

(4320.) NORTHERN, TARANAKI, WELLINGTON, CANTERBURY, AND OTAGO AND SOUTHLAND FEMALE BOOT OPERATIVES.—AWARD.

In the Court of Arbitration of New Zealand, Northern, Wellington, Taranaki, Canterbury, and Otago and Southland Industrial Districts. — In the matter of the Industrial Conciliation and Arbitration Act, 1908, and its amendments; and in the matter of an industrial dispute between the New Zealand Federated Boot Trade Industrial Association of Workers (hereinafter called “the union”) and the New Zealand Boot-manufacturers’ Association 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, 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 from the 5th day of June, 1916, and shall continue in force until the 5th day of June, 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 19th day of May, 1916.

T. W. STRINGER, Judge.

SCHEDULE.

Preference of Employment.

1. (a.) Throughout all the departments recognized by this award preference of employment shall be given by employers to members of the female section of the New Zealand Federated Boot Trade Industrial Association of Workers who have served five years at the trade, and on the part of the union preference of service shall be given to the members of the employers' union, it being understood that in each case all things must be equal.

(b.) When a non-unionist is engaged by an employer in consequence of the union being unable to supply a worker of equal ability willing to undertake the work, at any time within twelve weeks thereafter the union shall have the right to supply a worker capable of performing the work, provided the worker first engaged declines to become a member of the union. This provision shall also apply to those non-unionists already employed.

Departments.

2. These rules and conditions shall apply to all females who have been employed at the trade for five years and upwards.

Machinery and Subdivision of Labour.

3. It is the manufacturer's right to introduce whatever machinery his business may require, and to divide and subdivide labour in any way he may deem necessary, subject to the payment of wages as hereinafter set forth in this award. Any system of subdivision may be used either in connection with hand or machine labour, but the employer must arrange the subdivision so that the product of each worker is a separate and independent operation.

Control of Factory, &c.

4. (a.) Every employer is entitled to the fullest control over the management of his factory, and to make such regulations as he deems necessary for time-keeping and good order.

(b.) Employers shall find all material, workshops, light, and tools of trade.

Work performed outside Factory.

5. All work shall be performed in the factory workshop, except where permits to work at home are granted. Applications for such permits shall be referred to one representative appointed by the New Zealand Boot-manufacturers' Association Industrial Union of Employers and one representative appointed by the union. If no agreement is arrived at between the two so appointed the matter shall be referred to the Inspector of Awards for the district, and his decision shall be final.

Hours of Work.

6. The regular hours of work shall be between the hours of 7.30 a.m. and 5.30 p.m. on five days of the week, and 7.30 a.m. and 11.45 a.m. on the recognized factory half-holiday.

Wages.

7. (a.) Except where otherwise provided the minimum wage for females working at the boot and shoe industry and having served five years and upwards shall be £1 10s. per week, computed by the hour.

(b.) For hot-wax-thread machinists £1 17s. 6d. per week, and if not worked continuously for that period to be paid per hour at same rate.

(c.) Any time lost through the default of the worker, or by reason of the breakdown or accident to any of the machinery used by the employer, shall be deducted from her wages at the same rate per hour as she receives for her services.

(d.) So long as the British Empire remains in a state of war with Germany and Austria, or either of them, and for three months after the cessation of such war, there shall be paid, in addition to the rates above mentioned, a war bonus of 5 per cent. upon the said rates.

(e.) Notwithstanding the foregoing clause the said war bonus may at any time during the currency of the 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.

Overtime.

8. (a.) An ordinary working-week shall be deemed to consist of forty-five hours. All time worked in excess of the ordinary hours in any one day and fixed in accordance with the provisions of clause 6 hereof shall be deemed to be overtime.

(b.) Overtime shall be paid for at the rate of time and a quarter for the first two hours and time and a half afterwards.

