

**(3073.) OTAGO AND SOUTHLAND 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 Otago and Southland Gold-mining Industrial Union of Employers (hereinafter called "the employers").

**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, 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 25th day of May, 1914, 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 hereunto set his hand, this 15th day of May, 1914.

T. W. STRINGER, 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.

*Rates of Wages and Overtime.*

3. (a.) The minimum wage for sluicers shall be 9s. per shift. All work done on Christmas Day, New Year's Day, or on a Sunday shall be paid for at the rate of time and a half, and all work done

on other holidays and all overtime worked shall be paid for at the rate of time and a quarter.

(b.) Wages shall be paid monthly in cash or by cheque.

*Repairing Breakages.*

4. (a.) When claim hands are required to repair breaks in a water-race the necessary time occupied in going to and from the break shall be paid for, but once only during the time the break is being repaired if there is a camp within a reasonable distance available for such hands.

(b.) In all cases where it is reasonably practicable employers shall provide good dry sleeping-accommodation for workers in camp.

*Preference.*

5. (a.) If any employer shall hereafter engage any worker coming within the scope of this award who shall not be a member of the union, and who shall not become a member thereof within one calendar month after his engagement 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 to perform the particular work required to be done, and ready and willing to undertake the same.

(b.) The provisions of the foregoing clause shall operate only if and so long as the rules of the union shall permit any worker coming within the scope of this award 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 application, without ballot or other election, and to continue a member upon payment of subsequent contributions not exceeding 6d. per week.

*Under-rate Workers.*

6. (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 Awards 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 shall 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 per-

manent 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.

*Exclusion of Racemen from Award.*

7. This award shall not apply to racemen.

*Scope of Award.*

8. This award shall apply to all employers in the Otago and Southland Industrial District other than those already bound under an award of the Court.

*Term of Award.*

9. This award shall come into force on the 25th day of May, 1914, 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 15th day of May, 1914.

T. W. STRINGER, Judge.

---

MEMORANDUM.

This award is based for the most part on the recommendation of the Council of Conciliation. The Court has fixed the rate of overtime payable for work done on Christmas Day, New Year's Day, and Sundays at time and a half. Provision has been made for camps.

T. W. STRINGER, Judge.

---