington; G. Law and T. H. Hogg, Lambton Quay, Wellington; W. Taylor, Adelaide Road, Wellington; D. C. Waldie, Brooklyn, Wellington; J. Taylor, Cuba Street, Wellington; — Harvey, Riddiford Street, Wellington; Charles H. Beynon, Ingestre Street, Wellington; Legg and Webb, Vivian Street, Wellington; John G. Raine, Karori; Jamieson Bros., Karori; James Cunliffe, Johnsonville; William Cook, Johnsonville; — Angel, Johnsonville; Robert Auty, Porirua; Martin Cargill, Petone; McVicar and Carson, Petone; Walter Jounnax, Petone; St. Clair Jounnax, Lower Hutt; Charles Pole, Lower Hutt; James and Torens Alexander, Taradale, Hawke's Bay; James Alexander, Dickens Street, Napier, Hawke's Bay; Michael Ansley, Victoria Avenue, Wanganui; William E. Hogg, Ridgway Street, Wanganui; George Byres, Bell Street, Wanganui; George Ball, Bell Street, Wanganui; Edward William Bennett, Taradale, Hawke's Bay; Edgar Bluck, Wairoa, Hawke's Bay; Edwin S. Bradbury, Bunnythorpe; Charles Braggin, Masterton; George L. Braggins, Woodville; Joseph W. Carter, Pahiatua; William Henry Carter, Dickens Street, Napier, Hawke's Bay; Chamberlain Bros., Masterton; Clare Bros., Main Street, Palmerston North; Mrs. Kate Condon, Waghorne Street, Napier, Hawke's Bay; H. Cook and Co., Hastings Street, Napier, Hawke's Bay; Clark Bros., Waitotara; Henry Croucher, Coleman Place, Palmerston North; John Cullen, Hastings, Hawke's Bay; Timothy Cullen, Maraekakaho, Hawke's Bay; John Dalrymple, Carterton; John Curtain, Porirua; James Donaldson, Pahiatua; Charles Dudding, Hunterville; Hans Wood Duff, Greytown North; William Edward Ellis, Masterton; Arthur Loxdale Frost, Feilding; John Good, Feilding; Albert John Gould, Feilding; Charles F. Gregory, Pahiatua; Fortune and Sheehan, Hastings Street, Napier; Alexander Hastings, Waipawa, Hawke's Bay; John Albert Heaton, Main Street, Palmerston North; James Hodson, Niblett Street, Wanganui; Thomas Hodson, Victoria Avenue, Wanganui; Thomas Gilman Hunter, Eketahuna; Charles Edward Hyde, Te Aute, Hawke's Bay; Percy Hyde, Pukehou, Hawke's Bay; William Isles, Woodville, Hawke's

