

(4406.) ROTORUA PRIVATE-HOTEL AND BOARDINGHOUSE WORKERS.—AWARD.

In the Court of Arbitration of New Zealand, Northern 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 Auckland Hotel and Restaurant Employees' (Rotorua Branch) Industrial Union of Workers (hereinafter called "the union") and the under-mentioned persons, firms, and companies (hereinafter called "the employers") :—

- Andrews, Mrs. E.; boardinghouse-keeper, "Brooklyn House," Rotorua.
- Baird, Mrs. M., boardinghouse-keeper, "Milford House," Rotorua.
- Brackebush, E. M., boardinghouse-keeper, "Kia Ora House," Rotorua.
- Bradley, Mrs. W., boardinghouse-keeper, "Devonshire House," Rotorua.
- Brennan, Miss M., boardinghouse-keeper, "Fenton House," Rotorua.
- Brent, S. T., boardinghouse-keeper, "Bathgate House," Rotorua.
- Campbell, A., boardinghouse-keeper, "Langham," Rotorua.
- Chandler, G., boardinghouse-keeper, "Bungalow House," Rotorua.
- Constant, Mrs. K. C., boardinghouse-keeper, "Commonwealth House," Rotorua.
- Dowling, T., boardinghouse-keeper, "Thirwell House," Rotorua.
- Duff, Mrs. J., boardinghouse-keeper, "Central House," Rotorua.
- Falloona, J. F., boardinghouse-keeper, "Waiwera House," Rotorua.
- Griffiths, R., boardinghouse-keeper, "Arawa House," Rotorua.
- Lee, C., boardinghouse-keeper, "Windsor House," Rotorua.
- McLean, J. N., boardinghouse-keeper, "Empire House" and "Australia House," Rotorua.
- Moore, Mrs. M., boardinghouse-keeper, "Sonoma House," Rotorua.
- O'Brien, J., boardinghouse-keeper, "Edinburgh House," Rotorua.
- Pearce, Mrs. H., boardinghouse-keeper, "Grande Vue," Rotorua.
- Pepper, Mrs. M., boardinghouse-keeper, "Queensland House," Rotorua.
- Scott, Mrs. M., boardinghouse-keeper, "Hinemoa House," Rotorua.
- Seabury, Miss L., boardinghouse-keeper, "Sandringham House," Rotorua.

Willmott, Mrs. E., boardinghouse-keeper, "Armada House," Rotorua.

Wilson, J., boardinghouse-keeper, "Rocky Nook House," Rotorua.

Woolliams, J., boardinghouse-keeper, "Mansions House," Rotorua.

Wrathall, Mrs. M., boardinghouse-keeper, "Randwick House," Rotorua.

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, 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 as from the 1st day of July, 1916, and shall continue in force until the 30th day of June, 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 30th day of August, 1916.

— T. W. STRINGER, Judge.

SCHEDULE.

Hours of Work.

1. (a.) The hours of work for all workers coming within the scope of this award shall (subject as hereinafter provided) be regu-

lated by the Shops and Offices Act, 1908, and its amendments in respect of hotels, and such provisions shall be deemed to be incorporated in this award.

(b.) Except in special circumstances workers shall not be brought back to work after their day's work is finished until after an interval of at least ten hours, and workers shall be paid at the rate of time and a half for the time by which such interval is curtailed, provided that such interval for any female worker except kitchen hands may be reduced to nine hours on any two days in any week.

(c.) Not less than one half-hour shall be allowed to every worker for each meal.

Holidays.

2. The working-hours above prescribed shall be worked within six days only in each week. In lieu of the half-holiday or whole holiday provided for by the above-mentioned Act one full day's holiday of twenty-four hours on any day in each week shall be allowed to every worker covered by this award.

Special Provisions relating to Holidays.

3. Provided that in lieu of clause 2 hereof the employer and employee may, by mutual agreement in writing in the presence of the local secretary of the union, agree that the week's work of such employee shall not exceed sixty-five hours, and that the half or whole holiday as provided by the Shops and Offices Act, 1908, and its amendments may be allowed to accumulate for not more than fourteen weeks, in which case employees shall be entitled, in lieu of the half or whole holiday as the case may be, to one full week or two full weeks' holiday on full pay with the addition of 10s. per week board-money, or at the option of the employee one or two full weeks' wages respectively in lieu of such holidays. Should the period of service during which the holidays have accumulated be less than fourteen weeks then the worker shall be entitled to holidays or wages in proportion to the time worked.

Wages.

4. The following shall be the minimum weekly wages for the following classes of workers in private hotels:—

Kitchen: Where three hands are employed—Chef, £3; second cook, £2; others, £1 10s. (The interpretation of "second cook" is one who is engaged in doing the work that is ordinarily required of a second cook, and who is capable of performing the chef's duties on the latter's weekly holiday.) Where two hands are employed—Chef, £2 10s.; second, £1 10s. Where one hand is employed—Male or female, £2. Kitchen hands attending to boiler, 5s. per week extra.

