

(4332.) CANTERBURY TRACTION AND STATIONARY ENGINE-DRIVERS AND FIREMEN.—AWARD.

In the Court of Arbitration of New Zealand, Canterbury 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 Canterbury Traction and Stationary Engine-drivers and Firemen's Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

Akaroa County Council, Akaroa.

Allirson, R., contractor, 8 Division Road, Riccarton, Christchurch.

Anderson, J., and Co., engineers, Lyttelton and Christchurch.

Andrews and Beaven, agricultural-implement makers, Christchurch.

Andrews, J. C., flax-mill proprietor, Waikuku.

Andrews, S., quarry-owner, Heathcote.

- Atlas Biscuit and Confectionery Company, Dundas Street, Christchurch.
- Aulsebrook and Co., biscuit-manufacturers, Christchurch.
- Baker, T. H., fellmonger, Woolston.
- Blackball Coal Company, Lyttelton.
- Booth, Macdonald, and Co., agricultural-implement makers, Christchurch.
- Bowron Bros., tanners, Woolston.
- Boyd and Kerr, oleo-works, Rangiora.
- Brightling, John, contractor, Cashel Street, Christchurch.
- Brown, Mrs., laundry, Victoria Street, Christchurch.
- Burns, G., steam-laundry, Brown Street, Timaru.
- Canterbury By-products, Sockburn.
- Canterbury Farmers' Co-operative Association, merchants, Timaru.
- Canterbury Frozen-meat and Dairy-produce Company, Belfast, Fairfield, and Pareora.
- Canterbury Seed Company, merchants, Cashel Street, Christchurch.
- Cheviot County Council, Port Robinson.
- Christchurch Brick Company, brickworks-proprietors, St. Martin's.
- Christchurch City Council, Christchurch.
- Christchurch Drainage Board, Christchurch.
- Christchurch Gas Company, Christchurch.
- Christchurch Meat Company, freezing-works proprietors, Islington and Smithfield.
- Christchurch Steam Laundry, Christchurch.
- Christchurch Tramway Board, Christchurch.
- Clark, W., contractor, Rosewell, Timaru.
- Clark, W. A., wool-scourer, Woolston.
- Cooksley, J. H., brick-manufacturer, 42 Granger Street, Hillsborough, Christchurch.
- Cooper and Duncan, agricultural- implement makers, Colombo Street, Christchurch.
- Courtenay Road Board, Courtenay.
- Crown Brewery Company, breweries, Christchurch.
- Crumm Bros. and Dyhrberg, contractors, Ashburton.
- Danks, T. E., mechanical engineer, Christchurch.
- Dearsley and Taylor, sawmillers, St. Asaph Street, Christchurch.
- Duncan, P. and D., agricultural-implement makers, Christchurch.
- England and Sons, timber-merchants, Christchurch.
- Feron, P., fishmonger, 303 Moorhouse Avenue, Christchurch.
- Fibbis and Clyma, contractors, Timaru.
- Friedlander Bros., merchants, Ashburton.
- Gaiger, W., contractor, Timaru.
- Geddes Bros., contractors, Redcliffs.

- Gerard, J., contractor, Snowden.
 Glenmore Brick and Tile Company.
 Goss, W., sawmiller, Peterborough Street, Christchurch.
 Greer Bros., farmers, Papanui.
 Harkness, W. S., contractor, Timaru.
 Harris, H. R., fellmonger, Washdyke, Timaru.
 Heathcote Road Board, Heathcote.
 Henshall and Son, sawmillers, Frank Street, Papanui.
 Hepburn, H., and Co., rangemakers, Christchurch.
 Herman and Cresswell, Royal Café, Christchurch.
 Hill, Walter, tanner, Woolston.
 Homebush Brick and Coal Company (Limited), 178 St.
 Asaph Street, Christchurch.
 Hunsley, William, sawmiller, Colombo Street, Christchurch.
 Jackson and Co., contractors, Timaru.
 Jamieson Bros., contractors, Christchurch.
 Jones, T. B., contractor, Hororata.
 Kaiapoi Shipping Company, sawmillers, Kaiapoi.
 Kaiapoi Woollen Company, Kaiapoi.
 Kimber, A. H., road contractor, Springston.
 Kirk and Goddard, brickmakers, Kensington, Timaru.
 Kirk, H. B., brickmaker, Timaru.
 Knewstubbs, E., pumping-plant proprietor, Lyttelton.
 Lane, Walker, and Rudkin (Limited), woollen-manufacturers, Montreal Street, Christchurch.
 Lucas Bros., engineers, Christchurch.
 Lyttelton Borough Council, Lyttelton.
 Lyttelton Harbour Board, Lyttelton.
 Lyttelton Times Company, newspaper-proprietors, Christchurch.
 McCarthy, R., contractor, Tai Tapu.
 McDonald, Thomas, fellmongery-proprietor, Waikuku.
 McLaren, W. A., and Co., engineers, Christchurch.
 Maddren and Co., rope-manufacturers, Christchurch.
 Manning and Co., brewers, Christchurch.
 Mills, John, contractor, Waikuku.
 Mitchell, J. M., furniture-factory, Christchurch.
 Moffat, R., contractor, Christchurch.
 Murdock, J., and Co., timber-merchants, Timaru.
 Nelson Bros., freezing-works proprietors, Hornby.
 New Zealand Glue Company (Limited) (S. F. Davis, manager), Woolston.
 New Zealand Provision and Produce Company, Belfast.
 Nicholls, W., fellmongery-proprietor, Belfast.
 North Canterbury Hospital and Charitable Aid Board, Christchurch.
 Oakley, George, road contractor, Templeton.
 Osborne, J., contractor, Doyleston.
 Otley, C. E., sawmiller, Madras Street, Christchurch.