Bay; Phillip H. Jolley, Waipukurau, Hawke's Bay; Arthur Jones, Featherston; James May, Hastings, Hawke's Bay; Henry John Langdon, Bull's; Arthur Wheatley, Petone; David McGill Lister, Martinborough; Frederick G. Loder, Dannevirke, Hawke's Bay; James McIntyre, Waipawa, Hawke's Bay; John G. Mackay, Masterton, and at Kuripuni; James Mander, Masterton; Alfred Mason, Featherston; Christopher Matthews, Feilding; Mr. Mawhiney, Upper Hutt; Munro and Sons, Feilding; John Murray Nicol, Marton; Arthur A. Pallant, Dannevirke, Hawke's Bay; Henry James Parker, Marton; Neils Christian Pedersen, Kaikora North, Hawke's Bay; Edward Mudgway, Upper Hutt; Mark E. Perreau, Foxton; George Peterson, Eketahuna; William Rayner, Dannevirke, Hawke's Bay; Robertson and Son, Hastings Street, Napier; John Robinson, Otaki; Mark Rolls, Waghorne Street, Spit, Napier; George H. Rowell, Mauriceville; Joseph C. Ruston, Emerson Street, Napier; Robert Shaw, Woodville, Hawke's Bay; George Douglas Silby, Campbell Street, Palmerston North; John Skinner, Otaki; Joseph Skinner, Ormondville, Hawke's Bay; Francis O. Smith, Levin; Frederick Edward Smith, Feilding; Albert Edward Thacker, Main Street, Palmerston North; Tood and Charcker, Fergusson Street, Palmerston North; Charles Trass, Ashhurst; George Vosseller, Newman; Joseph A. Wakelin, Carterton; George Warren, Shakespeare Road, Napier; Robert Warren, Hastings, and at Havelock North, Hawke's Bay; Thomas Watson, Main Street, Palmerston North; Albert Edward Whitehead, Main Street, Palmerston North; Andrew Law Whyte, Carterton; James Wickens, Masterton; Edward Wilkie, Upper Hutt; Worthington Willicombe, Dannevirke, Hawke's Bay; William Henry Wilson, Levin; Colin Winchester, Masterton; Rodger Winsley, Hastings, Hawke's Bay; Albert Winter, Wairoa, Hawke's Bay; Victor Winter, Wairoa, Hawke's Bay; Peter Watton, Paraparaumu; Richard Wyatt, Victoria Avenue, Wanganui; W. Williams, Werao, Levin; J. J. Faulk, Eketahuna; George T. Harris, sen., 57, Taranaki Street, Wellington; James Panton, Chalcel Road, Napier; James May, Hastings, Hawke's Bay; W. Pelling, Masterton; Alexander Youngson, the Square, Palmerston North; Mr. Billingham, Waitotara, Wanganui; Mr. McKenzie, Taranaki Street, Wellington; Charles Beynon, Ingestre Street, Wellington; W. Williams, Rona Bay, Wellington; Jameson Bros., Berhampore, Wellington; Tailor and Chapman, Cuba Street, Wellington; C. J. Harris, Liverpool and Ball Streets, Wanganui; W. Duslin, Wanganui; E. Cullinan, Waitotara; Rob. Hastie, Hunterville; R. Linsen, Victoria Avenue, Wanganui; Southern Cross Bread Company, Wanganui; B. R. Gardner, Levin; C. Williams, Levin; G. Clair, Andrew Young Street, Palmerston North; James Pinkerton, Palmerston North; R. Cameron, Woodville.

THE Court of Arbitration of New Zealand (hereinafter called "the Court"), having taken into consideration the matter of the above-mentioned dispute, and having heard the union by its representatives duly appointed, and having also heard such of the employers as were represented either in person or by their representatives duly appointed, and having also heard the witnesses called and examined and cross-examined by and on behalf of the said parties respectively, and having duly extended the time for making this award until this day, doth hereby order and award: That, as between the union and the members thereof and the employers and each and every of them, the terms, conditions, and provisions set out in the schedule hereto and of this award shall be binding upon the union and upon every member thereof and upon the employers and upon each and every of them, and that the said terms, conditions, and provisions shall be deemed to be and they are hereby incorporated in and declared to form part of this award; and, further, that the union and every member thereof and the employers and each and every of them shall respectively do, observe, and perform every matter and thing by this award and by the said terms, conditions, and provisions respectively required to be done, observed, and performed, and shall not do anything in contravention of this award or of the said terms, conditions, and provisions, but shall in all respects abide by and perform the same. And the Court doth hereby further award, order, and declare that any breach of the said terms, conditions, and provisions set out in the schedule hereto shall constitute a breach of this award, and that the sum of £100 shall be the maximum penalty payable by any party or person in respect thereof. And the Court doth further order that this award shall take effect from the 1st day of April, 1904, and shall continue in force until the 31st day of March, 1906.

In witness whereof the seal of the Court of Arbitration hath hereto been put and affixed, and the President of the Court hath hereunto set his hand, this 26th day of March, 1904.

FREDK. R. CHAPMAN, J., President.

THE SCHEDULE HEREINBEFORE REFERRED TO.

*Hours of Labour.*

1. The hours of work shall be fifty-one per week.
2. The hour of starting work shall (subject to the provisions hereinafter set forth) be not earlier than 4 o'clock a.m., except on Saturdays and the day immediately preceding a public holiday, when it may be one hour earlier—namely, 3 o'clock a.m. In the event of a double holiday work may commence two hours earlier—namely, at 2 o'clock a.m.
3. If an employer shall require any of his men to come at an earlier hour than the time prescribed in clause 2 hereof, he shall pay to such worker overtime at the rate of double time for all time

worked between midnight and such hour of commencement so prescribed as aforesaid, and such overtime shall be paid notwithstanding a full day's work shall not be worked by the particular workman who is so required to come at such earlier hour. If a jobber is required to work at an earlier hour than the hours prescribed in clause 2 hereof, he shall be paid double time for any time worked between midnight and such prescribed hours.