Females: In establishments where females are employed in the kitchen or scullery the minimum scale of pay for such workers shall

be in the proportion of not less than three-fourths of the scale prescribed for males in similar capacities.

Dining-room: Waiters, £1 12s. 6d.; waitresses, £1; housemaid-waitresses, £1; housemaids only, £1.

Pantry: Males, £1 5s.; females, £1.

Porters: Day-porters, £1 5s.; night-porters, £1 10s.

General hands: Male or female, £1 5s.

Laundresses, £1 5s.

Buttons: Boys under seventeen years of age, 10s.; boys seventeen years of age and under nineteen, 15s.; girls under seventeen years of age whose duties consist only of answering telephone and door, 10s.; girls seventeen years of age and under nineteen whose duties consist only of answering telephone and door, 15s.

Casual labour: Male cook, 10s. per day, or 2s. per hour; female cook, 7s. 6d. per day, or 1s. 6d. per hour; other kitchen hands, 6s. 6d. per day, or 1s. per hour. Porter, 5s. 6d. per day, or 1s. per hour. Laundress, 5s. per day, or 1s. per hour. Housemaids, waitresses, housemaid-waitresses, pantrymaids, 5s. per day, or 1s. per hour.

When the work is done away from the employer's premises, at races, balls, banquets, &c.: Waiters, chefs, and barmen, £1 per day; other workers, 10s. per day.

A day's casual labour shall not exceed ten hours. A worker shall be deemed to be employed as a casual worker if his or her engagement is not for a longer period than seven days.

Overtime.

5. Where more than fifty-six hours in the case of females, or more than sixty-two hours in the case of males, or more than sixty-five hours in the cases where accumulation of holidays is agreed upon as provided by clause 3 hereof shall have been worked in any one week, overtime at the rate of 1s. per hour shall be paid to workers receiving £1 10s. per week or less, and at the rate of time and a half to those receiving more than £1 10s. per week, and is not to be paid for by time off.

Termination of Employment, &c.

6. Where no agreement in writing is made fixing the period of notice, then a notice of not less than forty-eight hours shall be given by either party of the termination of the service. Employers shall be entitled to keep in hand two days' pay.

No Deduction from Wages.

7. No deduction shall be made from the wages of any worker for the time lost by such worker save where caused by the default or sickness of such worker, or by his or her absence from work without the consent of his or her employer.

Method of counting Workers.

8. In computing the number of persons employed for the purpose of this award casual workers shall not be reckoned, and where an employer does the work of any worker affected by this award he or she shall be counted as an employee.

Board and Lodging.

9. Where board is not provided all employees covered by this award shall be paid 15s. per week in addition to the above rates. Where lodging is not provided on the employer's business premises they shall each receive an additional sum of 7s. 6d. per week: Provided always that, if an employer is willing and offers to provide suitable lodging for any worker and such worker prefers to lodge elsewhere, no allowance shall then be paid to such worker for lodgings.

Time and Wages Book.

10. (a.) Every employer bound by this award shall keep a time and wages book in which shall be correctly recorded (1) the name of every worker employed, (2) the kind of work on which he or she is employed, (3) the daily hours of his or her employment, (4) the wages paid each week, (5) the holidays fixed for each employee in each week.

(b.) In every establishment covered by this award the employer shall cause to be posted up in a conspicuous place a time-sheet showing in the case of each worker the ordinary daily hours for commencing and finishing work.

Engagement of Workers.

11. (a.) When local labour is available the employer shall have the right to employ such labour.

(b.) When local labour is not available the employer shall make application to the local secretary or to the secretary of the union in Auckland to supply him with the required employee, and should the union not be in a position to supply his requirements within twenty-four hours the employer may engage any person whether a member of the union or otherwise. Employers shall notify the local secretary or the secretary of the union of the engagement of such worker without undue delay.

(c.) The local secretary or organizing secretary shall be permitted to interview employees at their place of employment on any one day in each month at a suitable time to be arranged between the employer and the secretary of the union.

Preference.

12. (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.

Payment of Wages.

13. Wages shall be paid weekly unless otherwise agreed.

Scope of Award.

14. This award shall apply to all private-hotel and boarding-house keepers carrying on business in Rotorua.

Term of Award.

15. This award shall come into force as from the 1st day of July, 1916, and shall continue in force until the 30th day of June, 1919: Provided that the award shall be open to revision on the application of any party, or by the Court of its own motion, three months after the declaration of peace between Britain and Germany and Austria or either of them.

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 30th day of August, 1916.

T. W. STRINGER, Judge.

MEMORANDUM.

The parties to this dispute arrived at a complete agreement before the Conciliation Council. At the hearing before this Court, however, a question was raised as to the operation of the provisions with regard to hours of work. It appeared that a misunderstanding had arisen as to the effect of clause 3 as originally drawn, and the Court has therefore provided for a special week's work not exceeding sixty-five hours in cases where advantage is taken of this clause, in order to make it clear that where the accumulation of holidays is agreed upon the ordinary hours of work may be extended to sixty-five.

T. W. STRINGER, Judge.