

(4495.) WAIRARAPA AND PAHIATUA PAINTERS AND  
DECORATORS.—AWARD.

In the Court of Arbitration of New Zealand, Wellington 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 Masterton Amalgamated Society of Painters and Decorators' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

Bacon, Frederick, builder, Lansdowne.

Bailey, S., painter, Pahiatua.

Baillie, James, painter, Greytown.

Beard and Son, painters, Greytown.

Benton and Son, builders, Featherston.

Byford Bros., builders, Victoria Street, Masterton.

Clayton, O. N., painter, Eketahuna.  
 Coker and Lambert, painters, Sussex Street, Masterton.  
 Cole Bros., painters, Chapel Street, Masterton.  
 Daniells, C. E., builder, &c., Queen Street, Masterton.  
 Hall, F., painter, Bannister Street, Masterton.  
 Hausmann, Alexander, painter, Masterton.  
 Hearne and Milnes, painters, Carterton.  
 King, D. T., builder, Carterton.  
 Lepuski, J., painter, Carterton.  
 McDonald, W., painter, Pongaroa.  
 Mills and Co., painters, Pahiatua.  
 Murray and Rayson, painters, Martinborough.  
 O'Neill, F., painter, Featherston.  
 Skippage and Son, painters, Featherston.  
 Smith and Sons, painters, Queen Street, Masterton.  
 Taylor, A., painter, Martinborough.  
 Truscott and Devonport, painters, Cornwall Street, Masterton.  
 Wallis, A. R., painter, Carterton.  
 Wallis, D., sen., painter, Carterton.  
 Wellington Farmers' Meat Company, Waingawa.  
 Whittaker, W., builder, Pongaroa.

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 from the 20th day of November, 1916, and shall continue in force until the 6th

day of August, 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 November, 1916.

T. W. STRINGER, Judge.

SCHEDULE.

*Minimum Rate of Pay.*

1. All journeymen working at any branch of the trade shall be paid not less than 1s. 4½d. per hour.

*Hours of Work.*

2. Where this award is applicable to painters and decorators employed in any factory or business where the principal business is not that of painters and decorators, but where painting and decorating is subsidiary to and part only of such principal business, the hours of labour shall be the hours observed generally in the principal business.

The hours of labour for all journeymen and apprentices employed at any branch of the trade shall be from 8 a.m. to 5 p.m. on five days of the week, and from 8 a.m. to noon on Saturdays, from the 16th day of August to the 14th day of May (both inclusive), one hour to be allowed each day for dinner (Saturdays excepted); and from the 15th day of May to the 15th day of August (both inclusive) the hours shall be from 8 a.m. to 4.30 p.m. on five days of the week, and from 8 a.m. to noon on Saturdays, half an hour to be allowed for dinner (Saturdays excepted).

Any journeyman carrying material or tools, other than his own tools, before and after ordinary working-hours shall be deemed to be at work, and commits a breach of the award if he does so and does not receive payment for the time worked; but if passing his employer's shop he may carry any small parcel not exceeding 7 lb. weight.

*Overtime.*

3. All work done beyond the time mentioned in the foregoing clause shall be considered overtime, and shall be paid for at the following rates: Time worked from the ordinary hour of ceasing work up to 8 p.m., at the rate of time and a quarter; between 8 p.m. and midnight, time and a half; between midnight and the ordinary hour of commencing work (provided that such work is begun before 6 a.m.), double time. Work begun between 6 a.m. and 8 a.m. to be paid for at the rate of time and a half. On Saturdays, from the ordinary time of ceasing work till midnight, time and a half. On Sundays, Christmas Day, Good Friday, Labour Day, New Year's Day, and Easter Monday, double time.

Work done during the dinner-hour shall be paid for at the rate of time and a half, except on suburban work which necessitates catching a special conveyance.

*Payment of Wages.*

4. (a.) All wages earned by any journeyman or apprentice in any one week shall be paid to him by his employer on Friday or Saturday in each week at the option of the employer. If payment shall be made on Saturday then such payment shall be made not later than 12.15 p.m. In the event of any journeyman being discharged he shall be paid the wages due to him in full immediately upon his discharge.

(b.) When men are discharged they shall be allowed time, not exceeding one hour, to get their tools from the job at which they were working, provided that in the event of any worker being notified before he leaves the job no such allowance shall be made.

(c.) Men working at distant country places may make special arrangements with their employers for payment to their families or otherwise on their written order, but the employer must produce a written agreement or permit to justify a departure from the provisions of the first paragraph of this clause.

*Apprentices.*

5. (a.) All boys working at any branch of the trade shall be legally indentured as apprentices for the term of five years, but every boy so employed shall be allowed three calendar months' probation prior to being so indentured, such three months to be included in the term of apprenticeship.

