

(4127.) DUNEDIN SOAP AND CANDLE 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 Otago Freezing, Chemical-manure, Tannery, Soap, and Allied Trades' Industrial Union of Workers (hereinafter called "the union") and McLeod Bros. (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, and having also heard the witnesses

* 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.

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 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 from the 20th day of September, 1915, and shall continue in force until the 1st day of January, 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 hereto set his hand, this 3rd day of September, 1915.

T. W. STRINGER, Judge.

SCHEDULE.

Hours of Work.

1. The week's work shall consist of forty-eight hours, between the hours of 7.30 a.m. and 5 p.m., for five days of the week, no work to exceed eight and a half hours in any one day; and one day of the week the hours shall not exceed five and a half, between the hours of 7.30 a.m. and 1 p.m.

Minimum Rate of Wages.

2. The minimum rate of wages for workers employed in soap and candle works shall be 1s. 2d. per hour.

Employment of Youths.

3. Boys and youths up to twenty years of age may be employed, at the discretion of the employer, at not less than the following rates of wages per week: Between the ages of fourteen and fifteen years, 12s.; between the ages of fifteen and sixteen, 15s.; between the ages of sixteen and seventeen, 18s.; between the ages of seventeen and eighteen, £1 1s.; between the ages of eighteen and nineteen, £1 5s.; and between the ages of nineteen and twenty, £1 10s.

Overtime.

4. All time worked in excess of the hours mentioned in clause 1 hereof shall be considered overtime, and shall be paid for at the rate of time and a quarter for the first four hours, and thereafter time and a half.

Holidays.

5. The following shall be the holidays: New Year's Day, Easter Monday, Labour Day, Boxing Day, King's Birthday, Good Friday, Christmas Day, and local picnic day.

Payment of Wages.

6. Wages shall be paid fortnightly; two days' lie-time shall be allowed.

Payment for Holidays.

7. Double time shall be paid for work done on Christmas Day, Good Friday, and Sundays; time and a half shall be paid for work done on New Year's Day, Easter Monday, Labour Day, Boxing Day, King's Birthday, and local picnic day.

Under-rate Workers.

8. (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.

Preference.

9. If and so long as the rules of the union shall permit any person of good character and sober habits to become a member of the union upon payment of an entrance fee not exceeding 5s., upon his written or verbal application, without ballot or other election, and so to continue upon payment of subsequent contributions not exceeding 6d. per week, then and in such case in the future engagement of his workers the employer shall have the right to engage any worker he chooses, but so that within fourteen days of his engagement the worker shall become and remain a member of the union.

Term of Award.

10. This award shall come into force on the 20th day of September, 1915, and shall continue in force until the 1st day of January, 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 3rd day of September, 1915.

T. W. STRINGER, Judge.

MEMORANDUM.

The only substantial question at issue in this dispute was as to the minimum rate of wages for workers employed in the industry. It was proved by the employer that some of the raw materials used in the manufacture of its goods had within the last three months increased greatly in price, and but for the fact that the Court, in April last, had made an award regulating the industry in the Canterbury District this circumstance might have affected the Court's decision. The manufacturers in Canterbury, however, who are in direct competition with the only employer in this district who is party to this award, are now subject to the same increased cost of raw materials, and the Court therefore could not see its way to do otherwise than to place the industry on the same footing in both districts. This award, therefore, is practically identical with the award made in Canterbury, and the two awards have been made to expire at the same time. The provision as to "smoke-oh" which appears in the Canterbury award has been omitted, as it was objected to, and the Court does not impose this provision upon objecting employers except in special circumstances, which do not exist in this case.

T. W. STRINGER, Judge.

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