

(4252.) NAPIER FISHERMEN AND FISH-SHED EMPLOYEES.—
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 Hawke's Bay Fishermen's and Fish-shed Employees' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

Beain, A., Chaucer Road North, Napier.

Beresford, E. J., and Roberts, W. C., Emerson Street,
Napier.

Fernandos, N., and Sharp, D. A., Port Ahuriri.

Lovell, W. G., and Co., Port Ahuriri.

Montaperto, V., and Cincotta, D., Port Ahuriri.

New Zealand Trawling and Fish Supply Company (Limited),
Port Ahuriri.

Pecone, V., Port Ahuriri.

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 representa-

tives 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 1st day of May, 1916, and shall continue in force until the 30th day of April, 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 12th day of April, 1916.

T. W. STRINGER, Judge.

SCHEDULE.

Wages, &c., to be fixed by Agreement.

1. Subject to any legislative provisions on the subject, the hours of work, wages, preference, and other conditions of work of all workers employed in the trawling and fish industry shall be fixed by agreement between each employer and the union: Provided that, should the parties be unable to agree, the Conciliation Commissioner of the district as chairman, and two assessors appointed by the Commissioner under the said Act—one assessor to represent the employers and one to represent the union—shall be called upon to act as arbitrators, and their decision shall be final.

Scope of Award.

2. This award shall apply only to trawlers running in or out of the Port of Napier, and to the fish industry of Napier.

General.

3. Trawlers now in commission shall continue to work under the terms under which they are at present working until such time as new agreements are made for them under the terms of this award: Provided that other employees engaged in the fish industry shall be subject to this clause also.

Term of Award.

4. This award shall come into force on the 1st day of May, 1916, and shall continue in force until the 30th day of April, 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 12th day of April, 1916.

T. W. STRINGER, Judge.

MEMORANDUM.

This award embodies without alteration the recommendations 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.