

(4337.) CHRISTCHURCH AERATED-WATER WORKERS AND BOTTLEERS.—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 Christchurch Aerated-water Workers and other Bottlers' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

- Alexander, —, aerated-water manufacturer, Kaiapoi.
 Ballin Bros., aerated-water manufacturers, Byron Street, Sydenham.
 Barcock, W., aerated-water manufacturer, London Street, Richmond.
 Barnett and Co., chemists, Cathedral Square.
 Bonnington and Co., chemists, High Street, City.
 Cook and Co., chemists, High Street, City.
 Finlay, H., merchant, Tuam Street, Linwood.
 Frazer, J., aerated-water manufacturer, Rangiora.
 Hayward Bros., pickle-manufacturers, Victoria Street, Christchurch.
 Hill and Co., aerated-water manufacturers, Wordsworth Street, Sydenham.
 Hill, T. C., aerated-water manufacturer, Shakespeare Road, Christchurch.
 Kempthorne, Prosser, and Co., chemists, High Street, City.
 Long and Barden, aerated-water manufacturers, Montreal Street, Christchurch.
 Mace and Co., aerated-water manufacturers, St. Asaph Street, City.
 Maynard, W. E., pickle-manufacturer, 36 Salisbury Street, Christchurch.
 Melhuish, J. J., and Co., pickle-manufacturers, Wilson's Road, Linwood.
 Price and Co., chemists, High Street, City.
 Rainbow and Son, aerated-water manufacturers, Falsgrave Street, Linwood.
 Robinson and Son, aerated-water manufacturers, Tuam Street, Linwood.
 Saunders and Co., aerated-water manufacturers, St. Asaph Street, City.
 Schumaker, H. C., aerated-water manufacturer, Lyttelton.
 Sharpe Bros., aerated-water manufacturers, Armagh Street, City.
 Smellie and Co., merchants, St. Asaph Street, City.
 Smith and Hollands, aerated-water manufacturers, Springfield Road, St. Albans.
 Snell, H., merchant, Colombo Street, City.

Steeds, Alexander, chemist, Ferry Road, Christchurch.

Stevens, H. F., chemist, Worcester Street, City.

Were Bros., aerated-water manufacturers, Papanui Road, Christchurch.

Wright and Co., aerated-water manufacturers, Tuam Street, Linwood.

Wyatt, W. J., aerated-water manufacturer, Lyttelton.

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 6th day of March, 1916, and shall continue in force until the 6th day of March, 1918, 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 19th day of June, 1916.

T. W. STRINGER, Judge.

SCHEDULE.

Hours of Work for Inside Workers.

1. (a.) From the 1st day of November to the 30th day of April forty-nine hours shall constitute a week's work, and from the 1st day of May to the 31st day of October forty-four hours shall

constitute a week's work. The hours of work shall be so regulated that the week shall end at noon on Saturday, the balance of the hours to be divided equally between the other five days of the week.

(b.) It shall be competent for any employer to arrange with his workers to substitute forty-eight hours and forty-five hours respectively in lieu of the forty-nine and forty-four hours referred to in the preceding clause.

(c.) Any condiment-manufacturer may work forty-eight hours per week all the year round instead of the hours hereinbefore prescribed.

Hours of Work for Carters.

2. The hours of drivers shall be forty-eight per week from April to September (inclusive), and fifty-six hours per week during the rest of the year. These hours shall include the time occupied in necessary attendance to horses. The working-hours shall be regulated by the employer according to the special requirements of each business, but so that the ordinary hours of work shall in the case of workers engaged in the aerated-water and cordial trade be made to fall between 6.30 a.m. and 6 p.m., and in the case of those workers engaged in the jar trade the hours shall be between 7 a.m. and 6.30 p.m. One hour shall be allowed for dinner between 11.30 a.m. and 2 p.m., and a weekly half-holiday shall be allowed on Saturday, the work to cease on that day at noon during the winter months and at 1 p.m. during the summer months.

Wages of Inside Workers.

