

(4496.) WELLINGTON DISTRICT COACHWORKERS.—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 Wellington Coachworkers' Industrial Union of Workers (hereinafter called "the union") and the Wellington Coach and Motor Vehicle Trade Industrial Union of Employers (hereinafter called "the employers").

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 13th day of November, 1916, and shall continue in force until the 22nd day of September, 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 8th day of November, 1916.

— T. W. STRINGER, Judge.

SCHEDULE.

Classification of Labour.

1. Four classes of labour shall be recognized—viz., journeymen, improvers, apprentices, and helpers.

Hours of Work.

2. Forty-seven hours shall constitute an ordinary week's work, and shall be worked between the hours of 7.30 a.m. and 5.30 p.m. on five days of the week, and between the hours of 7.30 a.m. and 12 noon on one day of the week, after which overtime rates shall be paid.

Wages.

3. (*a.*) Wages shall be paid on an hourly basis.

(*b.*) The wages for journeymen coachworkers shall be not less than 1s. 6d. per hour.

(*c.*) Wages shall be paid in full weekly or fortnightly and within ten minutes after the hour for ceasing work.

Overtime and Holidays.

4. (a.) All time worked in excess of eight hours and a half in any one day on five days of the week, and in excess of four hours and a half on the day of the statutory half-holiday, shall be paid for at the rates of time and a quarter for the first three hours and time and a half afterwards: Provided that no overtime shall be payable until forty-seven hours for the week have been worked in the case of a worker losing time in any one week by his own default or on his own account.

(b.) Work done on New Year's Day, Easter Monday, reigning Sovereign's birthday, Labour Day, or Boxing Day shall be paid for at the rate of time and a half.

(c.) Double time shall be paid for work done on Sundays, Christmas Day, or Good Friday, and also for any work done on any working-day between the hour of 12 midnight and 6 a.m.; from 6 a.m. to the hour of starting time and a quarter.

(d.) Where Labour Day is not generally observed as a holiday in any district governed by this award any other day that may be mutually arranged between employers and workers may be observed in lieu of this particular holiday.

(e.) Where a trimmer is working for more than one employer in any one week provision for the payment of overtime shall not apply to him, but he shall be entitled to be paid the rate herein prescribed for any work done on holidays.

Apprentices.

5. (a.) An employer taking an apprentice to learn the trade as carried on by the employer shall be deemed to undertake the duty which he agrees to perform as a duty enforceable under this award, and shall pay such apprentice not less than the undermentioned rate of wages, viz.: For the first year, 8s. per week; for the second year, 12s. 6d. per week; for the third year, 17s. 6d. per week; for the fourth year, £1 5s. per week; and for the fifth year, £1 15s. per week.

(b.) The period of apprenticeship shall be five years, but three months' probation shall be allowed the first employer of any apprentice to determine his fitness, such three months to be included in the period of apprenticeship. The obligation of the apprentice to serve his employer shall be a duty enforceable under this award.

(c.) At the end of the period of apprenticeship the employer shall give the apprentice a certificate to show that he has served his apprenticeship. Should the employer at any time before the termination of the apprenticeship wish for any reason to dispense with the services of the apprentice he shall give him a certificate for the time served and procure him another employer carrying on business within a reasonable distance of the original employer's place of business, who will continue to teach the apprentice, to pay him the wages prescribed by this award according to the total length of time he has served, and generally to perform the

obligations of the original employer: Provided that it shall not be obligatory upon an employer to find the apprentice another employer if he shall so misconduct himself as to entitle the employer to discharge him, but he shall give him a certificate for the time actually served.

(d.) An employer taking an apprentice shall give notice thereof and of the name of the apprentice, together with the written consent of the parent or guardian to such apprenticeship, to the Inspector of Factories, on such form as may be prescribed, within two weeks after the expiration of the period of probation, and an employer transferring an apprentice to another employer shall similarly within two weeks thereof give notice of such transfer to such Inspector.

(e.) An employer shall not be deemed to discharge his duty towards an apprentice if he fails to keep him at work owing to slackness of work, but such slackness may form a proper ground for transferring him to a master willing to undertake the responsibility of teaching him, notwithstanding that such employer may have his full number of apprentices; but no employer shall be permitted to employ more than one such apprentice in each branch.

