

**(4424.) NORTHERN DISTRICT (EXCEPT AUCKLAND AND SUBURBAN)
LOCAL BODIES' LABOURERS.—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 Builders, Contractors, and General Labourers' (other than Local Bodies) Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

Borough Councils.

Cambridge Borough Council, Cambridge.
Dargaville Borough Council, Dargaville.
Frankton Borough Council, Frankton.
Hamilton Borough Council, Hamilton.
Opotiki Borough Council, Opotiki.
Pukekohe Borough Council, Pukekohe.
Taumarunui Borough Council, Taumarunui.
Tauranga Borough Council, Tauranga.
Te Aroha Borough Council, Te Aroha.
Te Kuiti Borough Council, Te Kuiti.
Thames Borough Council, Thames.
Whangarei Borough Council, Whangarei.

County Councils.

Awakino County Council, Bay of Islands (office, Piopio).
Coromandel County Council, Coromandel.
Eden County Council, Eden.
Franklin County Council.
Hobson County Council, Dargaville.
Hokianga County Council, Rawene.
Kaitieke County Council, Raurimu.
Kawhia County Council, Kawhia.

County Councils—continued.

Mangonui County Council, Mangonui.
 Manukau County Council.
 Matamata County Council, Cambridge.
 Ohinemuri County Council, Paeroa.
 Ohura County Council, Ohura.
 Opitiki County Council, Opitiki.
 Otamatea County Council, Papanoa.
 Piako County Council, Te Aroha.
 Raglan County Council, Ngaruawahia.
 Rodney County Council, Warkworth.
 Rotorua County Council, Rotorua.
 Tauranga County Council, Tauranga.
 Thames County Council, Thames.
 Waiapu County Council, Waipiro Bay.
 Waikato County Council, Hamilton East.
 Waipa County Council, Ohaupo.
 Waitemata County Council, Auckland.
 Waitomo County Council, Te Kuiti.
 Whakatane County Council, Whakatane.
 Whangarei County Council, Whangarei.
 Whangaroa County Council, Whangaroa.

Drainage Boards.

Eureka Drainage Board, Hamilton.
 Fencourt Drainage Board, Cambridge.
 Hautapu Drainage Board, Cambridge.
 Hillside Drainage Board, Hamilton.
 Hungahunga Drainage Board, Hungahunga.
 Judea Drainage Board, Tauranga.
 Kawa Drainage Board, Kawa.
 Kirikiriroa Drainage Board, Hamilton.
 Mangahoe Drainage Board, Te Awamutu.
 Ngaroto Drainage Board, Te Awamutu.
 Ohaupo Drainage Board, Ohaupo.
 Otatau Drainage Board, Otatau.
 Pukekohe Drainage Board, Pukekohe.
 Raupo Drainage Board, Raupo.
 Rotomanuka Drainage Board, Te Awamutu.
 Taukei Drainage Board, Taukei.
 Te Puke Drainage Board, Te Puke.
 Te Rapa Drainage Board, Hamilton.
 Tuma Kaituna Drainage Board, Tuma Kaituna.
 Upoto Drainage Board, Hamilton.
 Upper Mangapiko Drainage Board, Cambridge.
 Waikehau Drainage Board, Waikehau.
 Waitoa Drainage Board, Waitoa.
 Whangaroa Drainage Board, Whangaroa.
 Woodlands Drainage Board, Hamilton.

Harbour Boards.

Coromandel Harbour Board, Coromandel.
 Kawhia Harbour Board, Kawhia.
 Mangawai Harbour Board, Mangawai.
 Mangonui Harbour Board, Mangonui.
 Thames Harbour Board, Thames.
 Wairoa Harbour Board, Wairoa.
 Whakatane Harbour Board, Whakatane.
 Whangarei Harbour Board, Whangarei.
 Whangateau Harbour Board, Omaha.

River Boards.

Waikato River Board, Mercer.
 Waipū River Board, Waipū.

Road Boards.

