

(5310.) NAPIER FISHERMEN AND FISH-SHED EMPLOYEES.—  
DECISION OF ARBITRATORS *RE* CONDITIONS OF EMPLOYMENT  
ON THE STEAM TRAWLERS "WAIWERA," "BEATRICE," AND  
"ITHACA."

In the matter of the Industrial Conciliation and Arbitration Act, 1908, and its amendments; and in the matter of an industrial dispute between Barnao Bros., Palmerston North, and Antonio Russo, Vincenzo Picone, and Domenico Cincotta, Port Ahuriri (hereinafter termed "the employers"), and the Hawke's Bay Fishermen's and Fish-shed Employees' Industrial Union of Workers (hereinafter called "the union"); and in the matter of an award of the Court of Arbitration (Book of Awards, Vol. xvii, p. 169, clause 1), in which it is provided, *inter alia*, subject to the legislative provisions on the subject, that "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."

THE parties not having been able to agree, the provisions of the above clause have been carried out and arbitrators appointed. After hearing the parties by their representatives I have to decide as follows:—

SCHEDULE.

*Application of Ruling.*

1. The following rates, methods of payment, and conditions of work shall apply to men employed on the steam trawlers "Waiwera," "Beatrice," and "Ithaca."

*Wages and Shares.*

2. The trawlers to be worked on five shares, after deducting expenses mentioned in clause 10 hereunder. The employer to receive two fifth shares, the captain to receive one fifth share, engineer to receive one fifth share, and deck hand to receive one fifth share when the boat is worked with three hands. When worked with two hands each of the crew shall receive one and a half shares. Basis under clause 11 hereunder mentioned, with a minimum payment to employees of £4 each week.

*Hours of Work.*

3. The hours of work shall be regulated by the employer, but the week's work shall, unless otherwise provided, terminate by 5 p.m. on Friday in each week.

*Payment for Slip-work.*

4. When trawler is on slip for repairs the following rates shall be paid by the employer: Captain, £4 10s. per week; engineer, £4 10s. per week; deck hand, £4 per week.

*Payment of Wages.*

5. Wages shall be paid weekly on each Friday and between the hours of 4 o'clock and 5 o'clock in the afternoon.

This clause shall apply to Saturday when Sunday is substituted for Saturday.

*Statement of Wages and Expenses.*

6. Statements showing the amounts due to each man and the quantities of the catch shall be given to the captain in charge of the trawler when wages are being paid, for the benefit of the crew; also, a statement showing the expenses incurred under clause 10 hereof shall be supplied at the same time and for a similar purpose.

*Repairs to Nets.*

7. Ordinary repairs to trawling-nets shall be undertaken and performed by the crew of the vessel.

*General Provisions.*

8. The employment of a worker may terminate on either side by giving twenty-four hours' notice.

*Classification.*

9. (a.) The steam trawlers "Waiwera," "Beatrice," and "Ithaca" shall be classed as fourth-class trawlers, and shall carry a crew of not less than two hands. In this clause the word "crew" shall include the captain and engineer.

(b.) In the event of continuous heavy catches, and the request by the crew for an extra man being refused by the owner, the matter shall be referred to the Disputes Committee for settlement.

*Trawler Expenses.*

10. Items to be charged on catch: Coal, water, oil, ice.

*Rates per Pound.*

11. Prices to be same as employer receives.

*Holidays.*

12. The following shall be the holidays: New Year's Day, Good Friday, Christmas Day, Easter Monday, Boxing Day, Sovereign's Birthday, Labour Day, second day of the Hawke's Bay Agricultural October Show, and Saturday in lieu of Sunday. All work done on Good Friday, Christmas Day, and the day in lieu of Sunday (Saturday) to be paid at the following rates: Captain

and engineer, 2s. 6d. per hour each; deck hand, 2s. per hour. All other holidays: Captain and engineer, 1s. 9d. per hour each; deck hand, 1s. 6d. per hour (in addition or extra to clause 2 hereof).

*Power to substitute Sunday for Saturday.*

13. On application of the employer, at the request of the crew, permission may be given by the secretary of the Hawke's Bay Fishermen's Union to substitute Sunday in lieu of Saturday as the holiday or day off. (All work done on the Sunday when substituted for Saturday shall be paid according to the rates for Saturday in clause 12 hereinbefore mentioned, and 5 p.m. Saturday shall be deemed to be the end of the week when Sunday is substituted for Saturday.)

*Preference.*

14. Preference of employment shall be given to members of the union.

*No Discrimination.*

15. Employers shall not discriminate against members of the union, and shall not, in the engagement or dismissal of workers or in the conduct of their business, do anything to injure the union either directly or indirectly.

*Disputes Committee.*

16. A Disputes Committee shall be appointed to deal with any disputes arising under these conditions, the committee to consist of not more than three representatives from each side. In the event of no agreement being reached the matter shall be referred to the Conciliation Commissioner, whose decision shall be final.

*Catch.*

17. The whole of the catch shall be deemed to be the sole property of the owner, each member of the crew to be allowed a certain quantity of fish each week as fixed by the Disputes Committee.

*Workers' Compensation for Accidents Act.*

18. Workers' Compensation Act, 1908, and its amendments: The employer undertakes that in future policies of insurance under this heading shall have a clause inserted that will cover risk incurred by employees working under these conditions.

*Term.*

19. These conditions shall come into operation as from the 1st day of July, 1919, and shall continue in force until the 30th day of June, 1921.

Dated at Wellington, this 28th day of June, 1919.

W. NEWTON,  
Conciliation Commissioner, Chairman.