

(709.) FEDERATED COOKS AND STEWARDS OF NEW ZEALAND.—
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 amendments; and in the matter of an industrial dispute between the Federated Cooks and Stewards of New Zealand Industrial Union of Workers (hereinafter called the “workers’ union”) and the undermentioned persons, firms, and companies (hereinafter called the “employers”): Union Steamship Company of New Zealand (Limited), Wellington; Huddart, Parker, and Co. (Limited), Wellington: and the following small-steamship owners: W. and G. Turnbull, and Co. (Limited), Wellington; Levin and Co. (Limited), Wellington; Charles Seager, Wellington; Thomas Eckford, Wellington; the Sounds and Golden Bay Company (Limited), Wellington; the Patea Shipping Company (Limited), Wellington; C. W. Turner, Wellington; Blackball Coal Company (Limited), Wellington: the Anchor Shipping and Foundry Company (Limited), Nelson; J. C. Burford, Napier; Richardson and Co. (Limited), Napier; the New Zealand Loan and Mercantile Agency Company (Limited), Wanganui.

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, 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 June, 1904, and shall continue in force until the 31st day of May, 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 27th day of April, 1904.

FREDK. R. CHAPMAN, J., President.

THE SCHEDULE HEREINBEFORE REFERRED TO.

1. The following shall be the minimum wages paid to cooks and stewards respectively:—

	£	s.	d.
Second steward	7	0	0
First-class assistant stewards employed either as bedroom stewards, saloon waiters, printers, or buglers, if acting as either bedroom stewards or saloon waiter	5	10	0
Fore-cabin steward	5	0	0
Second-class assistant steward employed as either bath-room, mess-room, or assistant fore-cabin steward, "boots," main-deck steward, assistant pantryman, night-watchman, or sculleryman	4	0	0

	£	s.	d.
Cadet	1	10	0
Pantryman	6	0	0
Chief cook	12	0	0
Second cook	7	0	0
Third cook	5	0	0
Ship cook	7	0	0
Baker	8	0	0
Butcher	5	0	0

Baker to receive a bonus of £2 per month and butcher £3 if conduct and ability satisfactory during previous three months. If leaving before three months have expired, then proportion to be paid.

Cargo-steamers.

Chief cook	10	0	0
Assistant cook	4	0	0
Assistant steward	4	0	0

2. All wages to be paid on the first day of each month, or within seven days after, or as soon after the seven days as the vessel arrives at any port where there is a branch of any bank.

Overtime on Sundays or Holidays at Terminal Ports.

3. When vessels remain in port all day on Sundays or holidays, having been in port on previous day, the members of the providore department whose duty it is to attend on officers, and assist in the preparation, cooking, serving, and clearing up of meals for officers and crew, shall do so without payment of overtime.

4. (a.) When a vessel arrives at a terminal port on a Sunday or holiday, or after 5 p.m. on other days, one hour is to be allowed for clearing up after such arrival, provided any passengers remaining on board after that time shall be attended to without payment of overtime.

(b.) Provided also that when a vessel arrives in port at or about meal-hours one hour shall be given by the providore department for clearing up after such meal without payment of overtime.

(c.) Should a vessel arrive at a terminal port before 9 a.m. on Sundays or holidays overtime shall not commence before 10 a.m., but those whose duty it is to attend on officers and assist in the preparation, cooking, serving, and clearing up of meals for officers and crew shall do so without payment of overtime.

5. No overtime shall be paid for any work necessary for the safety of the ship.

6. For port watches kept at terminal ports on Sundays or holidays, or after 6 p.m. on other days, time off may be allowed equal to time worked, but, if not convenient to give time off, overtime shall be paid at 1s. per hour for the time so employed. Time off shall not be given at sea, or on Sundays or holidays.

7. In terminal ports, when a vessel has been in port overnight, the hours of labour for stewards on days following (but not including sailing-day) shall be eight, exclusive of meal-hours, from 7 a.m. till 5 p.m.