(f.) When an apprentice is discharged for any cause the employer shall send notice of the discharge and the cause thereof to the Inspector of Factories within two weeks of such discharge.

(g.) All time lost by an apprentice through his own default or sickness in any year of his apprenticeship shall be made up before such apprentice shall be considered as having entered upon the next succeeding year of his apprenticeship, and the total period of his apprenticeship shall be extended by a period equal to such lost time; but an apprentice working overtime shall have such time added to his ordinary time in calculating the respective years of his apprenticeship.

(h.) An employer shall not be bound to pay an apprentice for time lost through sickness or through the default of the apprentice, or by his voluntary absence from work with the consent of the employer.

(i.) Apprentices may be apprenticed to more than one branch of the trade, provided that the employer gives notice to the Inspector of Factories of the branches in which he is to be employed and the branch in which he is to be counted in assessing the proportions in which three or a less number of journeymen are employed in the coachbuilding trade.

Improvers.

6. An apprentice having completed his term of apprenticeship may be employed as an improver for two consecutive years after the expiration of the period of his apprenticeship, either by the employer with whom he has been apprenticed or by any other employer, at not less than 1s. per hour for the first twelve months and 1s. 1½d. per hour for the next twelve months.

Proportion of Apprentices, Improvers, and Under-rate Workers.

7. (a.) The proportion of apprentices to journeymen shall not exceed one apprentice to every two journeymen or fraction of two employed in the branch of the trade in which such apprentice is apprenticed.

(b.) Each apprentice in a smith-shop after serving three years shall be entitled to a fire, and another apprentice may be taken on when an apprentice goes to a fire. An apprentice may be taken on in other departments every fourth year of the previous apprentice's time. Apprentices transferred from other employers are not to be computed in the calculation for the additional apprentice in the third year of the smith and fourth year in other departments.

(c.) The proportion of improvers to journeymen shall be in accordance with clause (a) hereof. No improver shall be employed where no journeymen are employed except by the employer with whom he served his apprenticeship.

(d.) The proportion of under-rate workers shall be not more than one to every three journeymen.

(e.) For the purpose of determining the number of apprentices the number of journeymen to be taken into account must have been employed by the employer in the branch of the trade to which the apprentice is apprenticed for at least two-thirds full time for the twelve months preceding the taking of the apprentice.

(f.) Employers and foremen shall count as journeymen in determining the proportion of apprentices, improvers, and under-rate workers. Not more than three employers shall count in any one firm.

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, 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 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 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.

Helpers.

9. (a.) One helper shall be allowed in each department except smith-shop, where one helper shall be allowed to each fire, and one as driller.

(b.) The work that helpers shall not do to be as follows:—Paint-shop: No helper shall in a paint-shop line, varnish, put on varnish colour, or any colour excepting first coat and filling up. Wood-shop: No helper shall use in a wood-shop edge tools in shaping or working wood, or sandpapering or cleaning up new work, nor shall they bore on any ironwork except tires. Smith-shop: No helper shall in a smith-shop forge any kind of ironwork. Trimming-shop: No helper shall in a trimming-shop machine cut-out work or stuff work, or tack in new work.

(c.) The minimum wage of helpers shall be as follows: From the age of fifteen to sixteen years, at the rate of 10s. per week; from sixteen to seventeen years, 15s. per week; from seventeen to eighteen years, 17s. 6d. per week; from eighteen to nineteen years, £1 per week; from nineteen to twenty years, £1 5s. per week; from twenty to twenty-one years, £1 10s. per week; over twenty-one years, 1s. per hour.

(d.) Extra helpers above the number specified may be taken on at not less than 1s. per hour.

Piecework.

10. No piecework shall be allowed in any branch of the trade.

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 within one month 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.) 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.

Scope of Award.

12. This award shall operate throughout the Wellington Industrial District.

Term of Award.

13. This award shall come into force on the 13th day of November, 1916, and shall continue in force until the 22nd day of September, 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 8th day of November, 1916.

T. W. STRINGER, Judge.

MEMORANDUM.

This award embodies without alteration the recommendations of the Conciliation Council, which the parties agreed to accept, and is similar in terms to the awards recently made in the Canterbury and Otago and Southland Industrial Districts.

T. W. STRINGER, Judge.