Paparoa County Council, Riccarton.
 Parsons, W., monumental mason, Christchurch.
 Peppler, A., and Co., furniture-makers, Sydenham.
 Pitcaithly, R., and Co., quarry-owners, Halswell.
 Press Company, newspaper-proprietors, Christchurch.
 Progress Brick Company, Hills Road, Hillsborough, Christchurch.
 Reid and Gray, agricultural-implement makers, Christchurch.
 Ridder, B. F., road contractor, Spreydon.
 Scott Bros., engineers, Christchurch.
 Scott Bros., lighting-station, Timaru.
 Selwyn County Council, Christchurch.
 Smart and Sons, contractors, Sydenham.
 Smith and Smith, sawmillers, Tuam Street, Christchurch.
 Smith, H., engineer, Lyttelton.
 South Canterbury Dairy Company, Timaru.
 South Canterbury Hospital and Charitable Aid Board, Timaru.
 South Canterbury Woollen Company (James Lillico, manager), Timaru.
 Spreydon Borough Council, Christchurch.
 Strange, W., and Co., furniture-makers.
 Sumner Borough Council, Sumner.
 Swanston, A., contractor, Christchurch.
 Swanston and Son, sawmillers, Durham Street, Christchurch.
 Taylor and Co., Saltwater Creek, Timaru.
 Thyre, B., contractor, Brookside.
 Timaru Borough Council, Timaru.
 Timaru Harbour Board, Timaru.
 Tyler, C. A., contractor, Rangiora.
 Union Steamship Company, Lyttelton.
 Vincent, A., contractor, Wilson Street, Timaru.
 Waimakariri Harbour Board, Kaiapoi.
 Ward and Co., brewers, Christchurch.
 Wardell Bros., merchants, Christchurch.
 Washbourne, W., contractor, Selwyn.
 Westport Coal Company (Limited), Lyttelton.
 White, A. J., and Co., furniture-manufacturers, Christchurch.
 Wigram Bros., maltsters, Heathcote.
 Williams, Stephens, and Co. (Limited), sawmillers, Tuam Street, Christchurch.
 Wood, W., and Co., tanners, Woolston.
 Woolston Tanneries (Limited), 177 Hereford Street, Christchurch.
 Zealandia Soap and Candle Company, Woolston.

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 as from the 20th day of April, 1916, and shall continue in force until the 20th day of April, 1919, 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 15th day of June, 1916.

T. W. STRINGER, Judge.

SCHEDULE.

Hours of Work.

1. The week's work shall not exceed forty-eight hours, exclusive of the time necessarily occupied by any worker in getting up steam for the machinery in the factory or works in which he shall be employed. Each employer shall, subject to the provisions of the Factories Act, 1908, be entitled to arrange such hours of work according to the exigencies of his particular business, and such hours may be worked in shifts either by day or night.

Overtime.

2. (a.) Any time worked in any one week beyond the hours prescribed in clause 1 hereof shall be paid for at the rate of time and a quarter, except time occupied in getting up steam, which shall be paid for at ordinary rates.

(b.) When any worker is required to work overtime to repair any breakdown of machinery necessarily causing the stoppage of the factory or works only ordinary-time rates shall be paid.

Traction-engines.

3. (a.) In the case of traction-engine drivers any employer of such may agree with his men that the hours of work shall be other than those hereinbefore prescribed without payment of overtime, but so that not less than the rate of wages herein prescribed for drivers of traction-engines shall be paid to such drivers.

(b.) Where an engine-driver is required to stand by his engine during meal-hour he shall be paid for such time at ordinary rates.

(c.) Owners of traction-engines, while the same are used in agricultural work or processes, may contract with their drivers for payment at tonnage or piecework rates irrespective of the hours worked on any day.

Holidays.

4. (a.) Work done on New Year's Day, Easter Monday, Labour Day, or the King's Birthday shall be paid for at the rate of time and a half; work done on Christmas Day, Good Friday, or Sunday shall be paid for at the rate of double time.

(b.) In the case of factories the drivers of engines shall be entitled to the holidays given by any award or industrial agreement affecting the factory, or, in cases where there is no award or industrial agreement affecting the same, to any holiday generally observed in the factory whereby the same ceases to work.