9. Nothing herein contained shall restrict the right of the employer, if slackness or exigency of the trade shall render it necessary, to require any section of the workers employed on any particular class of work (with the exception of assistants) to work for a part only of any day, but part of a day shall not be less than four hours. In such case workers shall be paid only for such hours as they shall actually work. Each employer shall be required to provide a notice-board, placed in a conspicuous place in the factory or workshop, whereon shall be noted any time to be lost by the workers. Notice is to be given on the day preceding the day on which the lost time commences. It is expected workers shall give notice to their employers when they desire to be absent from work, except in cases of sickness or emergency beyond their control. The above conditions shall not apply in case of a breakdown or accident to machinery.

Holidays.

10. (a.) Christmas Day, New Year's Day, Good Friday, Easter Monday, Labour Day, and birthday of the reigning Sovereign.

(b.) When employees are required to work on any of the aforesaid holidays or on Sundays they shall be paid double rates.

Termination of Employment.

11. Twenty-four hours' notice of the termination of the service of the worker shall be given by the employer to the worker, and by the worker to the employer.

Under-rate Workers.

12. (a.) Any worker who considers 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, 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 her to have 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.

Assistants.

13. (a.) The word "assistants" shall mean and include any female who has not been employed for more than five years at the trade.

(b.) Every female worker employed as an assistant shall serve a period of five years at the trade operations in connection with either the machining, fitting, or cleaning departments before being entitled to rank as a journeywoman.

(c.) Should an employer wish for any reason to dispense with the services of an assistant he shall give her a certificate for the time actually served by her as an assistant at any branch of the trade. Such certificate shall entitle the assistant to payment by any future employer of the wages herein provided for assistants according to the time actually served by her at the branch of the trade in which she shall be hereafter employed.

(d.) Every employer who engages an assistant shall be deemed to have undertaken the duty during the time she is so employed of teaching such assistant the branch of the trade at which she is employed as carried on by the employer, which duty shall be enforceable under this award. The following shall be the minimum rate of wages for assistants: First year, 10s. per week; second year, 13s. per week; third year, 16s. per week; fourth year, 19s. per week; fifth year, £1 3s. per week.

(e.) Except where otherwise provided herein all the provisions of the Factories Act, 1908, relating to the employment of females shall apply to assistants.

(f.) Existing legal arrangements with or relating to apprentices now serving any employer may continue, provided that any employer wishing them to continue shall forward the names of his present apprentices to the Inspector of Factories within one calendar month after the filing of this award, but an assistant now serving under verbal agreement shall be deemed to be an assistant under this clause.

(g.) No deduction shall be made from the wages of an apprentice or assistant except for time lost through the worker's illness or default, or through the cleaning of the factory, or repairing the machinery.

Overseers.

14. Where there are six or more females employed every employer shall be entitled to one foreman or forewoman, who shall

not be eligible for membership of any union of workers, neither shall they be restricted to any clauses of this award.

Payment of Wages.

15. Every employer shall pay to each worker employed by him all the moneys due to such worker at least once in each week. Employers must arrange that all females are paid within five minutes of the close of the day on which wages are paid, and that where male and female workers are paid on the same day the female workers shall be paid first, and within twenty-four hours of the closing of the week.

Copy of Award to be posted up.

16. Every employer shall permit a copy of this award to be posted in an accessible place in the workroom of each department.

Industrial Agreements.

17. No industrial agreement or other instrument shall be executed between the New Zealand Boot-manufacturers' Association Industrial Union of Employers and non-unionists, or between the New Zealand Federated Boot Trade Industrial Association of Workers and non-union employers, without first intimating in writing to the parties to this award the intention to do so, whether such industrial agreement or other instrument deals with matters arising out of this award or in addition thereto.

Scope of Award.

18. This award shall bind all unions, also all members of the said industrial association of workers, and every employer member of the said industrial union of employers, in the industrial districts following—viz., Northern Industrial District, Wellington, Canterbury, Otago and Southland, and Taranaki Industrial Districts—and a duplicate of this award shall be filed in the offices of the Clerks of Awards at Auckland, Wellington, Christchurch, Dunedin, and New Plymouth.

Term of Award.

19. This award shall come into force on the 5th day of June, 1916, and shall continue in force until the 5th day of June, 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 19th day of May, 1916.

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.