3. (a.) The following shall be the minimum rates of wages payable to the several classes of workers: Cordialmakers, £3 per week; bottlers, corkers, packers, and casemakers, £2 12s. 6d. per week; bottle-washers and general labourers about the factory, £2 10s. per week.

(b.) When a worker is engaged at any particular branch of the business he shall be paid at the rate of wages prescribed for that branch for the time during which he is so engaged.

Wages of Carters.

4. (a.) The wages to be paid to drivers shall be as provided by the principal award for the time being in force regulating the wages of drivers in the City of Christchurch.

(b.) The above wages shall include attendance to horses on Sundays, week-days, and holidays.

(c.) No deduction shall be made from such weekly wage for wet or bad weather or holidays, or for any other cause than for time lost through the default or absence of the particular driver.

Casual Labour for Inside Workers.

5. All casual labour about a factory shall be paid for at the rate of 1s. 6d. per hour. A "casual worker" shall mean any worker employed during a less period than one week.

Employment of Youths (Inside Workers).

6. (a.) Employers shall be at liberty to employ youths at any work in a factory (except machine bottling) at the following rates of wages: For youths between the ages of fifteen to sixteen years, 15s. per week; from sixteen to eighteen years of age, £1 per week; from eighteen to nineteen years of age, £1 5s. per week; from nineteen to twenty years of age, £1 10s. per week; from twenty to twenty-one years of age, £1 15s. per week.

(b.) The proportion of youths to men shall not exceed one youth to every three men or fraction thereof.

Youths (Carters).

7. Employers shall be at liberty to employ youths under the age of twenty-one years to assist carters at a minimum weekly wage of £1 10s.

Holidays (Inside Workers and Carters).

8. (a.) The following shall be the recognized holidays: Good Friday, Labour Day, King's Birthday, Christmas Day, Prince of Wales's Birthday, Anniversary Day, and picnic day (to be held on a Wednesday—the date to be arranged between employers and workers), and from noon on New Year's Day, Boxing Day, and Easter Monday.

(b.) For all work done on holidays the sum of 1s. 6d. per hour shall be paid in addition to the ordinary wage.

Overtime (Inside Workers).

9. All time worked in excess of the hours of work set forth in clause 1 hereof shall be deemed overtime, and shall be paid for at the rate of time and a quarter for the first three hours and time and a half thereafter, excepting that where work is performed between the hours of 10 p.m. and 7 a.m. and on Sundays double-time rates shall be paid. On the recognized half-holiday time-and-a-half rates shall be paid.

Overtime for Carters.

10. 1s. 4d. for the first three hours and 1s. 6d. thereafter shall be paid for overtime work done beyond the hours mentioned in clause 2 hereof.

Preference.

11. (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 fourteen 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.

(c.) Whenever an employer shall employ any worker who is not a member of the union he shall within twenty-four hours thereafter give notice in writing of such employment to the secretary of the union.

Under-rate Workers.

12. (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:

Partial Exemption.

13. The provisions of this award shall apply to the following persons and firms only in relation to the wages to be paid to workers employed by them respectively in the work of manufacturing and bottling cordials: Hayward Bros., Peterborough Street, Christchurch; Bonnington and Co., chemists, High Street, Christchurch; and W. R. Cook and Son (Limited), High Street, Christchurch.

Scope of Award.

14. The operation of this award is limited to the area lying within a radius of twenty-one miles from the Chief Post-office, Christchurch.

Term of Award.

15. This award shall come into force as from the 6th day of March, 1916 (except as to the wages of bottle-washers and general labourers, which shall come into force on the 26th day of June, 1916), and shall continue in force until the 6th day of March, 1918.

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 19th day of June, 1916.

T. W. STRINGER, Judge.

MEMORANDUM.

This award is based mainly upon the recommendations of the Conciliation Council, which the parties had agreed to accept. The only material alteration made is as to the minimum rate for the lowest-paid workers, which has been increased from £2 8s. to £2 10s. per week.

T. W. STRINGER, Judge.