(c.) For work done on such holidays the rate of overtime shall be time and a half.

(d.) This clause shall not apply to any workers within the provisions of this award in respect of work required to be done in connection with the preparation and publication of any morning, afternoon, or evening newspaper.

Wages.

5. The following shall be the minimum rates of wages to be paid to engine-drivers of stationary engines who are in charge of any boiler within the meaning of the Inspection of Machinery Act, 1908, for each day's work, inclusive of the time necessarily occupied in getting up steam for the factory or works:—

(a.) Where the work that the engine-driver is employed to do requires that he shall hold a first-class certificate as a stationary-engine driver and he is the holder of a first-class certificate, 1s. 4½d. per hour.

(b.) Where the work which he is engaged to do requires that he shall be the holder of a second-class certificate as a stationary-engine driver and he is the holder of a second-class certificate, 1s. 3d. per hour.

(c.) For work requiring a traction or locomotive certificate for engines moved from place to place by their own motive power, 1s. 4d. per hour.

- (d.) For work requiring no certificate, for engines of less than 144 circular inches and above 49 circular inches, 1s. 1½d. per hour.
- (e.) For firemen, 1s. 1½d. per hour.
- (f.) For greasers, 1s. 1½d. per hour.

Filling in Time.

6. Where certificated engine-drivers and firemen are engaged any part of their time engine-driving, and fill in the other time in workshops or elsewhere at other work for their employers, such men shall nevertheless be paid the rate above prescribed according to their respective classes.

Under-rate Workers.

7. (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.

Youths.

8. Nothing in this award shall apply to youths up to the age of eighteen years employed in firing or assisting in firing. This clause shall be read as expressly subject to the provisions of the Inspection of Machinery Act, 1908. Youths employed as firemen shall be paid the following rates: Eighteen and under nineteen years of age, 7½d. per hour; nineteen and under twenty years of

age, 9d. per hour; firemen over twenty years of age to be paid the minimum rate of wages prescribed in subclauses (e) and (f) of clause 5 hereof.

Preference.

9. (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.

Exemptions.

10. When the wages of a worker coming within the apparent scope of this award have already been fixed by an award of this Court or by an industrial agreement this award shall not apply, and this award is made subject to the condition that whenever an award or industrial agreement is hereafter made embracing any industry, trade, or business in which such workers are employed such award or industrial agreement may be made to supersede this award so far as regards the wages and conditions of such workers.

Christchurch Tramway Board.

11. The Christchurch Tramway Board is exempted from the operation of this award so long as it pays its engine-drivers, firemen, and greasers not less than the rates of wages fixed by this award, and gives to those workers the same conditions with regard to overtime, holidays, and Sunday work as are given for the time being to the motormen in the service of the Board.

Exemption of Local Bodies.

12. Local bodies are exempted from the operation of this award if and so long as they shall pay their engine-drivers, firemen, and greasers not less than the wages fixed by this award for any work coming within the scope hereof, and shall pay the ordinary overtime rates prescribed by clause 2 hereof for any work done by any worker in excess of forty-eight hours in any one week.

Special Provisions as to certain Companies.

13. The following provisions shall apply to the Union Steamship Company of New Zealand (Limited), the Blackball Coal Company

(Limited), the Westport Coal Company (Limited), and the Christchurch Gas Company (Limited):—

(a.) The said companies shall pay not less than the wages fixed by this award for any work coming within the scope of this award, and shall pay the overtime rates herein prescribed for any work done by any worker in excess of forty-eight hours in any one week, and shall pay the rates herein prescribed for any work done on Sundays or on any of the holidays herein mentioned. In all other respects the companies are exempted from the operation of this award.

(b.) All flour-mills and sawmills which at present are working under awards of this Court are exempted from the operation of this award.

(c.) Threshing-mill owners are exempted from the operation of this award so long as they do not haul for hire.

(d.) Dairy companies are exempted from the operation of this award so long as they pay their firemen the wages prescribed by this award, and pay them overtime for any work done in excess of forty-eight hours in any week.

Special Provisions as to Freezing-works.

14. (a.) The hours of work for engine-drivers employed in freezing-works shall not exceed eight hours per day (including Sundays), exclusive of the time necessarily occupied in getting up steam, and the provisions of clause 2 of this award shall apply to any time worked beyond these hours.

(b.) The said workers shall be paid not less than the wages fixed by this award, and they shall be paid at the rate of time and a half for any work done on New Year's Day, Easter Monday, Labour Day, and the King's Birthday, and at the rate of double time for any such work done on Christmas Day or Good Friday.

(c.) Clauses 7 and 8 of this award shall apply to freezing-works.

(d.) Save as herein expressly provided none of the other provisions of the said award shall apply to freezing-works.

Term of Award.

15. This award shall come into force as from the 20th day of April, 1916, and shall continue in force until the 20th day of April, 1919.

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 June, 1916.

T. W. STRINGER, Judge.

MEMORANDUM.

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

T. W. STRINGER, Judge.