

(5476.) NORTHERN INDUSTRIAL DISTRICT (EXCEPT GISBORNE JUDICIAL DISTRICT) MEAT-PRESERVING WORKS' EMPLOYEES.—AWARD.

In the Court of Arbitration of New Zealand, Northern 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 Auckland Abattoir Assistants and Freezing-works Employees' Industrial Union of Workers (hereinafter called "the union") and the Auckland Meat Company (Limited), of Auckland, Butchers, and R. and W. Hellaby (Limited), of Auckland aforesaid, Butchers (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 the employers 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 10th day of November, 1919, and shall continue in force until the 10th day of November, 1921, 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 27th day of October, 1919.

T. W. STRINGER, Judge.

SCHEDULE.

Hours of Work.

1. A week's work shall not exceed forty-four hours. The hours of work shall be apportioned as follows: On the first five days in each week eight hours shall be worked between the hours of 7.30 a.m. and 5 p.m. Unless otherwise mutually arranged intervals for meals shall continue as at present. On Saturday four hours shall be worked between the hours of 7.30 a.m. and 12 noon.

Overtime.

2. All time worked in excess of the hours provided in clause 1 hereof in any one day shall be considered overtime, and shall be paid for at the rate of time and a quarter for the first two hours and time and a half thereafter. On Saturday time and a quarter shall be paid for all time worked between 12 noon and 1 p.m., and time and a half thereafter.

Wages.

3. (a.) Boners, 2s. per hour.
- (b.) Preservers, 1s. 10d. per hour.
- (c.) Tinsmiths, 1s. 5½d. per hour.
- (d.) All others, 1s. 3½d. per hour.

(e.) To all workers coming under subclauses (c) and (d) hereof there shall be paid a bonus of 2½d. per hour unless and until the Court shall otherwise order.

(f.) In computing the amount payable for overtime under clause 2 hereof the bonus above mentioned shall be excluded from the computation.

Boys and Youths.

4. (a.) Employers may employ boys and youths at not less than the following rates of wages: Under the age of sixteen years, £1 5s. per week; from sixteen to seventeen years, £1 10s. per week; from seventeen to eighteen years, £1 15s. per week; from eighteen to nineteen years, £2 per week; from nineteen to twenty years, £2 10s. per week.

(b.) The proportion of boys and youths shall be one to every three men.

Weekly Employment.

5. In cases where a weekly wage is fixed no deduction shall be made therefrom save for time lost through the default or sickness of the worker.

Holidays.

6. All workers shall receive the following holidays: New Year's Day, 2nd January, Anniversary Day, Good Friday, Easter Monday, birthday of the reigning Sovereign, Christmas Day, and Boxing Day.

Accommodation.

7. Employers shall provide at their respective factories suitable accommodation, to the satisfaction of the Inspector of Factories, for workers dressing and dining, with facilities for workers washing themselves, &c., which the workers shall keep in reasonably clean order and condition.

Preference.

8. (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.

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.

Scope of Award.

10. This award shall apply to employers carrying on business in the Northern Industrial District, excluding that portion thereof which is included in the Gisborne Judicial District.

Term of Award.

11. This award shall come into force on the 10th day of November, 1919, and shall continue in force until the 10th day of November, 1921.

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 27th day of October, 1919.

T. W. STRINGER, Judge.

MEMORANDUM.

When the parties to this dispute were before the Conciliation Council they arrived at an agreement on all material questions except as to the rates of wages for workers coming under sub-clauses (c) and (d) of clause 3 of the award, determination of which was referred to the Court. The majority of the Court were of opinion that according to the evidence the workers designated

“tinsmiths” are really canister-makers, and therefore that their minimum wage should be fixed in conformity with the rates prescribed by the Canister-makers’ award. As, however, the employers were willing to concede a minimum wage of 1s. 5½d., with a bonus of 2½d., the Court has fixed the rate accordingly. Mr. McCullough thinks that these workers should be put on the same footing as similar workers covered by the Freezing Companies’ award. The majority of the Court, however, think that a special rate voluntarily conceded by a special class of employers to workers forming a very small proportion of their employees cannot properly be accepted by the Court as a basis upon which to fix a minimum rate of wage for workers in an industry covered by an award of general application.

T. W. STRINGER, Judge.
