

(731.) AUCKLAND COOKS AND WAITERS.—AWARD.

In the Court of Arbitration of New Zealand, Northern 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 Auckland Cooks and Waiters’ Industrial Union of Workers (hereinafter called “the workers’ union”) and the undermentioned persons, firms, and companies (hereinafter called “the employers”): Abbot, W., Star Hotel, Otahuhu; Allen, T., Northcote Hotel, Northcote; Atkins, S., Commercial Hotel, Shortland Street; Auckland Club, Shortland Street; Anchor Dining-rooms, Queen Street; Bach, A., Albert Hotel, Auckland; Baker, J. R., Alexandra Hotel, Manukau Road, Parnell; Ballin, Mrs., Eden Vine Hotel, Great North Road; Bennett, A., Marine Hotel, Howick; Bishop, A., Railway Terminus Hotel, Onehunga; Bishop, C., Wynyard Arms Hotel, Symonds Street; Brewin, W., Criterion Hotel, Otahuhu; Brodie, P., Fitzroy Hotel, Wakefield Street;

Brown, W., Queen's Head Hotel, Upper Queen Street; Brown, N., Victoria Hotel, Onehunga; Blair, E., Panmure Hotel, Panmure; Black, T., Zealandia Oyster-rooms, Queen Street; Burns, T., Star and Garter Hotel, Panmure; Buxton, T., British Hotel, Queen Street; Breedon, H., Hot Springs Hotel, Kamo; Bright, W., Lake House, Rotorua; Cartwright, New Lynn Hotel, Waikumete; Clarke, C., Star Hotel, Albert Street; Constant, W., Palace Hotel, Rotorua; Cooke, W., Prince Arthur Hotel, Hobson Street; Coombes, Mrs., United Service Hotel, Queen Street; Cannings (Limited), St. Mungo Café, Queen Street; Dalziel, G., Prince Albert Hotel, Onehunga; Donaldson, J., Blue Post Dining-rooms, Queen Street; Drake, A., Metropolitan Hotel, Queen Street; Dunne, J., Rising Sun Hotel, Karangahape Road; Durance, Mrs., Shamrock Hotel, Albert Street; Dyer, W., Britomart Hotel, Custom Street; Endean, J., Waitemata Hotel, Queen Street; Foley, M., Hobson Hotel, Hobson Street; Fraser, T., Hot Springs Hotel, Waiwera; Gallagher, J., Criterion Hotel, Cambridge; Gillender, J., Newmarket Hotel, Manukau Road; Gimblett, F. Thistle Hotel, Queen Street; Graham, J., Hibernian Hotel, Onehunga; Grattan, A., Masonic Hotel, Devonport; Gray, T., Queen's Ferry Hotel, Vulcan Lane; Greenwood, A., Royal Hotel, Onehunga; Hand, Mrs., Settlers' Hotel, Whangarei; Hamilton, R., Masonic Hotel, Cambridge; Hamilton, Mrs., Captain Cook Hotel, Kyber Pass; Harris, L., Huntly Hotel, Huntly; Hardy, A., King's Arms Hotel, Upper Pitt Street; Hedlund, J., Prince of Wales Hotel, Hobson Street; Hutchison, R., Masonic Hotel, Cambridge; Hill, A., Suffolk Hotel, College Hill; His Majesty's Café (Mrs. Fielder), Queen Street; High Street Dining-rooms (Nelson), High Street; Isaacs, P., Royal Hotel, Victoria Street; Johnston, A., Empire Hotel, Victoria Street; Jones, E., Globe Hotel, Papakuru; Kawai, T., Criterion Dining-rooms, Custom Street; King, T., caterer, Ponsonby; Keating, E., Exchange Hotel, Onehunga; Leek, R., Royal George Hotel, Manukau Road; Little, F., Globe Hotel, Wakefield Street; Lloyd, H., Kamo Hotel, Kamo; Luks, Mrs., Thames Hotel, Queen Street; Lynch, W., Clarendon Hotel, Wakefield Street; Martin, C., Grand Hotel, Princes Street; Mahoney, Mrs., Oxford Hotel, Victoria Street; Mahoney, P., St. Heliers Bay Hotel, St. Heliers Bay; Mathieson, W., Falls Hotel, Henderson; McCullough, Mrs. J., Criterion Hotel, Albert Street; McEwen, T., Papakura Hotel, Papakura; McHugh, J., Market Hotel, Grey Street; McKay, D., Commercial Hotel, Whangarei; McLeod, J., Star Hotel, Karangahape Road; McManus, W., Caledonian Hotel, Symonds Street; McMahan, S., Whangarei Hotel, Whangarei; McRae, J., Frankton Hotel, Frankton Junction; McVeigh, H., Swan Hotel, Mechanics' Bay; Meehan, T., Gleeson's Hotel, Custom Street; Menzies, J., Okoroire Hotel, Okoroire; Molloy, J., Albion Hotel, Wel-