Aroha Road Board, Aroha.
 Awhitu Road Board, Awhitu.
 Cambridge Road Board, Cambridge.
 Huntly Road Board, Huntly.
 Karaka Road Board, Karaka.
 Katikati Road Board, Katikati.
 Kaukapakapa Road Board, Kaukapakapa.
 Kirikiriroa Road Board, Hamilton.
 Komorikiki Road Board, Komorikiki.
 Mahurangi East Road Board, Mahurangi.
 Maretai Road Board, Maretai.
 Matakana East Road Board, Matakana East.
 Matakana West Road Board, Matakana West.
 Maungatawhiri Road Board, Maungatawhiri.
 Newcastle Road Board, Hamilton.
 Opaheke Road Board, Opaheke.
 Ormond Road Board, Ormond.
 Pakeatua Road Board, Pakeatua.
 Pakurangi Road Board, Pakurangi.
 Paparata Road Board, Paparata.
 Patutahi Road Board, Patutahi.
 Pokeno Road Board, Pokeno.
 Puhoi Road Board, Puhoi.
 Pukekohe Road Board, Pukekohe.
 Pukekura Road Board, Cambridge.
 Rangiawhia Road Board, Te Awamutu.
 Tamahere Road Board, Tamahere, Hamilton.
 Taruheru Road Board, Taruheru.
 Te Puke Road Board, Te Puke.
 Titirangi Road Board, Titirangi.
 Tuhikaramea Road Board, Tuhikaramea.
 Wairoa Road Board, Wairoa.

Road Boards—continued.

Waiuku Road Board, Waiuku.
 Warkworth Road Board, Warkworth.
 Whangamarino Road Board, Waerenga.
 Wharehine Road Board, Wharehine.

Town Boards.

Edendale Town Board, Edendale.
 Helensville Town Board, Helensville.
 Hikurangi Town Board, Hikurangi.
 Huntly Town Board, Huntly.
 Kamo Town Board, Kamo.
 Kawakawa Town Board, Kawakawa.
 Kawhia Town Board, Kawhia.
 Kihikihi Town Board, Kihikihi.
 Leamington Town Board, Leamington.
 Morrinsville Town Board, Morrinsville.
 Ngaruawahia Town Board, Ngaruawahia.
 Onerahi Town Board, Onerahi.
 Papakura Town Board, Papakura.
 Raglan Town Board, Raglan.
 Te Awamutu Town Board, Te Awamutu.
 Te Puke Town Board, Te Puke.
 Warkworth Town Board, Warkworth.

Water-supply Board.

Paeroa Water-supply Board, Paeroa.

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, con-

ditions, 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 2nd day of October, 1916, and shall continue in force until the 2nd day of October, 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 8th day of September, 1916.

T. W. STRINGER, Judge.

SCHEDULE.

Hours of Work.

1. (a.) For workers employed by boroughs and Town Boards the hours of work shall be forty-eight per week, eight and a half hours of which shall be worked on five days of the week and five and a half hours on the day which is observed as a half-holiday.

(b.) The hours of work for all other local bodies covered by this award shall be forty-eight per week, which shall be arranged to meet the exigencies of the work required to be done.

(c.) In cases where the workers employed by local bodies are now working forty-seven hours and being paid for forty-eight hours this custom shall continue.

(d.) Where the work required to be done is continuous, and is worked in shifts, seven shifts of not more than eight hours each may be worked in each week without payment of overtime.

Rates of Wages.

2. (a.) The following shall be the minimum rates of wages: Quarrymen, 1s. 2d. per hour; rock-drill men (popper and machine drills), 1s. 4½d. per hour; casual labourers, 1s. 2d. per hour; tool-sharpeners, 1s. 3d. per hour; sanitary drainlayers, 1s. 6d. per hour (a "sanitary drain" shall be deemed to be a drain used for sewerage and not for storm water); men working in shafts or trenches 6 ft. in depth or in tunnels, 1s. 3d. per hour (a drive shall be constituted a tunnel for the purposes of this award where it exceeds half a chain in length from its commencement); gasworks stokers, 10s. per day; yardmen, 1s. 2d. per hour; servicers, 1s. 4½d. per hour; sanitary carters, 12s. per day; permanent hands, £2 17s. 6d. per week (permanent hands in receipt of not less than £2 17s. 6d. per week shall be permitted to do any work required to be done by the local body employing them). A "per-

manent hand" shall be deemed to be a worker who is employed by the week, and whose employment shall be terminable by a week's notice on either side.

(b.) All workers now receiving a higher rate of pay than herein provided shall not have their wages reduced while in their present employment.

(c.) So long as the British Empire remains in a state of war with Germany and Austria or either of them, and for three months after the cessation of such war, there shall be paid to all workers, in addition to the rates above mentioned, a war bonus of 10 per cent. upon the said rates.

(d.) Notwithstanding the foregoing clause the said war bonus may at any time during the currency of the award be continued either wholly or partially, or may be increased or terminated as the Court, on the application of any party to this award or of its own motion, shall determine.

(e.) Permanent drivers (one horse), £2 12s. per week; permanent drivers (two horses), £2 16s. per week. (The above wage for drivers shall include attendance on horses not exceeding an average of eight hours per week, provided that where drivers are now working less stable time than the hours before mentioned such custom shall continue.)

Wet Places.

