

(4219.) AUCKLAND GAS EMPLOYEES (*RE* METER-WATERERS AND BURNER-MAINTENANCE MEN).—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 Gas Companies' Employees' Industrial Union of Workers (hereinafter called "the union") and the undermentioned companies (hereinafter called "the employers") :—

The Auckland Gas Company (Limited), Auckland.
The Birkenhead and Northcote Gas Company (Limited), Auckland.

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 as from the 2nd day of December, 1915, and shall continue in force until the 1st day of December, 1917, and thereafter as provided by section 90, subsection (1) (*d*), 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 29th day of February, 1916.

T. W. STRINGER, Judge.

SCHEDULE.

Classification.

1. The terms and conditions of this award shall apply only to meter-waterers and burner-maintenance men.

Hours of Work.

2. The hours of work shall be forty-seven per week, of which eight and a half hours per day shall be worked on five days of the week between the hours of 7.30 a.m. and 5.30 p.m., and four and a half hours shall be worked on Saturday between the hours of 7.30 a.m. and 12 noon.

Overtime and Holidays.

3. (a.) All time worked in excess of the hours mentioned in clause 2 hereof shall be considered overtime, and shall be paid for as follows: Time and a quarter for the first two hours and time and a half thereafter for all time worked on the five working-days of the week. On Saturday time and a quarter shall be paid for all work done between the hours of 12 noon and 5.30 p.m., and time and a half thereafter.

(b.) All time worked on New Year's Day, Anniversary Day, Easter Monday, birthday of the reigning Sovereign, Boxing Day, or the works' picnic day shall be paid for at the rate of time and a half.

(c.) All time worked on Sunday, Good Friday, Christmas Day, or Labour Day shall be paid for at the rate of double time.

Wages.

4. The minimum wages shall be as follows:—

(a.) Burner-maintenance men at the rate of £2 11s. per week, but a probationer may be employed for not more than three months at the rate of £2 5s. per week.

(b.) Meter-waterers at the rate of £2 13s. per week.

Boys and Youths.

5. (a.) Boys and youths may be employed to assist adult workers in the above-mentioned departments at the following rates of wages: Under seventeen years of age, at the rate of £1 per week; from seventeen to eighteen years of age, at the rate of £1 5s. per week; from eighteen to nineteen years of age, at the rate of £1 10s. per week; from nineteen to twenty years of age, at the rate of £1 15s. per week.

(b.) The proportion of boys and youths to adult workers shall be not more than one to every three adults or fraction of three permanently employed in the said departments.

Travelling-allowance.

6. All necessary fares for travelling to and from the employer's place of business, or its equivalent, and the place where the work is to be performed shall be paid by the employer.

Tools.

7. Employers shall provide each worker with a bag containing such tools as he may require, for which he shall give a receipt. Tools lost shall be replaced at the worker's expense.

Termination of Engagement.

8. (a.) Not less than one day's notice shall be given on either side of the intention to terminate the employment.

(b.) On the termination of the employment the worker shall be paid the sum due to him for wages after he shall have delivered to the employer all property in his possession belonging to the employer.

Payment of Wages.

9. (a.) All wages shall be paid weekly and in the employer's time.

(b.) Unless otherwise provided for in this award employers shall be liable to pay only for time actually worked.

Night Duties.

10. There shall be as far as possible an equitable distribution of night duties amongst the employees.

Under-rate Workers.

11. (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.

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.

Scope of Award.

13. This award shall bind only the union and the companies hereinbefore named.

Term of Award.

14. This award shall come into force as from the 2nd day of December, 1915, and shall continue in force until the 1st day of December, 1917.

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 29th day of February, 1916.

T. W. STRINGER, Judge.

MEMORANDUM

This award embodies without alteration the recommendation of the Council of Conciliation, which the parties agreed to accept.

T. W. STRINGER, Judge.

NOTE.—Section 90, subsection (1) (d), of the Industrial Conciliation and Arbitration Act, 1908, provides that, notwithstanding the expiration of the currency of the award, the award shall continue in force until a new award has been duly made or an industrial agreement entered into, except where the registration of an industrial union of workers bound by such award has been cancelled.