

(7106.) OTAGO BREWERS, BOTTLERS, BOTTLE-WASHERS, AND  
AERATED-WATER 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 the Dunedin and Suburban Brewers, Bottlers, Bottle-washers, and Aerated-water Workers' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

- Bennett and Son, Aerated-water Manufacturers, 10 Maclaggan Street, Dunedin.  
 Bird, W., Cordial-maker, Great King Street, Dunedin.  
 Brigg's Standard Brewery, Sydney Street, Dunedin.  
 Buckham, Henry, and Co., Cordial-manufacturers, Queenstown.  
 Campbell and List, Cordial-manufacturers, 125 Main South Road, Dunedin.  
 Cleary, John, Bottle-merchant, 69 Hanover Street, Dunedin.  
 Cowie and Co., Brewers and Bottlers, 145 Main South Road, Dunedin.  
 Dixon, Charles, Cordial-manufacturer, Naseby.  
 Lanes Limited, Cordial-manufacturers, Carroll Street, Dunedin.  
 McGavin and Co. (Limited), Union Brewery, 38 Duke Street, Dunedin.  
 Marshalls Proprietary (Limited), Vinegar-manufacturers, Crawford Street, Dunedin.  
 Murdoch, A., and Co., Tui Vinegar Brewery, St. Andrew Street, Dunedin.  
 Neilson and Co., Cordial-manufacturers, 31 David Street, Dunedin.  
 Nichols, John T., Cordial-maker, Lawrence.  
 Powley and Co., Bottlers, 24 Hope Street, Dunedin.  
 Shand and Co., Cordial-manufacturers, Ribble Street, Oamaru.  
 Sharpe Bros., Cordial-manufacturers, 777 King Street, Dunedin.  
 Simpson and Hart (Limited), Brewers and Bottlers, Lawrence.  
 Strachan, W., and Co. (Limited), Victoria Brewery, King Street, Dunedin.  
 Thomson's Limited, Cordial-manufacturers, Police Street, Dunedin.  
 West, T., Cordial-manufacturer, Maclaggan Street, Dunedin.

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 :—

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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 as hereinafter provided, and shall continue in force until the 31st 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 13th day of February, 1922.

[L.S.]

F. V. FRAZER, Judge.

SCHEDULE.

*Hours of Work.*

1. (a.) From the 1st day of November to the 30th day of April forty-eight hours shall constitute a week's work, and from the 1st day of May to the 31st day of October forty-four hours shall constitute a week's work. The hours of work shall be so regulated that the week shall end at noon on Saturday, the balance of the hours to be divided equally between the other five days of the week.

(b.) It shall be competent for any employer to arrange with his workers to substitute forty-seven hours and forty-five hours respectively in lieu of the forty-eight and forty-four hours above referred to.

(c.) Any condiment-manufacturer may work forty-seven hours per week all the year round instead of the hours hereinbefore prescribed.

*Wages.*

2. (a.) Bottlers, corkers, packers, casemakers, and power-machine workers, £3 16s. per week ; bottle-washers and other workers, £3 12s. per week.

(b.) In addition to the minimum rates above prescribed there shall be paid to all workers above provided for a bonus of 8s. per week unless and until the Court shall otherwise order.

*Casual Labour.*

3. All casual labour in or about the factory shall be paid at the rate of 2s. per hour. A worker shall be deemed to be a casual worker if he shall be employed for less than one week.

*Employment of Youths.*

4. (a.) Employers shall be at liberty to employ youths at any work in a factory at the following rates of wages : For youths between the ages of fifteen and sixteen years, £1 5s. per week ; for youths between the ages of sixteen and seventeen years, £1 10s. per week ; for youths between the ages of seventeen and eighteen years, £1 15s. per week ; for youths between eighteen and nineteen years of age, £2 per week ; for youths between the ages of nineteen and twenty years, £2 5s. per week ; for youths between the ages of twenty and twenty-one years, £2 15s. per week.

(b.) Youths under eighteen years of age shall not be employed in bottling intoxicating liquor.

(c.) The proportion of youths to men shall not exceed one youth to every three men employed.

*Holidays.*

5. The following shall be the recognized holidays which shall be paid for : New Year's Day, 2nd January, Good Friday, Easter Monday, Sovereign's Birthday, Christmas Day, Boxing Day, Labour Day, and Anzac Day.

All work done on any of the above-mentioned holidays shall be paid for at double-time rates.

*Overtime.*

6. All time worked beyond the hours mentioned in clause 1 hereof shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

*Payment for Sundays.*

7. All time worked on Sundays shall be paid for at the rate of double time.

*Payment of Wages.*

8. All wages shall be paid weekly in the employer's time.

*Termination of Engagement.*

9. One week's notice of the termination of the engagement of any worker (except casual workers) shall be given by the employer or the worker ; but this shall not affect the right of the employer to discharge a worker for good cause.

*General Conditions.*

10. (a.) No worker shall work continuously for more than five hours without a meal.

(b.) All workers required to work overtime at night shall be notified the previous day.

*Mitts and Masks.*

11. Suitable mitts and masks and oilskin aprons shall be provided by the employers for workers engaged in bottle-washing, bottling, or labelling.

*Preference.*

12. (a.) If an 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 seven 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 of 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.*

13. (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 persons 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.

*Female Labour.*

14. Nothing in this award shall apply to females, who may be employed as heretofore, provided that females shall not be employed in the bottling of aerated waters, cordials, or alcoholic beverages except at the rates herein provided for workers at such work.

*Scope of Award.*

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

*Term of Award.*

16. This award in so far as relates to wages shall be deemed to have come into force on the 31st day of December, 1921, 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 31st day of December, 1923.

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 13th day of February, 1922.

[L.S.]

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F. V. FRAZER, Judge.

MEMORANDUM.

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

[L.S.]

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F. V. FRAZER, Judge.