lesley Street; Molloy, C., Bricklayers' Arms Hotel, Chapel Street; Myers, A., Ellerslie Hotel, Ellerslie; Michaels, H., Manukau Hotel, Onehunga; Melville, C., Commonwealth Supper-rooms, Queen Street; McKeown, E., Dining-rooms, Queen Street; Nelson, C., Geysler Hotel, Whakarewarewa; Nixon, T., Carpenters' Arms Hotel, Grey Street; Norden, D., Naval and Family Hotel, Pitt Street; Northern Club, Princes Street; Nairns, F., Dallen's Coffee Palace, Queen Street; O'Connor, M., Waverley Hotel, Queen Street; O'Connor, D., Shakespeare Hotel, Albert Street; O'Connor, F., Victoria Hotel, Victoria Street; Ormond, W. J., Park Hotel, Wellesley Street; Parker, J., Carlton Club Hotel, Kyber Pass; Pearce, Mrs., Imperial Hotel, Fort Street; Pilling, F., Palace Hotel, Te Aroha; Parker, Mrs., Central Dive, Victoria Street; Parkinson, Mrs., Dining-rooms, Victoria Street; Price, F., Dining-rooms, Queen Street; Quinlan, P., Edinburgh Castle Hotel, Symonds Street; Raynes, F., Ponsonby Club Hotel, Ponsonby; Regan, W., Rob Roy Hotel, Union Street; Reinhardt, C., Queen's Head Hotel, Symonds Street; Rolleston, J., Central Hotel, Victoria Street; Russell, J. W., Occidental Hotel, Vulcan Lane; Railway Dining-rooms (Woodside), Queen Street; Sarah, J., Aurora Hotel, Victoria Street; Schultze, A., Grosvenor Hotel, Hobson Street; Shaw, W., Grand Hotel, Te Aroha; Schmiddel, H., Royal Oak Hotel, One-tree Hill; Smith, A., National Hotel, Cambridge; Somers, H., Hot Springs Hotel, Te Aroha; Speers, J., Grand Hotel, Rotorua; Stone, Mrs., Robert Burns Hotel, Union Street; Stych, Mrs. E., Avondale Hotel, Avondale; Sullivan, J., City Hotel, Victoria Street; Syms, H., Epsom Hotel, Epsom; Symonds, P., Freeman's Hotel, Drake Street; Scherff, Mr., Glenalvon, Symonds Street; Spargo, Mrs., Gladstone Coffee Palace, Wharf; Strand Café Company (Speight), Queen Street; Tapper, A., Anchor Hotel, Queen Street; Tomlinson, F., Exchange Hotel, Manukau Road; Treston, M., Newton Hotel, Newton; Taylor, F., City Buffet, Queen Street; Towsey, F., The Dive, Queen Street; Vollemare, J., Railway Hotel, Beach Road; Walsh, M., City Club Hotel, Shortland Street; Waters, E., Auckland Coffee Palace, Queen Street; White, E. H., Esplanade Hotel, Devonport; Wright, G., Harp of Erin Hotel, Ellerslie; Working-men's Club, Darby Street; Whitehead, E. A., Dining-rooms, Durham Street; Whitehead Coffee Palace, Cook Street.

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 7th day of June, 1904, and shall continue in force until the 7th day of June, 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 30th day of May, 1904.

FREDK. R. CHAPMAN, J., President.

THE SCHEDULE HEREINBEFORE REFERRED TO.

Wages in Hotels.

1. The following shall be the minimum weekly rates of pay for persons employed in hotels:—

Kitchen.—Where five or more hands are employed: Chef, £4; second, £2; others, £1 each. Where four hands are employed: Chef, £3 10s.; second, £1 15s.; others, £1. Where three hands are employed: Chef, £3; second, £1 10s.; other hands, £1. Where two hands are employed: Chef, £2; second, £1 5s. Where only one cook is employed, £1 15s.

Waiters.—Where over three waiters are employed: Head waiter, £2; second, £1 12s. 6d.; others, £1 2s. 6d. Where three waiters are employed: Head waiter, £1 15s.; second, £1 7s. 6d.; third, £1. Where two waiters are employed: Head waiter, £1 15s.; second, £1 5s. Where only one waiter is employed he shall be paid a minimum wage of £1 10s.

Pantrymen.—Where more than one employed: First pantryman, £1 5s.; others, £1. Where only one is employed he shall be paid £1 5s.

Porters.—Day porter, £1; night porter, £1 5s. Where a day porter and rouseabout are employed the rouseabout shall be paid 15s. per week.

Casual Labour.—Chef: First day, £1; two succeeding days, 15s. each; after third day, ordinary wages. Others: First day, 10s.; two succeeding days, 7s. 6d. each; after third day, ordinary wages. Waiters: First three days, 10s. per day; afterwards, ordinary wages. Pantrymen: First three days, 7s. 6d. per day; afterwards, ordinary wages.

Hours in Hotels.

