

(7361.) OTAGO CANISTER-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—

- Central Otago Preserving Company (Limited), Alexandra ;
 Dickinson, V. M., Princes Street, Dunedin ;
 Eustace, J., Canister-maker, Moray Place, Dunedin ;
 Farra Bros., Stafford Street, Dunedin ;
 Gregg, W., and Co., Rattray Street, Dunedin ;
 Irvine and Stevenson (St. George Company, Limited), Filleul Street, Dunedin ;
 Kempthorne, Prosser, and Co.'s New Zealand Drug Company (Limited), Stafford Street, Dunedin ;
 Lake, D. J., Moray Place, Dunedin ;
 Otago Preserving Company (Limited), 96 Stuart Street, Dunedin ;
 Pacific Preserving Company (Limited), Canister-makers, South Dunedin ;
 Phoenix Company (Limited), Maclaggan Street, Dunedin
 (hereinafter called "the employers") and
 The Dunedin Canister-workers' Industrial Union of Workers
 (hereinafter called "the union").

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 such of the employers as were represented either in person or 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 a penalty as by law provided

shall be payable by any party or person in respect thereof. And the Court doth further order that this award shall take effect from the 4th day of December, 1922, and shall continue in force until the 4th day of December, 1923, 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 affixed, and the Judge of the Court hath hereunto set his hand this 4th day of December, 1922.

[L.S.]

F. V. FRAZER, Judge.

SCHEDULE.

Hours of Work.

1. Forty-eight hours shall constitute a week's work. Work shall cease at noon on Saturday.

Piecework.

2. Piecework shall not be permitted unless a log is mutually agreed upon between the employers and the union.

Minimum Wage.

3. The minimum rate of wages for adult canister-workers shall be 1s. 10 $\frac{3}{4}$ d. per hour.

Under-rate Workers.

4. (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.

Overtime and Holidays.

5. (a.) All time worked beyond the hours hereinbefore mentioned shall be considered overtime, and shall be paid for at the rate of time and a half for the first four hours, and double time thereafter.

(b.) Time and a half shall be paid for work done on the following holidays : 1st and 2nd days of January, Easter Monday, Labour Day, Boxing Day, and the birthday of the Reigning Sovereign. Double time shall be paid for work done on Good Friday, Christmas Day, and Sundays. When overtime is worked, tea-money (1s. 3d.) shall be allowed each worker.

Boys and Youths.

6. The minimum wage payable to boys and youths under twenty-one years of age shall be : For the first year, 15s. 6d. per week ; for the second year, £1 0s. 6d. per week ; for the third year, £1 5s. 6d. per week ; for the fourth year, £1 13s. per week ; for the fifth year, £1 18s. per week ; thereafter the minimum wages as fixed for adult workers under this award.

Proportion of Boys and Youths.

7. The proportion of boys and youths shall be two boys or youths to every adult worker. For the purpose of determining the proportion as above mentioned, the adult workers taken into account must have been employed by the employer in the establishment in which such boy or youth shall be taken on for the preceding six calendar months for at least two-thirds full time : Provided that this clause shall not apply to fruit-preserving works during the months of December, January, and February, or to meat-preserving works during the months of May, June, and July.

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.

Female Labour.

9. Nothing in this award shall apply to females as at present employed.

Scope of Award.

10. This award shall operate throughout the Provincial District of Otago.

Variation of Rates.

11. The rates of wages fixed by this award shall not be subject to variation until the 1st day of May, 1923.

Term of Award.

12. This award shall come into force on the 4th day of December, 1922, and shall continue in force until the 4th day of December, 1923.

In witness whereof the seal of the Court hath hereto been put and affixed, and the Judge of the Court hath hereunto set his hand, this 4th day of December, 1922.

[L.S.]

F. V. FRAZER, Judge.

MEMORANDUM.

The Court has fixed wages and overtime rates, and has reinserted the provisions relating to female labour and the employment of boys and youths. The Court was requested by the employers to reduce the rates of wages payable to adult workers; but, in view of the fact that corresponding rates were agreed to in 1920, and that no evidence was forthcoming to justify us in making a reduction below that warranted by the fall in the cost of living, we could not see our way to accede to this request. In other respects the award follows the recommendations of the Conciliation Council, which the parties agreed to accept.

[L.S.]

F. V. FRAZER, Judge.