3. In boroughs and Town Boards six hours shall constitute a day's work where workers are working in wet places or foul air, and shall be paid for as if the workers had worked eight hours. A "wet place" shall mean a place where workers are standing in water 3 in. or more in depth, or where water other than rain-water is dripping on them; but if the employer shall provide the workers with overalls or gum boots, or both, the place shall not be deemed a wet place.

Overtime.

4. (a.) Overtime for workers employed by Borough Councils and Town Boards shall be time and a quarter for the first two hours, time and a half up to 10 p.m., and double time thereafter.

(b.) For permanent hands employed by all local bodies other than boroughs or Town Boards overtime shall be paid for work done in excess of forty-eight hours in any week, but in the event of any extraordinary work being required to be done the workers shall be paid for such work at ordinary rates, or an equivalent allowed in time off.

(c.) Casual workers for local bodies other than boroughs and Town Boards shall be paid overtime for all work in excess of forty-eight hours in any week at the rate of time and a quarter for the first two hours and time and a half thereafter, provided that all work done after 10 p.m. shall be paid for at the rate of double time.

Holidays.

5. (a.) The recognized holidays shall be Sundays, New Year's Day, Good Friday, Easter Monday, the birthday of the reigning Sovereign, Labour Day, Christmas Day, Boxing Day, and another day to be arranged between the local body and its workers, and no deduction shall be made from the wages in respect of such holidays: Provided that casual hands are not to be entitled to any pay for such holidays until after three months' continuous service.

(b.) Permanent hands and casual workers of more than three months' service required to work on any of the above-mentioned holidays shall be entitled to receive payment at the ordinary rates in addition to the holiday pay.

(c.) Casual hands of less than three months' service required to work on Sundays, Christmas Day, or Good Friday shall be paid at the rate of double time, and on the other holidays above mentioned they shall be paid at the rate of time and a half, such payment to be made only for the actual time worked.

(d.) The Thames County Council is exempted from the provisions of this clause so far as water-races are concerned, provided that the present rates of pay and conditions are maintained.

(e.) It shall be competent for any worker to arrange with his employer that in lieu of observing the above-mentioned holidays as they fall due such holidays may be allowed to accumulate, and may be taken at such times as may be mutually arranged.

Tools.

6. Where necessary all tools shall be supplied by the employer.

Preference.

7. (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.

(c.) On application by the union the employers shall furnish the union with a list of the workers in their employ covered by this award.

Accommodation.

8. In boroughs and Town Boards, where reasonably necessary, the employers shall provide accommodation to enable workers to change and dry their clothes and have their meals.

Payment of Wages.

9. Wages shall be paid either weekly, fortnightly, or monthly as may be arranged between employer and worker.

Workers' Representative.

10. The workers' representative shall have the right of entry, outside working-hours, to all jobs to which the employer can lawfully give such right after due notice has been given to the employer or his representative.

Youths.

11. Where youths are employed for more than one week at a lower wage than that prescribed by clause 2 hereof the wages to be paid shall be agreed upon in writing by the employer concerned and the president or secretary of the union, and such agreed rate shall be paid from the date of engagement.

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.

General.

13. It shall be competent for the parties to this award to hereafter provide for other classes of workers in the award by mutual agreement between the employers or a committee of them and the union, with the Conciliation Commissioner as chairman, and in the event of the parties being unable to agree as to the rates of wages for such workers application may be made to the Arbitration Court by either party to fix such rates.

Scope of Award.

14. This award shall operate in that portion of the Northern Industrial District which is not covered by the award dated the 2nd day of October, 1914, made in an industrial dispute between the Local Bodies' Labourers' Industrial Union of Workers and the Auckland City Council and other local bodies (Book of Awards, Vol. xv, p. 694), and this award shall not apply to any of the parties named therein.

Partial Exemptions.

15. Drainage Boards and County Councils named as parties to this award shall be bound to pay the rates fixed for wages, overtime, and holidays for any work coming within the scope of this award, but are exempted from all the other provisions of this award.

Term of Award.

16. This award shall come into force on the 2nd day of October, 1916, and shall continue in force until the 2nd day of October, 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 8th day of September, 1916.

T. W. STRINGER, Judge.

MEMORANDUM.

When this dispute came before the Conciliation Council a complete agreement was arrived at on all the points raised, and the only question discussed before the Court was as to the inclusion of certain Drainage Boards and County Councils as parties to the award. After hearing evidence on this question the Court decided that these bodies should be bound only as far as regards the rates to be paid to their workers for wages, overtime, and holidays, and that they should be exempt from all the other provisions of the award, and has provided accordingly.

T. W. STRINGER, Judge.