

(4311.) OTAGO PROVINCIAL DISTRICT RETAIL SOFT-GOODS TRADE EMPLOYEES.—AWARD.

In the Court of Arbitration of New Zealand, Otago and Southland 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 Dunedin and Suburban Retail Soft-goods Employees' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

The Otago Drapers and Clothiers' Industrial Union of Employers.

Adess, A., and Sons, 14 Hope Street, Dunedin.

Aitkenhead, William, Thames Street, Oamaru.

Arthur, J. and J. (Limited), clothiers, 12 George Street, Dunedin.

Barnett, A. (Limited), drapers, 158 George Street, Dunedin.

Beadle, Miss Minnie, art needlework depot, 226 George Street, Dunedin.

Beckingsale, F. H., draper, Palmerston.

Beehive Drapery Company (Limited), drapers, Thames Street, Oamaru.

Bennie, Mrs. M. B., draper, Kaitangata.

Beveridge, Mrs. H. E., draper, 50 George Street, Dunedin.

Bissett, George, draper, Milton.

Brown, Ewing, and Co., drapers, 150 Princes Street, Dunedin.

Brown, R., and Co., drapers, Thames Street, Oamaru.

Bulleid, J., and Co. (Limited), drapers, Thames Street, Oamaru.

Campbell Bros., drapers, 144 King Edward Street, Dunedin.

Carter, Mrs. C., draper, Cargill Road, Dunedin.

Cheyne, A. F., and Co., drapers, Mosgiel.

Clough, Miss, art needlework depot, 62 George Street, Dunedin.

Cohen, Abraham, draper, Balclutha.

Collie, M. and J., drapers, Mosgiel.

Couston, Mrs. E., 139 Main Road, North-east Valley, Dunedin.

Craig, James, clothier, Beach Street, Port Chalmers.

Craven, Michael A., draper, Naseby.

Crow, Mrs. J., draper, 173 King Edward Street, Dunedin.

Cuming's Stores (Limited), drapers, 82 George Street, Dunedin.

Curtis, Mrs. A. J., draper, Owaka.

Cuthbertson, Miss S., draper, Kaitangata.

Davis, Miss S., draper, 51 Stafford Street, Dunedin.

Dickison, Miss E., draper, 419 King Edward Street, Dunedin.

- Dobbie and Harlock, drapers, 124 George Street, Dunedin.
 Dowie, W., draper, 169 Main Road, North-east Valley, Dunedin.
 Drapery and General Importing Company of New Zealand (Limited), drapers, 132 High Street, Dunedin.
 Drapery Supply Association (Limited), drapers, 105 George Street, Dunedin.
 Dreaver, Mrs. E. C., draper, 72 George Street, Dunedin.
 Duncan, Miss C., draper, 115 Main South Road, Dunedin.
 Duncan, Mrs. Alexander, draper, 523 Cargill Road, Dunedin.
 Dunedin Drapery Supply Company, outfitters, Princes Street, Dunedin.
 Dunn, William, draper, 315 George Street, Dunedin.
 Duthie Bros. (Limited), drapers, 240 George Street, Dunedin.
 Edmond, Miss A., draper, 29 Main Road, North-east Valley, Dunedin.
 Espie, R. and T., drapers, Kaitangata.
 Esson, James, draper, Stirling.
 Fairhall, Miss K., draper, Thames Street, Oamaru.
 Faulds, Mrs. M., draper, 353 Great King Street, Dunedin.
 Fish, Alexander, mercer, 47 Princes Street, Dunedin.
 Forbes, J. R., draper, Herbert.
 Fyfe, M. I. (Economic Stores), draper, 198 George Street, Dunedin.
 Garden, Alexander, mercer, 77 Princes Street, Dunedin.
 Ginsberg, H., and Co., mercers, 18 Arcade, Dunedin.
 Grant, John, draper, Tapanui.
 Gray, James, and Sons (Limited), drapers, Milton.
 Grenfell, H., mercer, Thames Street, Oamaru.
 Hamel, John H. F., hatter, 185 Princes Street, Dunedin.
 Harridge, Mrs. S. A., draper, Main Road, Ravensbourne.
 Hart, R., and Co., mercers, 150 High Street, Dunedin.
 Hauptfliesch, F. B., draper, Owaka.
 Henderson, Miss B. F., draper, Mosgiel.
 Herbert, Haynes, and Co. (Limited), drapers, 10 Princes Street, Dunedin.
 Hervey, Mrs. I., draper, Queen Alexandra Street, St. Clair.
 Hewitt, Robert, draper, Alexandra.
 Hood, N. A., outfitter, Thames Street, Oamaru.
 Hornell and Steven, drapers, 275 George Street, Dunedin.
 Hornell, James, draper, 163 Cargill Road, Dunedin.
 Import Company, drapers, &c., Balclutha.
 Inglis, A. and T. (Limited), drapers, 83 George Street, Dunedin.
 Isteed, Mrs. W. J., draper, Tapanui.
 Johnston, C. J., draper, 165 Rattray Street, Dunedin.
 Kear, C. I., mercer, Thames Street, Oamaru.
 Kernohan, Miss E. A., draper, Balclutha.

