

(6281.) INVERCARGILL (FIFTEEN-MILES RADIUS) BISCUIT AND CONFECTIONERY 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 Biscuit and Confectionery Manufacturing Employees' Industrial Union of Workers (hereinafter called "the union") and D. Kingsland and Son (Limited), Manufacturers, Invercargill (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 representatives duly appointed, and having also heard the employer by his representative 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 hereinafter provided, and shall continue in force until the 11th day of September, 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 here-to been put and affixed, and the Judge of the said Court hath hereunto set his hand, this 27th day of October, 1920.

T. W. STRINGER, Judge.

#### SCHEDULE.

##### *Hours of Work.*

1. The hours of work shall be in accordance with the Factories Act, 1908—viz., forty-eight hours per week for male workers above the age of eighteen years, and forty-five hours per week in the case of other workers.

##### *Overtime.*

2. All time worked in excess of the hours prescribed in clause 1 hereof shall be paid for at the rate of time and a half for the first three hours, and thereafter double time.

##### *Wages.*

3. The following shall be the minimum rates of wages:—

(a.) Workers in charge of departments who have served not less than five years at the trade, £4 2s. 6d. per week.

(b.) First assistants who are competent to take charge of departments where not less than three adult male workers are employed, £3 12s. 6d. per week.

(c.) General hands over twenty-one years of age, £2 17s. 6d. per week.

(d.) The minimum rates of wages above prescribed shall be increased by a bonus of 10s. per week unless and until the Court shall otherwise order.

##### *Workers receiving Higher Wages.*

4. Any worker now receiving higher wages than herein prescribed shall not have his or her wages reduced.

##### *Wages for Youths.*

5. Youths under the age of twenty-one years may be employed at not less than the following rates: For the first six months, 15s. per week; for the second six months, 17s. 6d. per week; for the second year, £1 2s. 6d. per week; for the third year, £1 7s. 6d. per

week; for the fourth year, £1 15s. per week; for the fifth year, £2 2s. per week; and thereafter not less than the minimum rate provided for general hands.

*Wages for Female Workers.*

6. (a.) Female workers may be employed at not less than the following rates: For the first six months, 10s. per week; for the second six months, 12s. 6d. per week; for the second year, 17s. 6d. per week; for the third year, £1 2s. 6d. per week; for the fourth year, £1 10s. per week; and thereafter, £1 17s. 6d. per week.

(b.) The minimum rates of wages above prescribed for youths and female workers shall be increased by a bonus of 3s. per week unless and until the Court shall otherwise order.

*Piecework.*

7. Piecework shall be permitted at not less than the piecework rates now ruling: Provided that any worker employed on piecework shall receive at least 10 per cent. more than such worker would receive if employed on weekly wages.

*Termination of Engagement.*

8. Not less than seven days' notice shall be given by either party of the termination of the employment: Provided that nothing in this clause shall prevent an employer from summarily dismissing any worker for wilful misconduct.

*Payment of Wages.*

9. Wages shall be paid weekly or fortnightly.

*Holidays.*

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

(b.) Any work done on Sunday or any specified holidays, or any holiday observed in lieu thereof, shall be paid for at the rate of double time.

*Notice of Overtime.*

11. Twenty-four hours' notice shall be given an employee who is required to work overtime, or in lieu thereof tea-money.

*Under-rate Workers.*

12. (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' 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.*

13. (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.

#### *Scope of Award.*

14. The operation of this award shall be limited to the area within a radius of fifteen miles from the Chief Post-office, Invercargill.

#### *Term of Award.*

15. This award so far as relates to wages shall come into force as from the 11th day of September, 1920, and so far as all the other

provisions of this award are concerned it shall come into force on the date hereof, and this award shall continue in force until the 11th day of September, 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, 1920.

T. W. STRINGER, Judge.

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MEMORANDUM.

This award embodies, without alteration, the recommendations of the Conciliation Council, which the parties agreed to accept.

T. W. STRINGER, Judge.

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