- (a.) Except those told off to attend on officers and assist in the preparation, cooking, serving, and clearing up of meals for officers and crew, who shall do so without payment of overtime.
- (b.) All members of the providore department shall work as required when on duty, and shall be liable to be called on duty subject to the regulations herein contained as to payment.

8. The following shall be observed as public holidays in port : New Year's Day, Good Friday, Easter Monday, Labour Day, the King's Birthday, Christmas Day, and Boxing Day. Should any of the foregoing days fall on a Sunday, the following day or any other day observed as the holiday shall be given in lieu thereof.

9. When a vessel arrives in port on a Sunday or a holiday, and sails again the same day, overtime shall be paid to the members of the providore department for the time so employed, not exceeding in all eight hours and not less than four hours, at 1s. per hour.

- (a.) When required to attend on duty to be employed on an excursion on any of the holidays stated in clause 8, overtime shall be paid to each member of the department for the time so employed at 1s. per hour, and not less than four hours' pay at the shilling rate, said four hours' pay being the minimum amount payable to the men for the time so employed when applied to main ports.
- (b.) For bar harbours and roadstead ports the maximum to be six hours' pay and the minimum three hours' pay at 1s. per hour.

10. Cadets shall serve twelve months before being promoted. "Cadets" shall mean boys who have not been twelve months at sea. Cadets may be promoted when qualified on recommendation of chief steward.

11. Employers in employing cooks and stewards shall not discriminate against members of the union, and shall not in the engagement or dismissal of men, or in the conduct of their business, do anything directly or indirectly for the purpose of injuring the union.

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

12. Overtime shall be paid at terminal ports after 5 p.m. and before 8 a.m. for taking stores, linen, ice, &c., on board, also for putting linen on shore between the hours of 5 p.m. and 8 a.m., at 1s. per hour.

13. When vessel arrives in terminal ports anywhere prior to 3 p.m., work shall cease for the day at 5 p.m., except as provided for in clause 7, paragraph (a).

(a.) In intermediate ports, when vessels have been in port overnight, work shall commence, if found necessary, at 5.30 a.m.

(b.) Night-watchmen going on duty at 12 midnight shall finish at 4 a.m., and shall not be called for further duty until 8 a.m.

14. When a vessel leaves port prior to 5 p.m. on Sunday or a holiday, having been in port on the previous day, each member of the providore department shall be paid overtime for three hours at 1s. per hour. In the event of any of the said members working time that exceeds three hours, such excessive time shall be paid to those employed at 1s. per hour.

15. An overtime-book shall be provided by the company and kept by the chief steward. Each item of overtime entered in such book shall be initialled by the person entitled to same as soon after as practicable.

16. In terminal ports, where a vessel is not proceeding to sea prior to 9 a.m. (same being the ship's proper advertised time), or is lying in port overnight, tea shall be served at 5 p.m. to the whole of the officers and crew. Any meals served or work done after 6 p.m. to be paid for at overtime rates to those of the providore department so employed.

17. No overtime to be paid for South Sea or West Coast excursions if employers provide extra hands to relieve the extra pressure of work on these occasions.

18. In vessels trading to the islands in the South Pacific where a conflict occurs in the observance of Sundays, the Sunday of the port shall be observed, and the same terms and conditions regarding overtime as are applicable to Sundays in New Zealand shall apply to all members of the providore department who are required to work on Sundays.

19. Scrubbing out to be done on Sundays or holidays must be what is absolutely necessary for the purpose of keeping the ship in a clean and sanitary condition, the chief steward in all cases to be the judge of such necessity.