(b.) The proportion of apprentices to journeymen employed by any employer shall not exceed one apprentice to every three journeymen or fraction of three. For the purpose of determining the proportion of apprentices to journeymen in taking any new apprentice the calculation shall be based on a two-thirds full-time employment of the journeymen employed for the six previous calendar months.

(c.) If any employer shall from any unseen cause be unable to fulfil his obligation to an apprentice it shall be lawful for such apprentice to complete his term with another employer, and such employer may take and employ such apprentice notwithstanding that he has already the full number of apprentices allowed by these conditions.

(d.) Each employer employing apprentices shall, when called upon to do so in writing by the secretary of the union, give reasonable information to such secretary of the number of apprentices in his employ and the particulars of their engagements, and shall, if such secretary shall request him to do so, allow such secretary to inspect the deeds of apprenticeship of any such apprentice.

(e.) Apprentices shall be paid in full for Christmas Day, Good Friday, Easter Monday, New Year's Day, and Labour Day. Any

overtime worked by an apprentice shall be paid for at the rate of 9d. per hour to the end of the third year of apprenticeship, and 1s. per hour for the remainder of the term of apprenticeship, but if required to work at any time when double time is paid to journeymen double these rates shall be paid to the apprentice. No apprentice shall be allowed to work more than four hours' overtime in any one day.

(f.) All time lost by an apprentice, either through his own default or through sickness in any year of his apprenticeship, shall be made up by him before such apprentice shall be considered to have entered upon the next succeeding year of his apprenticeship.

(g.) Wages for apprentices.—The wages to be paid to apprentices shall be as follows: For the first year, 12s. 6d. per week; for the second year, 17s. 6d. per week; for the third year, £1 2s. 6d. per week; for the fourth year, £1 7s. 6d. per week; for the fifth year, £1 12s. 6d. per week.

(h.) Employers shall provide all apprentices with a putty-knife, glazing-knife, hacking-knife, tack-hammer, and paperhanging brush and scissors, but once only during apprenticeship. A duster shall be supplied as required.

#### *Country Work.*

6. (a.) "Country work" means work performed by a journeyman of apprentice which necessitates his lodging elsewhere than at his usual place of residence.

(b.) Any journeyman or apprentice employed in country work shall be conveyed by his employer to and from such work free of charge, or his travelling-expenses going to and returning from such work shall be paid by such employer, but once only during the continuance of the work if the work is continuous and the journeyman or apprentice is not in the meantime recalled by his employer.

(c.) Time occupied by travelling shall be paid for at ordinary rates, but no worker shall be paid more than an ordinary day's pay for any day occupied by him in travelling, although the hours occupied in travelling may exceed eight, unless he is on the same day occupied in working for his employer.

(d.) Any journeyman or apprentice employed upon country work shall, in addition to his ordinary pay, receive the sum of two shillings (2s.) for every day he is on the job (Sunday included), or be supplied with suitable board and lodging.

(e.) No journeyman or apprentice employed upon country work shall work more than three hours extra in any one day except Saturday, when four hours extra may be worked at ordinary rates of pay.

#### *Suburban Work.*

7. Every worker shall be at the place where his work is to be performed at the time appointed for commencing work, but should such place be situated beyond two miles from the chief post-office

of the town in which the work is carried on he shall be paid 4d. per day extra for every mile or part of a mile in excess of the said distance.

*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, upon the application of such 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 worker 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 in writing to the local Inspector of Awards 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. (a.) If any employer shall hereafter engage any worker who shall not be a member of the union, and who within one week after his engagement shall not become a member of the union 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.) Whenever an employer shall employ any worker who is not a member of the union he shall within three days thereafter give notice in writing to the secretary of the union of such employment.

(c.) The provisions of the foregoing clause shall operate only if and so long as the rules of the union shall permit any journeyman 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 or verbal application, without ballot or other election, and to continue a member upon payment of subsequent contributions not exceeding 6d. per week.

*Brushes.*

10. Employers shall provide all brushware except dusters, paper-hangers' laying-on brush, and all grainers' tools.

*Piecework and Subletting.*

11. Piecework and subletting are hereby absolutely prohibited.

*Scope of Award.*

12. This award shall apply to employers carrying on business in all townships in the Electoral Districts of Wairarapa, Masterton, and Pahiatua.

*Term of Award.*

13. This award shall come into force on the 20th day of November, 1916, and shall continue in force until the 6th day of August, 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 November, 1916.

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T. W. STRINGER, Judge.

MEMORANDUM.

The only question in this dispute was as to the minimum rate of wages for journeymen, and the majority of the Court think that such rate should be the same as that recently fixed in Christchurch and Dunedin, and have awarded accordingly.

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T. W. STRINGER, Judge.