

NORTHERN (AUCKLAND) INDUSTRIAL DISTRICT.

(4528.) THAMES DISTRICT GOLD-MINERS.—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 Thames Miners' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

- Four-in-hand Gold-mining Company (Limited).
- Hauraki Reefs Gold-mining Company (Limited).
- New Sylvia Gold-mining Company (Limited).
- Occidental Consolidated Gold-mining Company (Limited).
- Rising Sun Gold-mining Company (Limited).

Talisman Consolidated Gold-mining Company (Limited).
 Waihi-Paeroa Gold-extraction Company.
 Waitangi Consolidated Gold-mining Company (Limited).
 Watchman Gold-mining Company (Limited).

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 9th day of October, 1916, and shall continue in force until the 9th 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 16th day of December, 1916.

T. W. STRINGER, Judge.

SCHEDULE.

Hours of Work.

1. Except as hereinafter expressly provided a week's work shall consist of the number of hours following:—

(a.) For men in batteries and tailings plants, forty-eight hours, inclusive of crib-time.

(b.) For surface labourers, forty-five hours, exclusive of crib-time.

(c.) For all other workmen, forty-six hours on day shift and afternoon shift and forty-seven hours on night shift, inclusive of crib-time.

(d.) In batteries and tailings plants eight hours, inclusive of crib-time, shall constitute a shift, and work shall commence at midnight on Sunday and cease at midnight on Saturday, except in cases where work is carried on continuously under special permit from the Mining Inspector.

Overtime.

2. (a.) All time worked over and above the number of hours specified in clause 1 hereof, and which is not rendered necessary by reason of breakage or other special emergency involving danger to life or damage to property, shall be paid for as follows: For the first two hours per day at the rate of time and a quarter, and for all time in excess of two hours per day at the rate of time and a half.

(b.) Engine-drivers or other workers in control of any machinery working such machinery less than three shifts per day shall be paid additional wages for one hour per shift at ordinary rates as payment for extra time worked in preparing such machinery for the day's work.

Holiday and Sunday Work.

3. All work done on Sundays shall be paid for at the rate of time and a half. Labour Day and Christmas Day shall be observed as general holidays, and all men required to work on these days shall be paid double time. For time worked on New Year's Day, Good Friday, Boxing Day, Easter Monday, and the Sovereign's Birthday time and a half shall be paid.

Hot, Wet, or Gassy Workings.

4. (a.) Men working in wet shafts and other wet workings or in hot or gassy places shall be paid ordinary shift-wages for six-hour shifts, and shall not in any case work longer than six hours in any one day.

(b.) Any dispute as to whether a particular working is a wet, hot, or gassy working shall be settled by the manager of the particular mine and the workmen's Inspector for the district in which the mine is situated. If they shall not agree then the Mining Inspector shall settle such dispute.

Bracemen and Chambermen.

5. No person under the age of twenty-one years shall be employed in any mine as braceman or chamberman.

Youths.

6. No boy under the age of sixteen years shall be employed underground or in a battery or tailings plant, but otherwise there shall be no limit to the number of youths who may be employed in or about a mine.

Payment of Wages.

7. All wages shall be paid at intervals of not more than two weeks. In the event of the termination of an engagement either on the part of the employer or workman the wages due to such workman up to the time of such termination shall be paid within twenty-four hours of the time of ceasing work.

Contracts.

8. (a.) In all cases in which work is let by contract written specifications and conditions shall be signed by the mine-manager and by the contractor or contractors. Such conditions shall contain a clause that monthly progress-payments will be made at the rate of 75 per cent. of the contract value of the work certified by the mine-manager to have been done by the contractor or contractors, and that the balance of the contract-moneys shall (in the event of the contractors producing to the mine-manager receipts signed by all the workmen employed on wages by the contractor or contractors on the contract showing that all wages claims have been paid) be paid to the contractor or contractors on the pay-day next ensuing after the due completion of the contract. If the contractor or contractors shall not have paid to such wages-men all the wages due to them for work done upon the said contract, then, if the said wages-men shall on the said pay-day attend with the contractor or contractors at the office of the employers where wages are usually paid, the employers shall, if the work has been duly completed and notwithstanding that the period of thirty-one days from the date of completion shall not have expired, pay to the said wages-men the wages due by the contractor or contractors to them, and shall pay to the contractor or contractors the balance (if any) of the moneys then remaining due to him or them. The conditions shall also contain a clause providing that, in the event of the contract being suspended or cancelled by the employers without default on the part of the contractor or contractors, the employers shall pay to the contractor or contractors the amount then earned upon the contract, based on the contract price, and such further sum as compensation for the suspension or cancellation of the contract as may be agreed upon between the mine-manager and contractor or contractors, and failing such agreement as may be fixed by the Warden of the mining district in proceedings to be instituted in the Warden's Court of the district for that purpose. No subletting of any contract for underground work or any part thereof shall be permitted without the consent in writing of the employer and the president of the union.