4. The provisions of clauses 2 and 3 hereinbefore set forth shall apply only to employers carrying on business in the city and suburbs of Wellington, including employers at Petone and Lower Hutt, and to employers carrying on business in the towns and suburbs of Napier, Wanganui, Palmerston, and Masterton. Employers carrying on business in other parts of this industrial district may fix the hours for commencing work according to the requirements of their particular business.

#### MINIMUM RATE OF WAGES.

5. The minimum rate of wages throughout the industrial district shall be as follows: Foreman or first hand, £3 per week; second hands, £2 10s. per week; table hands, £2 5s. per week. Jobbers shall be paid at the rate of 10s. a day for a day of eight hours; not less than half a day's wages shall be paid to a jobber for work done on any day; if he is employed for more than four hours he shall be paid at the rate of 1s. 3d. per hour up to the full day of eight hours, and after that he shall be paid overtime at the rates mentioned in the clauses prescribing overtime for other men. All hands are to receive dry pay. Second hand must be competent to take the foreman's place when necessary. The foreman is to allow the second hands to set ferments, carry out sponging, and run batches occasionally under his supervision. Where the employer is himself substantially engaged in carrying on in his own bakehouse the actual work of a journeyman, he shall be classed as a foreman or first hand, and he shall take an equal share of sponging with his men, or, if he elects not to do the sponging, pay the man who does it for his time.

6. All time lost by any workman in any one week through his own default without personal misconduct shall be deducted *pro rata* from his wages for that week. Any time lost in any one week by any workman through his personal misconduct may be deducted from his weekly wages for that week at the rate of time and a quarter. The workman in such case may apply to the Chairman of the Conciliation Board, or, when the employer's premises are situated more than fifteen miles from the General Post Office at Wellington, to the Stipendiary Magistrate sitting at the nearest place to such premises at which a Magistrate's Court is established, to determine whether or not he has been guilty of such personal misconduct. Notice of such application shall be given to the employer, who shall be entitled to be heard thereon, and the decision of the Chairman or Magistrate thereon shall be final.

*Overtime.*

7. Subject to the present practice in regard to sponging, and also to the provisions of clause 3 hereof, if overtime is required to be worked it shall be paid for as follows: Time and a quarter from the customary time of ceasing work up to 6 p.m.; time and a half from 6 p.m. up to 10 p.m. No work to be done after 10 p.m., except on hot-cross-bun night, when double time shall be paid for overtime worked after 6 p.m. Overtime for apprentices: 9d. per hour for the first three years, and for the last year of apprenticeship time and a quarter.

*Holidays.*

8. Any man or boy working on a holiday shall be paid time and a half in addition to his usual wages. The following shall be deemed holidays: The 1st January, Christmas Day, Boxing Day, Good Friday and Easter Monday, Sovereign's birthday, Labour Day, Anniversary Day, and Prince of Wales's Birthday. Sunday sponging to cover all such holidays.

*Apprentices.*

9. All apprentices are to be legally indentured for a term of four years. After an apprentice has served this term he shall be at liberty to work for another twelve months in any other bakehouse to learn another branch of the trade, his wages in such case to be fixed as provided in respect of under-rate workmen. Any employer before taking a youth as an apprentice shall be entitled to employ him for three months on probation, such period to be reckoned as part of his apprenticeship if he is continued in the employment. It shall be the duty of the employer to see that the apprentice is taught his trade thoroughly.

10. Every employer shall be allowed to have one apprentice whether any journeymen be employed or not. If any employer employ more than two journeymen he shall be allowed two apprentices, but no more than two apprentices shall be allowed in any one business.

11. The foregoing clause is without prejudice to lawful existing arrangements. In any place beyond the City of Wellington any employer having a *bonâ fide* unindentured apprentice may indenture him for a period which, together with the period of his past service as an apprentice, shall take up the term of four years.

12. Every instrument of apprenticeship shall at all reasonable times be available for inspection by the Inspector of Awards, and it shall be the duty of every person who is a party thereto or bound thereby to produce it to such Inspector when requested so to do.

13. If any employer shall from any cause beyond his control be unable to fulfil his obligations to an apprentice, it shall be lawful for such apprentice to complete his term with another employer, and such employer may take and employ such apprentice notwithstanding that he has already the full number of apprentices allowed by this award.

