

OTAGO AND SOUTHLAND INDUSTRIAL DISTRICT.

(7586.) SOUTHLAND WOOL, GRAIN, HIDE, AND MANURE STORES EMPLOYEES.—AMENDMENT OF 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 application by the employers parties to the Southland Wool, Grain, Hide, and Manure Stores Employees' award, dated the 12th day of December, 1922, and recorded in Book of Awards, Vol. xxiii, p. 1096, to amend the said award.

Monday, the 27th day of August, 1923.

UPON reading the application of the employers parties to the Southland Wool, Grain, Hide, and Manure Stores Employees' award, dated

the 12th day of December, 1922, and recorded in Book of Awards, Vol. xxiii, p. 1096, and upon hearing the duly appointed representatives of the said applicants and of the Dunedin Wholesale Storemen's Industrial Union of Workers, this Court, in pursuance and exercise of the powers conferred upon it by section 92 of the Industrial Conciliation and Arbitration Act, 1908, and for the purpose of remedying a defect in the said award, doth hereby order as follows, that is to say,—

1. The words "the day of the statutory half-holiday" shall be deemed to be substituted for the word "Saturday" wherever the word "Saturday" appears in the said award.

2. This order shall operate and take effect on and from the 3rd day of September, 1923.

[L.S.]

F. V. FRAZER, Judge.

MEMORANDUM.

The application to amend the award was made in consequence of the recent half-holiday poll at Invercargill having resulted in favour of Wednesday being reverted to as the statutory half-holiday. This, however, would not in itself justify the Court in amending the award unless it were clear that the award was defective. It appears from a perusal of the file that the former award did not specify Saturday as the day of the weekly half-holiday, but referred simply to the statutory half-holiday. The union in its original claim for a new award for Southland specified "the statutory half-holiday," and the employers' counter-proposals and the recommendations of the Conciliation Council followed the claim in this respect. The union, however, subsequently withdrew its claim for a Southland award, and applied for a new award covering the whole Otago and Southland District. The claim in this case was for Saturday as the weekly half-holiday, for Saturday had for many years been the statutory half-holiday in Dunedin, as well as the specified weekly half-holiday under the Otago Wool, Grain, Hide, and Manure Stores Employees' award. The Court decided to adhere to its former practice of making a separate award for Southland, and the matter of the half-holiday was not raised by either party to the dispute, though in the employers' claims the application was for the "statutory" half-holiday. The difference in wording between the former Southland award and the union's original claims, the employers' counter-claims, and the Conciliation Council's recommendations, on the one hand, and the Otago award on the other, was overlooked, and the word "Saturday" replaced the phrase "the day of the statutory half-holiday" in the new Southland award. This was clearly unintentional, and the Court has decided to restore the original wording.

[L.S.]

F. V. FRAZER, Judge.