20. Twenty-four hours' notice on either side shall be the law of discharge in the port where the ship has drawn out her articles, but should the ship be laid up in any other port in the Australasian States and Colonies members of the providore department may accept their discharge and wages then due, but shall be entitled to a free back-passage to the final port. Engagement may be determined in the colony at any time after the ship's arrival at her final port of discharge in the colony, consequent on the completion of a round voyage, by twenty-four hours' notice on either side, all notices to be given to or received from the master of the ship only. Any person discharged at any place other than the place where the articles are

drawn out shall be given a free passage back by the first steamer proceeding to the home port or to the place where the person originally shipped. Should the person be discharged at his own request he shall not be entitled to a passage back to his final port or to the port where the articles were drawn out.

21. It shall not be compulsory for any employee to subscribe to or to become a member of the Union Steamship Company Mutual Benefit Society, or any similar society or club instituted by the Union Steamship Company (Limited) or by any other ship-owners. Any of the members of the said benefit society may determine his membership at his own discretion, and such a determination shall not act prejudicially against the member or members in obtaining employment.

22. Members of the providore department may provide themselves with and wear the uniform of the service in which they are employed (if any) when on duty.

23. The ship-owners shall allow a sufficient time out of the vessel's working-hours both at sea and in port for one member of the department to keep the men's living quarters in a clean and sanitary condition.

24. Inventory money shall not exceed 1s. per month per man.

25. Employers shall give their chief stewards written instructions that the hours of labour at sea are to be curtailed so far as is reasonably consistent with a due regard to the comfort and convenience of passengers and the efficient upkeep of the ships.

SMALL-STEAMSHIP OWNERS.

The following provisions shall apply exclusively to the owners of small steamships (herein called "small-steamship owners") trading from and to Wellington, and the foregoing clauses shall not apply to such parties.

1. The following shall be the minimum wages paid to cooks and stewards respectively :—

	£
Chief stewards	10
Chief cooks	10
Cook and steward	10
Chief steward's assistants	4
Chief cook's assistants	4

Sundays and Holidays in Terminal Ports.

2. On all steamers at terminal ports no work shall be done on Sundays and the following holidays—namely, New Year's Day, Easter Monday, Labour Day, King's Birthday, and Boxing Day, except such as is necessary to prepare meals or cabins for those members of the crew who desire their meals and sleep on board. Any other time worked shall be paid for at overtime rates.

3. When a vessel arrives at a terminal port after 5 p.m., and is not leaving port again the same night, one hour is to be allowed for

clearing up after such arrival, provided that if she arrives before 6 p.m. one hour is to be allowed after that time.

Hours of Labour in Port.

4. For stewards the hours of labour in all ports shall be eight (if required), between the hours of 6 a.m. and 7 p.m. Any time worked before or after the above hours to be paid for at schedule overtime rates.

5. For cooks the hours shall be twelve, with one hour for breakfast and one hour for dinner. The twelve hours shall be from 6 a.m. to 6 p.m.

6. For cook and steward, where one only is employed, the hours shall be ten, between 6 a.m. and 7 p.m.

Hours of Labour at Sea.

7. The hours of labour at sea shall be eleven, between 5 a.m. and 7 p.m.

Overtime.

8. Overtime shall be paid for at the rate of 1s. per hour. Overtime shall be paid at terminal ports to stewards for work done between 7 p.m. and 6 a.m., and to cooks for work done between 6 p.m. and 6 a.m., subject to eight hours in port.

Holidays.

9. The following holidays shall be granted, viz.: Good Friday and Christmas Day. If the latter falls on a Sunday, the day observed as a public holiday in lieu thereof to be given instead. If work is done in port on either of those days overtime shall be paid for same.

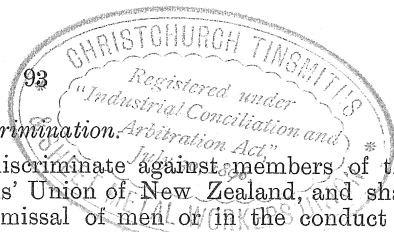
Overtime on Sundays.

10. When vessels arrive in port on Sundays and holidays, and sail again the same day, overtime shall be paid to the whole of the providore department for the time worked, not exceeding in all 8s. and not less than 4s. Roadsteads and coastal stations excepted.

