

(4714.) OTAGO AND SOUTHLAND INDUSTRIAL DISTRICT SOAP AND
CANDLE WORKERS.—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 Otago Freezing, Chemical-manure, Tannery, Fellmongery, Soap and Candle Workers, Bacon-curers, and Allied Trades' Industrial Union of Workers (hereinafter called "the union") and McLeod Bros. (Limited) (hereinafter called "the employer").

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 the employer by its representatives duly appointed, doth hereby order and award:—

That, as between the union and the members thereof and the employer, 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 employer, 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 employer 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 23rd day of August, 1917, and shall continue in force until the 30th day of May, 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 September, 1917.

— T. W. STRINGER, Judge.

SCHEDULE.

Hours of Work.

1. The week's work shall consist of forty-eight hours, between the hours of 7.30 a.m. and 5 p.m. on five days of the week, no work to exceed eight and three-quarter hours in one day; and on one day of the week the hours shall not exceed five and a half, between the hours of 7.30 a.m. and 1 p.m.

Minimum Rate of Wages.

2. The minimum rate of wages for workers employed in soap and candle works shall be 1s. 2d. per hour.

Employment of Youths.

3. Boys and youths up to twenty years of age may be employed, at the discretion of the employer, at not less than the following rates of wages per week: Between the ages of fourteen and fifteen years, 12s.; between the ages of fifteen and sixteen, 15s.; between the ages of sixteen and seventeen, 18s.; between the ages of seventeen and eighteen, £1 1s.; between the ages of eighteen and nineteen, £1 5s.; and between the ages of nineteen and twenty, £1 10s.

War Bonus.

4. (a.) 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 to all workers coming within the scope of this award, in addition to the rates provided herein, a war bonus of 10 per cent. on ordinary wages, exclusive of overtime.

(b.) 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.

5. All time worked in excess of the hours mentioned in clause 1 hereof shall be considered overtime, and shall be paid for at the rate of time and a quarter for the first four hours, and thereafter time and a half.

Holidays.

6. The following shall be the holidays: New Year's Day, Easter Monday, Labour Day, Boxing Day, King's Birthday, Good Friday, Christmas Day, and local picnic day.

Payment of Wages.

7. Wages shall be paid fortnightly; two days' lie-time shall be allowed.

Payment of Holidays.

8. Double time shall be paid for work done on Christmas Day, Good Friday, and Sundays; time and a half shall be paid for work done on New Year's Day, Easter Monday, Labour Day, Boxing Day, King's Birthday, and local picnic day.

Under-rate Workers.

9. (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.

10. (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.

11. This award shall come into force as from the 23rd day of August, 1917, and shall continue in force until the 30th day of May, 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 September, 1917.

T. W. STRINGER, Judge.

MEMORANDUM.

This award embodies the recommendations of the Conciliation Council, which the parties agreed to accept. The Court has, however, inserted its usual form of preference in substitution for the invalid clause contained in the recommendations. The parties agreed that the award should be made retrospective.

T. W. STRINGER, Judge.