- Kerr and Co., drapers, Thames Street, Oamaru (A. Miller, manager).
- Kerr and Mann, mercers, 70 Princes Street, Dunedin.
- Kilroy and Sutherland, drapers, 192 Princes Street, Dunedin.
- King, John, draper, Balclutha.
- Kirkpatrick and Barclay, drapers, 66 Princes Street, Dunedin.
- Knight and Millin, ladies' outfitters, 20 George Street, Dunedin.
- Knowles, Mrs. R., draper, 81 High Street, Maori Hill.
- Laloli Bros., drapers, Lawrence.
- Lockhart, D. M., draper, Lawrence.
- McConnochie, W., draper, St. Bathans.
- McDonald, James, and Co., drapers, Thames Street, Oamaru.
- McEwan, W., draper, Grey Street, Port Chalmers.
- McFadden, W. R., draper, 51 George Street, Dunedin.
- McGregor Bros., mercers, 231 King Edward Street, Dunedin.
- McGregor, D., draper, 26 George Street, Port Chalmers.
- McIntyre, Mrs. C., draper, 421 Great King Street, Dunedin.
- McKane, Mrs. M., draper, 77 Hanover Street, Dunedin.
- McKay, Robert, draper, Lawrence.
- McMillan, J., and Sons, drapers, Milton.
- McNeill Bros., drapers, 7 Glen Road, Mornington.
- McRitchie, M. A., draper, Palmerston.
- Marrett, Miss L. P., draper, 548 Great King Street, Dunedin.
- Mayall, Miss E. A., draper, 8 Main Road, North-east Valley, Dunedin.
- Messent, E. W., draper, Middlemarch.
- Millan, Mrs. A., draper, Mosgiel.
- Milligan, J. H., and Sons, outfitters, Thames Street, Oamaru.
- Mollisons Limited, drapers, 287 George Street, Dunedin.
- Mutual Stores (Limited), drapers, 55 Princes Street, Dunedin.
- Naylor, Benjamin, draper, Clyde.
- N.Z. Clothing Factory (E. Hallenstein), outfitters, 2 Princes Street, Dunedin.
- Partridge, Miss L. E., draper, 329 George Street, Dunedin.
- Penrose, W., and Co., drapers, 100 George Street, Dunedin.
- Portman, A. J., mercer, 93 Stuart Street, Dunedin.
- Pridham, Mrs. A., draper, 407 Princes Street, Dunedin.
- Pyle, W., draper, St. Bathans.
- Reddell, W. S., and Co., outfitters, 109 Stuart Street, Dunedin.
- Rodie, Miss E., draper, 32 Princes Street, Dunedin.
- Rodman, J., mercer, Thames Street, Oamaru.
- Ross, E. T., draper, 6 George Street, Dunedin.
- Ross, T., draper, 130 Princes Street, Dunedin.
- Roy, A. and W., drapers, Portobello.

Scott, R. H., and Co., outfitters, 112 Princes Street, Dunedin.

Shepherd, T., mercer, 192 George Street, Dunedin.

Stanaway, J., and Co., drapers, 15 Mailer Street, Mornington.

Steele and Crozier, drapers, Mosgiel.

Stewart, A. E., draper, Milton.

Stewart, E. A. and J. A., drapers, Balclutha.

Stewart, J., draper, 740 Great King Street, Dunedin.

