

(2436.) PORT CHALMERS TRAWLERS.—AWARD.

In the Court of Arbitration of New Zealand, Otago and Southland Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1908, and its amendments; and in the matter of an industrial dispute between the Dunedin Trawlers' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

Sullivan, F. J., Dunedin.

The Uneeda Trawling Company, Dunedin.

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 representa-

tives duly appointed, and having also heard such of the employers as were represented either in person or by their representatives duly appointed, 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 as from the 8th day of November, 1911, and shall continue in force until the 8th day of November, 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 22nd day of December, 1911.

W. A. SIM, Judge.

SCHEDULE.

Hours of Work.

i. The week's work shall not exceed seventy hours, subject to the following conditions: The hours of work not to exceed twelve hours in any one day without payment of overtime. When more than twelve hours have been worked in any one day, or seventy hours in any one week, overtime at the rates hereinafter specified shall be paid.

Wages.

2. (a.) Mate and leading deck hands: The mate or leading deck hand shall be paid not less than £2 10s. per week and found.

(b.) Engineer or man in charge of engines: Engineer or man in charge of engines shall be paid not less than £3 10s. per week and found.

(c.) Firemen, deck hand, and cook: Firemen shall be paid not less than £2 5s. per week and found. Deck hand shall be paid not less than £2 per week and found. Cook shall be paid not less than £2 per week and found.

(d.) Provided that any worker at present in the employ of any employer who is receiving a higher rate of wages than herein specified shall not have his wages reduced.

(e.) The employers may arrange with the workers in each ship to pay each worker 10s. per week and supply some fish free of cost at the discretion of the captain, and such fish to be consumed on board in lieu of provisions; in such case the cook shall be provided by the employer as at present.

(f.) Employers shall be entitled to keep in hand one day's pay.

(g.) Wages to be paid weekly, unless otherwise agreed upon.

Holidays.

3. (a.) Saturday or Sunday shall be observed as a day of rest from work, but any employer may substitute another day for Saturday or Sunday, provided that he gives his workers notice of his intention to make such substitution not later than 8 p.m. of the previous day.

(b.) The following shall be the recognized holidays: Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Monday, the birthday of the reigning Sovereign, and Labour Day.

Overtime and Holidays.

4. (a.) All work done on Christmas Day, New Year's Day, and Good Friday, or the day of rest (whether Saturday or Sunday or any other day) shall be paid for at double ordinary rates. All work done on Boxing Day, Easter Monday, the Sovereign's Birthday, or Labour Day shall be paid for at the rate of time and a half. For all time worked beyond the twelve hours in any one day, or beyond the seventy hours in any one week, overtime shall be paid at the rate of time and a quarter for the first two hours, and thereafter at the rate of time and a half.

(b.) Overtime shall not be paid in the case of a breakdown of machinery, or unusual conditions of weather.

Preference.

5. So long as the rules of the union permit any man of good character to become a member upon payment of not more than 5s. entrance fee and 6d. per week thereafter, preference of employment shall be given to members of the union.

General Provisions.

6. No deduction shall be made from the wages herein fixed save for time lost through wilful neglect or default of the worker.

7. The employment of a worker may be terminated on either side by giving twenty-four hours' notice; provided that a worker may be dismissed without notice for any ground which common law would justify the immediate dismissal of a servant.

Scope of Award.

8. This award shall apply to trawlers running out of Port Chalmers.

Term of Award.

9. This award shall come into force as from the 8th day of November, 1911, and shall continue in force until the 8th day of November, 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 22nd day of December, 1911.

W. A. SIM, Judge.

MEMORANDUM.

This award embodies, without alteration, the recommendation of the Conciliation Council, which the parties agreed to accept.

A question was raised at the hearing as to the payment of overtime to firemen. If a fireman works more than twelve hours in any one day or more than seventy hours in any one week he must be paid overtime, although part of his time is occupied in getting up steam. If while a trawler is at sea a fireman is allowed a fixed and definite watch below, during which he may rest if he pleases, this period may be excluded in counting his hours of work. If, however, although not actually working all the time, he is liable to be called on for duty at any moment, then all his time at sea must be treated as working-time.

W. A. SIM, Judge.