11. When a vessel is employed in running an excursion on a Sunday or a public holiday, overtime shall be paid to the whole of the providoring department for the time worked at the rate of 1s. per hour per man, with a minimum of 4s. per man. In the event of the crew being ordered to attend on duty to run an excursion as above, and the excursion not being run, and they are told they are not required, each of the providoring department shall receive the above minimum amount.

Cadets.

12. "Cadets" shall mean and include men who have not been to or served at sea for twelve months. Cadets shall serve twelve months before being promoted, but shall not be promoted to full rating until after three years' service.



No Discrimination.

13. Employers shall not discriminate against members of the Federated Cooks and Stewards' Union of New Zealand, and shall not, in the engagement or dismissal of men or in the conduct of their business, do anything directly or indirectly for the purpose of injuring the union.

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

Linen.

15. Overtime rates shall be paid at terminal ports for receiving or putting ashore linen or stores before 8 a.m. and after 5 p.m.

Signing off.

16. Twenty-four hours' notice on either side shall be the law of discharge in the port where the ship has drawn out her articles, but should the ship be laid up at any other port of the Australasian Colonies the members of the providore department may accept their discharge with wages then due, but shall be entitled to a free passage back to the final port. Engagement may be determined in the colony at any time after the ship's arrival at the final port of discharge in the colony, consequent on the completion of a round voyage, by twenty-four hours' previous notice on either side, all notices to be given to and received from the master of the ship only. Any man discharged at any place other than the port where the articles are drawn out shall be given a free passage back by the first vessel proceeding to the home port or to the place where the man originally shipped. Should the man be discharged at his own request he shall not be entitled to a passage back to his final port or the port where the articles were drawn out.

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 27th day of April, 1904.

FREDK. R. CHAPMAN, J., President.

The Sunday or holiday is the man's own time. If it were paid for as a day of ordinary length, at double time the man would earn two days' extra pay, or two-sixths of £2 10s., assuming that his wages are £2 10s. per week. This would amount to 16s. 8d. It is to the advantage of the employer that he should have 15s. in addition to his week's pay. This view of the case is strengthened by two other considerations. In the first place, the holiday is usually a very long day, often extending beyond twelve hours. This, if paid for at overtime rates, would greatly increase the cost to the employer. Then the history of the clause assists this view. The Conciliation Board recommended a payment of 5s., in addition to double time, and this was not restricted to Sundays and holidays. The sum fixed by the Court may be fairly regarded as a compromise between the conflicting views. The answer is that the 15s. is in addition to the full week's wage.

Dated this 12th day of April, 1904.

FREDK. R. CHAPMAN, J., President.

(711.) NEW ZEALAND FEDERATED TAILORESSES' AWARD.—
INTERPRETATION.

In the Court of Arbitration, Wellington District.—Decision of the Court.

THE question asked is whether or not the provision for a reduction for power made in the award applies also to the supplementary log agreed to between Mr. J. C. Seelye, representing the employers, and Miss Hale, representing the union. This supplemental log by further agreement applies to Wellington.

Answer: The supplemental log is made pursuant to clause 3 of the award, and becomes an integral part of the log, being incorporated with it. It is, therefore, subject to the condition of the log including reduction for power.

Dated the 30th March, 1904.

FREDK. R. CHAPMAN, J., President.

WESTLAND INDUSTRIAL DISTRICT.

(712.) RIMU GOLD-MINERS.—AWARD.

In the Court of Arbitration of New Zealand, Westland 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 Rimu Gold-miners' Industrial Union of Workers (hereinafter called "the workers' union") and the undermentioned persons, firms, and companies (hereinafter called "the employers"), namely: Arthur Clifton, Alfred Dohu, Thomas O'Neill, David Beatty, Francis Wall, and William Wall, all of Rimu; and Christie Neilson and