

(2143.) CHRISTCHURCH BUTCHERS.—COUNTRY AWARD.

In the Court of Arbitration of New Zealand, Canterbury Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1908, and its amendment; and in the matter of an industrial dispute between the Christchurch Operative Butchers' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

Ballinger and Cassidy, Kaiapoi and Woodend.
 Barnard, J., Rangiora.
 Bearman, A., Greenpark.
 Brake, —, Tai Tapu.
 Cameron Bros., Broadfields.
 Co-operative Butchering Company, Kaiapoi.
 Dench, T., Southbrook.
 Eder, G., Woodend.
 Fitzgibbons, J., Rangiora.
 Fraser, A., Rangiora.
 Parnham Bros., Kaiapoi.
 Plumridge, H. H., Tai Tapu.
 Sutherland, D., Rangiora.
 Wood, J., Lincoln.

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 August, 1910, and shall continue in force until the 1st day of August, 1912.

In witness whereof the seal of the Court of Arbitration hath hereto been put and affixed, and the Judge of the Court hath hereunto set his hand, this 16th day of July, 1910.

W. A. SIM, Judge.

SCHEDULE.

Hours of Work.

1. From the 1st May to the 31st October the hours shall not exceed fifty-four per week, and from the 1st November to the 30th April shall not exceed fifty-eight per week. The hours shall be regulated in advance by each employer according to the requirements of his own business. For the purpose of calculating the hours of work each of the holidays hereinafter mentioned shall be deemed to be a day on which eight hours shall have been worked, although no work shall have been actually done on such holiday.

Wages.

2. All workers employed in or about butchers' shops shall be paid not less than £2 10s. per week. This wage is a weekly one, and is not subject to any deduction except for time lost through the default of the worker.

Meat for Workers.

3. Each worker shall be allowed meat not exceeding in value 5s. per week, or shall, at the option of his employer, be paid the sum of 5s. per week in lieu of such meat. This provision shall not apply to casual workers, or to boys or youths, or to workers employed in shops in which the business of a pork-butcher only is carried on.

Youths.

4. (a.) Employers may employ youths at not less than the following rates of wages: Under the age of 15 years, 12s. 6d. per week; from 15 to 16, 17s. 6d. per week; from 16 to 17, £1 per week; from 17 to 18, £1 5s. per week; from 18 to 21, £1 10s. per week.

(b.) The proportion of youths to be employed by any employer shall not exceed one youth to every three men or fraction of three. For the purpose of determining the proportion of men to youths in taking any new youth, the calculation shall be based on a two-thirds full-time employment of men for the previous twelve calendar months.

(c.) The wages herein prescribed are weekly wages, and are not subject to any deduction save for time lost through the default of the worker.

(d.) Each employer shall, as far as practicable, allow every youth employed by him reasonable opportunities of learning the business of a butcher.

Holidays.

5. (a.) The following holidays shall be observed without stoppage of pay: New Year's Day, Anniversary Day, Good Friday, Easter Monday, Show Day, Labour Day, the birthday of the reigning sovereign, Christmas Day, and Boxing Day.

(b.) Employers during any week in which a holiday or holidays occur may give their workers the extra time off necessary to comply with the limit as to hours fixed by this award, during such holiday week or the next following week.

(c.) An employer may arrange with any worker to work for not more than two hours on the morning of any holiday, provided he shall pay such worker overtime (in addition to his ordinary wages) for the time so worked at the rate of time and a half.

(d.) The employers in any town or place may agree with the union to substitute any other day or days for all or any of the holidays hereinbefore mentioned.

(e.) When any holiday shall be generally observed in any town on any day other than that prescribed hereby, the provisions of this award shall apply to such substituted holiday in such town.

Killing.

6. Any worker who is required to kill on a Sunday or a holiday shall be paid for the time so worked at the rate of time and a half, in addition to his ordinary wages.

Under-rate Workers.

7. (a.) Any worker who considers himself incapable of earning the minimum wage fixed by this award may be paid such lower wage as may from time to time be fixed on the application of the worker, after due notice to the union by the local Inspector of Factories or such other person as the Court may from time to time appoint for the purpose, and such Inspector or other person in so fixing such wage shall have regard to the worker's capability, his past earnings, and such other circumstances as such Inspector or other person may think fit to consider after hearing such evidence and argument as the union and such worker shall offer.

(b.) Such permit shall be for such period not exceeding six months as such Inspector or other person shall determine, and after the expiration of such period shall continue in force until fourteen days' notice shall have been given to such worker by the secretary of the union requiring him to have his wage again fixed in manner prescribed by this clause: Provided that in the case of any person whose wage is so fixed by reason of old age or permanent disability it may be fixed for such longer period as such Inspector or other person shall think fit.

(c.) Notwithstanding the foregoing it shall be competent for a worker to agree in writing with the president or secretary of the union upon such wage without having the same so fixed.

(d.) It shall be the duty of the union to give notice to the Inspector of Factories of every agreement made with a worker pursuant hereto.

(e.) It shall be the duty of an employer before employing a worker at such lower wage to examine the permit or agreement by which such wage is fixed.

Preference.

8. So long as the rules of the union permit a person of good character who is or may be employed as a butcher, upon the payment of an entrance fee not exceeding 5s., and of subsequent contributions at a rate not exceeding 6d. per week, upon a written application of such person stating his desire to join the union, without ballot or other election, to become and remain a member thereof, each employer shall employ members of the union in preference to non-members, provided that there are members of the union equally qualified to perform the particular work required to be done, and the employer shall know of such members, and shall be able to obtain their services without any undue delay. Nothing herein contained shall prevent the continued employment of workers now in the employment of any employer, although such workers may not be or become members of the union.

Scope of Award.

9. This award shall apply only to employers carrying on business as butchers beyond ten miles and within twenty miles from the Chief Post-office, Christchurch.

Term of Award.

10. This award shall come into force on the 1st day of August, 1910, and shall continue in force until the 1st day of August, 1912.

In witness whereof the seal of the Court of Arbitration hath hereunto been put and affixed, and the Judge of the said Court hath hereto set his hand, this 16th day of July, 1910.

W. A. SIM, Judge.

MEMORANDUM.

This award applies only to employers carrying on business as butchers beyond ten miles and within twenty miles from the Chief Post-office in the City of Christchurch.

The award made in 1908 (Book of Awards, Vol. ix, p. 392) remains in operation with regard to employers carrying on business within a radius of ten miles from the Chief Post-office in Christchurch.

The union asked to have the hours of work fixed by that award reduced, and the wages increased, and various other alterations made in the award. No attempt was made, however, by the union to bring the case within the rule laid down by the Court in the Gisborne Painters' dispute (Book of Awards, Vol. x, p. 186), and at the close of the union's case the Court intimated the opinion that the union had failed to make out a case for any change in the existing award.

W. A. SIM, Judge.