(b.) In all cases where the contractors perform the whole of the work themselves and do not employ any wages-men or subcontractors the employer shall from month to month retain percentage money for one month only; and at each settlement the percentage money retained at the previous settlement shall be paid to the contractors, and the employer shall then retain only the percentage money in respect of the progress-payments then being paid, and so on month by month.

Wages-men employed by Contractors.

9. (a.) A clause shall be inserted in every contract binding every contractor to pay to the wages-men employed on any such contract the minimum rate of wages prescribed by this award.

(b.) All contractors and contractors' employees shall work the full number of hours constituting a week's work under this award.

Under-rate Workers.

10. (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.

Shift-bosses and Foremen.

11. The provisions of this award shall not apply to shift-bosses or foremen.

Wages.

12. (a.) The following shall be the minimum rate of wages per day or per shift which shall be paid by the employers respectively to the persons employed by them in the following capacities, that is to say,—

	s.	d.
Miners working in ordinary drives or stopes	9	6
Miners working in shafts	10	6
Miners working in rises or winzes	10	0
Miners working in drives or stopes and using rock-drills	10	6
Miners working in shafts and using rock-drills	11	3
Miners working in rises or winzes and using rock-drills	11	3
Pumpmen and pitmen	10	6
Blacksmiths	11	3
Timbermen	9	6
Engine-drivers requiring first-class certificate	12	0
Winding-engine drivers	12	6
Engine-drivers requiring only second-class certificate and winchmen	11	0
Firemen attending to more than three fires	10	6
Firemen attending to three fires or less	9	9
(Where mechanical stokers are used five fires shall count as two fires fed by hand.)		
Amalgamators	10	0
Stamper hands	9	6
Men working on tube mills, stone breakers or crushers ...	9	9
Vannermen and pressmen	9	6
Cyanide-men	9	6
Bracemen and chambermen	9	6
Mullockers and truckers	9	6
Surface labourers	9	3
Feeders and greasers	9	3
Youths from sixteen to seventeen years of age	4	6
Youths from seventeen to eighteen years of age	5	6
Youths from eighteen to nineteen years of age	6	6
Youths from nineteen to twenty years of age	7	6
Youths over twenty years of age, the minimum wages set out above.		

(b.) Not less than 9s. 3d. per day or per shift shall be paid to any class of labourer employed by the employers. This applies to adults only. Nothing in this award contained shall apply to workers attending electric-motor-driven sinking-pumps and switch-board attendants.

Preference.

13. (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.

Term of Award.

14. This award shall, so far as wages are concerned, come into force as from the 9th day of October, 1916, and so far as the other provisions of the award are concerned as from the 1st day of January, 1917, and shall continue in force until the 9th 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 16th day of December, 1916.

T. W. STRINGER, Judge.

MEMORANDUM.

The principal questions before the Court in this dispute were as to wages and the hours of work of surface labourers. After careful consideration the Court decided to put the Thames miners on an equality with the Ohinemuri miners in these matters. With regard to the engine-drivers the Court has given increases in wages, bringing them up to those conceded in recent awards covering engine-drivers.

As stated in the memorandum to the Ohinemuri Miners' award, the majority of the Court came to the conclusion that, having regard to the fact that heavy burdens have been imposed on this industry as the result of the war in the shape of increased taxation and the high prices ruling for all classes of materials used by the employers, they could not properly grant any general increase in wages. This applies with even greater reason to the mines in the Hauraki Gulf, many of which are not profitable. If any of the companies, however, can see their way to pay higher rates to any of their employees the Court recommends that this should be done by way of a war bonus.

T. W. STRINGER, Judge.