

(6492.) AUCKLAND (TEN-MILES RADIUS) FRONT-OF-HOUSE EMPLOYEES IN THEATRES, PICTURE-SHOWS, ETC. — ORDER AMENDING 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 the War Legislation and Statute Law Amendment Act, 1918; and in the matter of the Auckland (Ten-miles Radius) Front-of-house Employees in Theatres, Picture-shows, &c., award dated the 8th day of November, 1920, and recorded in Book of Awards, Vol. xxi, p. 2068.

UPON reading the application of the union party to the said award filed herein on the 17th day of November, 1920, and upon hearing the duly appointed representatives of the said union and of the employers parties to the said award, this Court, having regard to all the relevant considerations and being of opinion that it is just

and equitable to amend the said award, and by virtue and in exercise of the powers conferred by the said Acts and of every other power in that behalf enabling it, doth hereby order that the said award shall be amended in manner following, that is to say—

1. Subclause (c) of clause 1 of the said award is hereby deleted, and the following provision is substituted therefor:—

“(c.) In addition to the minimum weekly wages above prescribed for caretakers and assistant caretakers there shall be paid a bonus of 13s. per week unless and until the Court shall otherwise order.”

2. The following subclause is hereby added to clause 1 of the said award:—

“(f.) In addition to the minimum hourly wages prescribed in the last preceding subclause (e) there shall be paid, unless and until the Court shall otherwise order, the following bonuses: To male workers  $\frac{3}{4}$ d. per hour, and to female workers  $\frac{1}{2}$ d. per hour.”

3. Subclause (c) of clause 2 of the said award is hereby deleted, and the following provision is substituted therefor:—

“(c.) In addition to the minimum weekly wages prescribed in the last preceding subclause (b) there shall be paid, unless and until the Court shall otherwise order, the following bonuses, viz.: To male workers over twenty-one years of age, a bonus of 13s. per week; to male workers under the age of twenty-one years, a bonus of 6s. per week; to female workers over twenty-one years of age, a bonus of 4s. 6d. per week; and to female workers under the age of twenty-one years, a bonus of 4s. per week.”

4. This order shall be deemed to operate and take effect as from the 1st day of November, 1920.

Dated this 21st day of February, 1921.

[L.S.]

F. V. FRAZER, Judge.

#### MEMORANDUM.

The Court, in its memorandum to the award, which was made on the 8th day of November, 1920, indicated that it had included bonuses to date. At the hearing of the present application it was alleged that the workers covered by this award were entitled to receive a larger additional bonus than 3s. per week, on the grounds that they had not received the former bonuses, and therefore should not have the amount of the present (November) bonus reduced.

The Court, while of the opinion that no deduction should be made in respect of the overpayment of past bonuses in cases where one or more of such bonuses were not applied for or paid, draws a clear line of demarcation between such cases and those cases in which the workers by agreement with the employers, without application to the Court, have received an amount equal to or greater than the bonuses that were overpaid.

[L.S.]

F. V. FRAZER, Judge.