Stewart, Miss B., draper, Main South Road, Dunedin.

Stokes, Charles, and Sons, mercers, Balclutha.

Swallow, H., and Co., drapers, Mosgiel.

Talboys, W. T., draper, Lawrence.

Taylor, John, hatter, 133 Rattray Street, Dunedin.

Thomas, Miss E., draper, 287 King Edward Street, Dunedin.

Tozer, H. T., draper, Palmerston.

Unique Stores (Limited), drapers, 79 Stuart Street, Dunedin.

Waddell, W., and Co., clothiers, Thames Street, Oamaru.

Wallace, William, draper, Mosgiel.

Watkins, Misses A. and E., drapers, 56 Princes Street, Dunedin.

Watson, J., outfitter, 19 George Street, Port Chalmers.

Wilkins, F. S., clothier, Balclutha.

Williams, A., mercer, 131 George Street, Dunedin.

Winmill, H., clothier, Lawrence.

Woods, F. and R. (Limited), drapers, 13 Princes Street, Dunedin.

Yates, J., draper, 151 George Street, Dunedin.

Young, J., draper, 19 Frederick Street, Dunedin.

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 provided by clause 16 hereof, and shall continue in force until the 27th day of September, 1917, 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 29th day of May, 1916.

____ T. W. STRINGER, Judge.

SCHEDULE.

Interpretation.

1. For the purposes of this award every person shall be deemed to be a soft-goods assistant who is engaged in any capacity in connection with the reception, display, sale, or delivery of soft-goods in the retail establishments of those employers who are bound by this award.

Classification of Workers.

2. (a.) Soft-goods assistants shall be classified as follows: Apprentices, improvers, assistants (including males and females), storemen, packers, and porters.

(b.) An "apprentice" is a worker who has served less than four years in the soft-goods trade.

(c.) An "improver" is a worker who has served more than four years and less than six years in the soft-goods trade.

(d.) A "senior assistant" is a worker who has served six years or more in the soft-goods trade.

(e.) A "storeman" or "packer" is a worker engaged in packing and unpacking soft-goods.

(f.) A "porter" is a worker engaged as a general cleaner or messenger or in the delivery of goods by hand.

Wages.

3. (a.) Assistants sixteen years of age and under entering the trade without previous experience shall be paid not less than the rates of wages set out in the following scale, viz. :—

	Males.			Females.		
	Per Week.			Per Week.		
	£	s.	d.	£	s.	d.
During the first year of service ...	0	10	0	0	7	6
During the second year of service ...	0	15	0	0	10	0
During the third year of service ...	1	0	0	0	12	6
During the fourth year of service ...	1	7	6	0	17	6
During the fifth year of service ...	1	12	6	1	2	6
During the sixth year of service ...	2	0	0	1	5	0
And thereafter ...	3	0	0	1	10	0

(b.) An assistant entering the trade without previous experience from the age of seventeen to eighteen years shall be treated as having entered upon his or her second year of service, and shall be paid in accordance with the said scale.

(c.) An assistant entering the trade without previous experience from the age of eighteen to nineteen years shall be treated as having entered upon his or her third year of service, and shall be paid in accordance with the said scale.

(d.) An assistant entering the trade without previous experience from the age of nineteen years and over shall be treated as having entered upon his or her fourth year of service, and shall be paid in accordance with the said scale.

(e.) Any female who is employed wholly or substantially in a dress, manchester, drapery-furnishing, or print department shall be paid one-half more than the wages specified for females in the said scale.

Storemen.

4. (a.) The minimum wages to be paid to storemen, packers, and porters shall be those set out in the following scale, viz.: Seventeen years of age and under, 10s. per week; over seventeen and under eighteen years of age, 15s. per week; over eighteen and under nineteen years of age, £1 per week; over nineteen and under twenty years of age, £1 5s. per week; over twenty and under twenty-one years of age, £1 10s. per week. Porters over twenty-one years of age, £2 5s. per week. Storemen and packers over twenty-one years of age, £2 10s. per week.

(b.) So long as Great Britain continues at war with Germany and Austria, or either of them, and for three months after the cessation of such war, there shall be paid to all workers included in this clause of this award as from the 5th day of June, 1916, in addition to the rates above mentioned, a war bonus of 10 per cent. upon such rates.