2. Each employer shall be entitled to regulate the hours of work according to the requirements of his business, subject to the following conditions:—

Waiters.—The hours for waiters shall not exceed eleven hours' work per day, and shall be worked between the hours of 6 a.m. and 12 midnight, as may be regulated by the employer.

Kitchen.—The hours for cooks and kitchen hands shall not exceed eleven hours' work per day, and shall be worked between the hours of 5 a.m. and 9 p.m., as may be regulated by the employer.

Porters.—Whether night or day, twelve hours.

Pantrymen.—The hours for pantrymen shall not exceed eleven hours' work per day, and shall be worked between the hours of 6 a.m. and 9 p.m., as may be regulated by the employer.

Wages in Restaurants and Oyster-saloons.

3. To persons employed in restaurants and oyster-saloons the following minimum weekly wage shall be paid:—

Kitchen.—Where three or more hands are employed: Chef, £2 5s.; second, £1 5s.; others, £1. Where two are employed: Chef, £1 15s.; other hand, £1. Where only one is employed he shall be paid £1 15s.

Waiters.—If male waiters are employed they shall not be paid less than £1 5s. per week.

Casual labour as in hotels.

Hours in Restaurants and Oyster-saloons.

4. *Kitchen.*—The hours for cooks and kitchen hands shall not exceed eleven hours' work per day, and shall be worked between the hours of 5 a.m. and 9 p.m. as may be regulated by the employers, in case of restaurants, and in case of oyster-saloons between 5 a.m. and 12 p.m., as may be so regulated.

Waiters.—If male waiters are employed, the hours for such employees shall not exceed eleven hours' work per day, and shall be worked between the hours of 6 a.m. and midnight.

Subject to the above provisions, each employer shall be entitled to regulate the hours of work according to the requirements of his business.

Overtime.

5. Overtime shall be paid at the rate of time and a half, and be calculated, in respect of hotel and restaurant employees, in respect of any hours which may in any one day be worked in excess of the hours for work or outside the hours for commencing or ceasing work prescribed by this award. This shall not apply to the casual labour dealt with in clause 6.

Casual Labour for Entertainments.

6. *Waiters.*—For shop-days—that is to say, days spent in preparing and clearing up—10s. per day. For race meetings, 15s. per day when dress clothes or mess uniforms are worn; 12s. 6d. per day when ordinary clothes are worn. For balls, dinners, and other functions, 15s. The 15s. is for running the ball, dinner, or function, irrespective of whether it commences after a shop-day or is followed by a shop-day, which must be paid for in addition. Fares are to be paid to and from race meetings.

Board and Lodging.

7. Where board is not provided, cooks, waiters, pantrymen, and porters shall be paid 10s. per week in addition to the above rates. Where lodging is not provided they shall receive an additional amount of 5s. per week: Provided always that, if the employer is willing and offers to provide suitable lodging for his employee and the employee prefers to lodge elsewhere, no allowance shall then be paid for lodging.

Payment of Wages.

8. Wages shall be paid weekly unless agreed otherwise. Where no agreement in writing is made fixing the period of notice, then a notice of not less than forty-eight hours shall be given by either party of the termination of the service. Employers shall be entitled to keep in hand two days' pay.

All casual labour is to be paid for at the end of the employment and before the man is discharged. Should an employer fail then to pay a man, he must pay him at the man's own residence within twenty-four hours after discharge, unless he had a valid excuse for not then paying him.

Holidays.

9. Two days' holiday or two days' pay shall be allowed to each employee once every three months, if he shall have been so long in the employer's service. Such holidays may be upon such days as may be mutually agreed upon between the employer and his employee.

Exemptions from Award.

10. The conditions of this award shall not apply to the Northern Club nor to the Auckland Club, save as to the employment of casual labour; but the Court reserves power, on the application of the union, upon notice to the said clubs, or either of them, by order to extend this award to either or both of such clubs.

No Discrimination against Unionists.

11. No employer shall discriminate against members of the union, or shall, in the engagement or dismissal of his employees or in the conduct of his 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 shall receive equal pay for equal work.

Limitation of Award.

12. This award shall apply to the individual employers named in the heading to this award, and the members of the Auckland Licensed Victuallers' Association and to the successors in any of the respective businesses of such persons, and to all other persons in this industrial district, save in the Borough of Gisborne, who shall during the currency of this award commence and carry on the businesses of hotelkeepers, restaurant-keepers, or oyster-saloon keepers, and shall not, without the further order of the Court, apply to any other persons in this industrial district.

Nothing in this award contained shall restrict the right of the employers, or any of them, to employ female employees in any capacity on such terms and conditions as such employers, or any of them, may think fit.

Duration of Award.

13. This award shall take effect as from the 7th day of June, 1904, and shall continue in force until the 7th day of June, 1906, and thereafter until superseded by a new award or an industrial agreement.

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 30th day of May, 1904.

FREDK. R. CHAPMAN, J., President.