

(2842.) LAWRENCE GOLD-MINERS.—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 Otago and Southland Gold-miners' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

Havelock Sluicing Company, Lawrence.

Sailors' Gully Sluicing Company, Lawrence.

Thompson and Party Sluicing Company, Lawrence.

Waitahuna Gully Sluicing Company, Lawrence.

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, 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 25th day of August, 1913, and shall continue in force until the 25th day of August, 1915.

In witness whereof the seal of the Court of Arbitration hath hereto been put and affixed, and the Judge of the Court hath hereto set his hand, this 16th day of August, 1913.

W. A. SIM, Judge.

SCHEDULE.

*Hours of Work.*

1. Eight hours shall be a recognized shift. The shifts shall go round.

*Holidays and Sunday Work.*

2. The following days shall be observed as holidays: New Year's Day, 2nd January, Christmas Day, and Boxing Day. Should any of these holidays fall on a Sunday, then the day following shall be observed as the holiday.

*Rate of Wages.*

3. The minimum wage for sluicers shall be 9s. per shift. All work done on Christmas Day and New Year's Day and on Sundays shall be paid for at the rate of double time, and all work done on other holidays and all overtime worked shall be paid for at the rate of time and a quarter.

4. Wages shall be paid monthly, in cash or by cheque.

*Repairing Breakages.*

5. When sluicers are required to repair breaks in a water-race the necessary time occupied in going to and from the breaks shall be paid for only once during the time the break is being repaired, provided there is a camp within reasonable distance.

*Preference.*

6. If any employer shall hereafter engage any worker who is not a member of the union, and who within one calendar month after his engagement shall not become a member of the union and remain such member, the employer shall dismiss such worker from his service if requested to do so by the union, provided there is

then a member of the union equally qualified with the non-member to perform the particular work required to be done, and ready and willing to undertake the same.

7. The provisions of the foregoing clause shall operate if and only so long as the rules of the union shall permit any gold-miner of good character and sober habits to become a member of the union upon payment of an entrance fee not exceeding 5s., upon a written or verbal application, without ballot or other election, and to continue a member upon payment of subsequent contributions not exceeding 6d. per week.

*Under-rate Workers.*

8. (a.) Any worker who considers himself incapable of earning the minimum wage 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 that 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 remain 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 worker 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 local 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.

*Exclusion of Racemen from Award.*

9. This award shall not apply to racemen.

*Scope of Award.*

10. This award shall bind only the parties hereto, but the Court reserves power to add other employers as parties hereto.

*Term of Award.*

11. This award shall come into force on the 25th day of August, 1913, and shall continue in force until the 25th day of August, 1915.

In witness whereof the seal of the Court of Arbitration hath hereto been put and affixed, and the Judge of the said Court hath hereunto set his hand, this 16th day of August, 1913.

W. A. SIM, Judge.

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MEMORANDUM.

This award embodies the recommendation of the Council of Conciliation, which the parties agreed to accept.

It is intended to bind only the parties named therein, and it will not operate under subsection (3) of section 90 of the Industrial Conciliation and Arbitration Act, 1908.

W. A. SIM, Judge.

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