(c.) Notwithstanding the foregoing clause the said war bonus may at any time during the currency of the said award be continued either wholly or partially, or may be increased or terminated as the Court, on the application of any party to the award or of its own motion, may determine.

Payment of Wages.

5. (a.) Wages shall be paid weekly or fortnightly and in cash.

(b.) All bonuses, premiums, and commissions earned by assistants other than canvassers shall be paid in addition to the weekly wages specified, and on no account shall any deduction be made from the same.

Weekly Employment.

6. (a.) The employment shall be deemed to be a weekly employment, and no deduction shall be made from the weekly wages except for time lost through the worker's sickness or default.

(b.) Not less than seven days' notice shall be given by either party of the termination of the employment, except in the case of casual hands, but nothing in this clause shall prevent any employer from summarily dismissing any worker for wilful misconduct.

Casual Hands.

7. (a.) A senior assistant—*i.e.*, one with over six years' experience—shall be deemed to be a casual when employed for less than one month (twenty-four days, Sundays not inclusive), and in the case of males shall be paid not less than 1s. 4½d. per hour, and in the case of females not less than 10d. per hour.

(b.) All other classes of workers employed for less than one month (twenty-four days, Sundays not inclusive) shall be paid not less than one-third more than the award rate provided for such worker.

Lift-attendants.

8. Nothing in this award shall be deemed to apply to lift-attendants.

Holidays.

9. (a.) The following shall be the recognized holidays, *viz.*: Christmas Day, Boxing Day, New Year's Day and the following day, Good Friday, Easter Saturday, Easter Monday, Labour Day, and the birthday of the reigning Sovereign.

(b.) The observance of Easter Saturday shall apply only within a radius of twelve miles from the Chief Post-office, Dunedin.

(c.) Any work done on Sunday, Christmas Day, or Good Friday shall be paid for at double-time rates, and all work done on any of the other specified holidays or on holidays observed in lieu thereof shall be paid for at the rate of time and a half. The said payments shall be in addition to the ordinary weekly wages.

(d.) No assistant shall be employed after 1 p.m. on the statutory closing-day in any week, notwithstanding the provisions of section 19 of the Shops and Offices Act, 1908.

(e.) No overtime or extended hours shall be worked on any such half-holiday.

(f.) This clause shall not apply to the days mentioned in section 5 of the Shops and Offices Act, 1908.

(g.) Subclause (d) hereof shall apply only within a radius of twelve miles from the Chief Post-office, Dunedin.

Proportion of Apprentices and Improvers.

10. The proportion of apprentices and improvers to assistants in any shop or branch shop shall be not more than one apprentice or improver to one assistant.

Under-rate Workers.

11. (a.) Any worker who considers himself or herself 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 or her 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 or her to have his or her 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 one calendar month after his or her 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.

Reference.

13. (a.) Each employee, on leaving or being discharged from his or her employment, shall be given within forty-eight hours

thereafter a reference in writing stating the position held and length of service.

(b.) Original references shall be the property of the employee, and shall be returned within forty-eight hours after engagement.

Notice re Overtime.

14. Four hours' notice shall be given to any employee who shall be required to work overtime, or in lieu thereof 1s. tea-money shall be paid.

Scope of Award.

15. The operation of this award is confined to the Otago Provincial District.

Term of Award.

16. This award, as regards employers carrying on business within a radius of twelve miles from the Chief Post-office in the City of Dunedin, shall come into force as from the 3rd day of April, 1916, and as regards all other employers herein named shall come into force on the 5th day of June, 1916, and shall continue in force until the 27th day of September, 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 May, 1916.

T. W. STRINGER, Judge.

MEMORANDUM.

When before the Conciliation Council the parties arrived at a complete arrangement on all questions in dispute, but on the hearing of the application to the Court for an award the union made claim for an allowance of a war bonus of 10 per cent. upon the rates of wages agreed upon at the Council. Having regard to the fact that these rates were substantially greater than those then in force the Court is not prepared to grant a bonus upon these increased rates to all workers in the industry. The Court, however, thinks that the rates fixed for workers included in the award under the heading of "Storemen" are in the present circumstances so low that it is reasonable and fair that these workers should be allowed a war bonus of 10 per cent., and it has therefore so provided in the award.

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.