

OTAGO AND SOUTHLAND INDUSTRIAL DISTRICT.

(4178.) SOUTHLAND MILK-CONDENSING FACTORY WORKERS.— 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 Southland Milk-condensing Factory Employees' Industrial Union of Workers (hereinafter called "the union") and Murray's Limited (hereinafter called "the employer").

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 the employer by its representatives duly appointed, doth hereby order and award:—

That, as between the union and the members thereof and the employer, 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 employer, 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 employer 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 1st day of November, 1915, and shall continue in force until the 31st day of October, 1917, and thereafter as provided by subsection (1) (d) of section 90 of the Industrial Conciliation and Arbitration Act, 1908.

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 20th day of December, 1915.

T. W. STRINGER, Judge.

SCHEDULE.

Hours of Work.

1. Forty-eight hours shall constitute a week's work. The hours shall be from 8 a.m. to 5 p.m. on six days of the week, with one hour allowed for dinner. Shifts of eight hours may be worked when necessary. Men engaged on a night shift to be paid 1s. per night in addition to schedule wages.

Overtime and Holidays.

2. (a.) Overtime shall be paid for at the rate of time and a quarter for time worked after eight hours.

(b.) Double time shall be paid for work done on the statutory holidays—namely, New Year's Day, Good Friday, Easter Monday, Labour Day, birthday of the reigning Sovereign, Christmas Day, and all Sundays.

Under-rate Workers.

3. (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 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.

Payment of Wages.

4. Wages shall be paid at the factory twice in each month, on the 15th and the last day of the month, not later than 5 p.m.

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 seven days 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

Minimum Rate of Wages for Men.

6. Men engaged in and about a factory shall be paid not less than 9s. per day.

Minimum Rate of Wages for Youths.

7. The following shall be the minimum rate of wages for youths: Between the ages of fourteen and sixteen years, 15s. per week; from sixteen to seventeen years, £1 per week; from seventeen to eighteen years, £1 5s. per week; from eighteen to nineteen years, £1 10s. per week; from nineteen to twenty years, £1 15s. per week.

Minimum Rate of Wages for Girls.

8. The following shall be the minimum rate of wages for girls: Between the ages of fifteen and seventeen years, 15s. per week; from seventeen to eighteen years, 17s. 6d. per week; from eighteen to nineteen years, £1 2s. 6d. per week; nineteen years and over, £1 5s. per week.

No Reduction in Wages.

9. No workers at present employed to have any reduction in their existing rate of wages.

Notice of Termination of Services.

10. One week's notice of the termination of the services of any workman shall be given by the employer to the workman or by the workman to the employer unless otherwise mutually arranged in writing, and all wages due shall be paid immediately on production of certified time worked.

Nothing in this clause shall, however, preclude the right of the employer to terminate the services of any workman by payment of one week's wages in lieu of one week's notice, or to instantly dismiss any worker guilty of misconduct.

Disputes.

11. Any dispute in connection with any matter not provided for in this award shall be settled by a committee of four, two appointed by the employers and two by the union, and in default of any agreement being arrived at then such dispute shall be referred to the local Inspector of Awards, who may either decide the same or refer the matter to the Court. Either party dissatisfied with the decision of the Inspector of Awards may appeal to the Court upon giving notice of such appeal to the other party within seven days after such decision shall have been communicated to the party desiring to appeal. The employer shall have full control over the management of his factory.

Exemptions from Award.

12. The foreman shall be exempt from the provisions of this award.

Term of Award.

13. This award shall come into force as from the 1st day of November, 1915, and shall remain in force until the 31st day of October, 1917.

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 20th day of December, 1915.

T. W. STRINGER, Judge.

MEMORANDUM.

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

T. W. STRINGER, Judge.

NOTE.—Section 90, subsection (1) (*d*), of the Industrial Conciliation and Arbitration Act, 1908, provides that, notwithstanding the expiration of the currency of the award, the award shall continue in force until a new award has been duly made or an industrial agreement entered into, except where the registration of an industrial union of workers bound by such award has been cancelled.