14. The wages of apprentices shall be as follows: 12s. 6d. per week for the first six months; 15s. per week for the second six months; 17s. 6d. per week for the third six months; £1 per week for the fourth six months; £1 2s. 6d. per week for the fifth six months; £1 5s. per week for the sixth six months; £1 7s. 6d. per week for the seventh six months; £1 10s. per week for the eighth six months.

15. Where an apprentice has to board with an employer not more than the sum of 7s. 6d. per week shall be allowed for the first year's board, 10s. per week for the second year, 12s. 6d. per week for the third year, and 15s. per week for the fourth year.

*Under-rate Workmen.*

16. Any workman not fully competent to earn the minimum wage may be employed at such less rate of wages as may in each case be agreed upon by a representative appointed by the union and the employer, or, in default of such agreement, as may be fixed in writing by the Chairman of the Conciliation Board. Provided that when the employer's business premises are situated more than fifteen miles from the General Post Office at Wellington, application to have such wages fixed shall be made to the Stipendiary Magistrate sitting at the nearest place to such premises at which a Magistrate's Court is established. Notice of any such application to the Chairman or Stipendiary Magistrate shall be given to the parties interested, who shall be entitled to be heard thereon, and any decision given thereon shall be final. Provided further that if any such Stipendiary Magistrate shall refuse or fail, when requested so to do, to fix such wages, any party interested may within seven days after such refusal or failure appeal by application in writing to the President of the Court of Arbitration, such application to be sent to the Clerk of Awards, notice of such appeal being given to all parties interested.

*Carters.*

17. No carter shall be employed in any bakehouse in connection with the manufacture of any goods in the baking trade, but a baker may deliver bread so long as he does not work more than the prescribed hours.

*Preference to Union Men.*

18. So long as the rules of the Wellington Operative Bakers' Industrial Union of Workers shall permit any journeyman of good character and sober habits now employed in this industrial district, or who may hereafter reside in this industrial district, who is of good character and sober habits to become a member of such union upon payment of an entrance-fee not exceeding 5s., and of subsequent contributions, whether payable weekly or otherwise, not exceeding 6d. per week, upon a written application of the person so desiring to join the Bakers' Union, without ballot or other election, then and in such case and thereafter employers shall employ members of the union in preference to non-members, provided that there are

members of the union equally qualified with non-members to perform the particular work required to be done, and who shall undertake it; provided that this clause shall not interfere with lawful engagements subsisting between employers and non-unionists at this date.

19. The foregoing clause shall only apply within the following areas, that is to say: Within a radius of fifteen miles from the General Post Office at Wellington, and within a radius of six miles from the chief post-office of each of the following towns—namely, Napier, Hastings, Wanganui, Palmerston, and Masterton.

20. When members of the union and non-members are employed together there shall be no distinction between them, and both classes shall work in harmony and shall receive equal pay for equal work.

21. The workers' union shall keep at the office of the Labour Department at Wellington, and at the offices of the Inspectors of Factories at Napier, Hastings, Wanganui, Palmerston, and Masterton, books to be called the "employment-books," wherein shall be entered the names and addresses of all members of the said union within the radii in clause 19 mentioned being out of employment, with a description of the branch of the trade in which each member claims to be proficient, and the names, addresses, and occupations of every employer by whom each such member shall have been employed during the preceding six months. Immediately upon any such member obtaining employment a note thereof shall be entered in such book. The executive of the union shall use their best endeavours to verify the entries contained in such book, and the said union shall be liable as for a breach of this award in case any entry in such book shall be wilfully false to the knowledge of the executive of the union, or in case the executive of the union shall not have used their best endeavours to verify the same. Such book shall be open to every employer without fee or charge during office hours. If the union shall fail to keep such book in the manner provided by this clause, then and in such case, and so long as such failure shall continue, employers may employ any person, whether a member of the union or not, to perform the work required to be done, notwithstanding the foregoing provisions.

#### *Boarding.*

22. In all parts of the industrial district outside the radii described in clause 19 hereof for Wellington, Napier, Wanganui, Palmerston, and Masterton, it may be mutually agreed between workers and their employers that the said workers may be boarded and lodged on the employers' premises at any rate not exceeding 15s. per week.

In witness whereof the seal of the said Court hath been hereto put and affixed, and the President of the said Court hath hereto set his hand, this 26th day of March, 1904.

FREDK. R. CHAPMAN, J., President.