

(7881.) HAWKE'S BAY FISHERMEN.—AWARD *RE* STEAM TRAWLERS
“SIR WILLIAM WALLACE” AND “WEKA.”

In the Court of Arbitration of New Zealand, Wellington 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 Hawke's Bay Fishermen's and Fishshed Employees' Industrial Union of Workers (hereinafter called “the union”) and the undermentioned persons, firms, and companies (hereinafter called “the employers”):—

The New Zealand Trawling and Fish Supply Company (Limited), Napier.

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 20th day of October, 1924, and shall continue in force until the 20th day of March, 1926, 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 8th day of October, 1924.

[L.S.]

F. V. FRAZER, Judge.

SCHEDULE.

Wages and Commission.

1. Each member of the crew shall be paid a minimum wage of £4 per week, and in addition to the above wage each member of the crew shall be paid a bonus of 10s. for every 100 bundles of fish caught each week in excess of 400 bundles, computed at $1\frac{1}{2}$ d. per bundle.

Hours of Work.

2. (a.) The hours of work in the summer months of October, November, December, January, February, and March shall be from 5 a.m. until 5 p.m. on Sunday, Monday, Tuesday, Wednesday, Thursday, and Friday. Saturday shall be the holiday.

(b.) The hours of work in the winter months of April, May, June, July, August, and September shall be from 6 a.m. until 5 p.m. on Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday. Sunday shall be the holiday. Nothing in this clause shall be deemed to preclude the employer from observing Sunday as the holiday during any or all of the summer months if he wishes to do so.

Night-work.

3. Extra night-work: Should any of the crew be ordered to proceed to sea for the night, extra pay shall be made to the crew at the rate of 10s. per night each man for this particular work in addition or extra to clause 1 hereof.

Slip-work.

4. Payment for slip-work: When the trawler is laid up on the slip or elsewhere in Hawke's Bay for repairs, &c., the following rates shall be paid while on work of this nature: Captain and engineer, £4 10s. each per week; firemen and deck hands, £4 each per week. The hours of employment while on this work shall be from 8 a.m. to 5 p.m., exclusive of meal-hour, from Monday to Friday, and from 8 a.m. to 12 noon on Saturday.

General Provisions.

5. (a.) The employment of a worker may terminate on either side by giving twenty-four hours' notice.

(b.) Should the owner require his trawler to stay out fishing two days and one night he shall notify the crew as nearly as possible twelve hours beforehand, so they can make arrangements for the necessary provisions.

(c.) No deduction shall be made from the wages herein fixed save for time lost through the wilful neglect or default of the worker.

(d.) When in port owing to stress of weather or any other cause, only eight hours ordinary time shall be worked, exclusive of meal-hours.

(e.) Should any worker be dismissed within twenty-four hours of any of the holidays mentioned in clause 13 hereof, he shall be paid for such holidays, unless dismissed for misconduct.

(f.) A transfer of an employee from one trawler to another or from any department to a trawler shall count as a fresh engagement.

Basis of Commission.

6. The basis of commission shall be taken on the gross catch, and the weight of the bundles of fish shall be—flat fish, 4 lb. per bundle; round fish, 8 lb. per bundle; gurnet, 8 lb. per bundle. The whole of the catch shall be deemed the sole property of the owner, but each member of the crew shall be entitled to such quantity of fish each week as fixed by the Disputes Committee.

Payment of Wages.

7. Wages shall be paid weekly on each Friday, between the hours of 4 and 5 o'clock in the afternoon.

Statement.

8. Statement of wages for the information of the crew: Statements showing the amount due to each man and the quantities of the catch shall be given to the captain in charge of the trawler when wages are being paid.

Steam.

9. Steam shall be obtained under the same conditions as it is at present.

Repairs to Nets.

10. Ordinary repairs to trawling-nets shall be undertaken and performed by the crew, but no new net-work shall be performed aboard.

Classification.

11. The steam trawlers "Sir William Wallace" and "Weka" shall be classed as second-class trawlers, and shall carry a crew of not less than four hands. The word "crew" shall include captain and engineer. In the event of continuous heavy catches and the request by the crew for an extra man being refused by the owner, the matter shall be referred to the Disputes Committee for settlement.

Overtime.

12. Should any of the crew be ordered to work before or after the hours herein prescribed, such worker shall be paid at the rate of 2s. 6d. per hour overtime (subject to clause 3).

Holidays.

13. The following shall be the holidays: New Year's Day, Water-side Workers' picnic day, Easter Monday, Anzac Day, Sovereign's Birthday, second day of the Hawke's Bay Agricultural October Show, Labour Day, Good Friday, Christmas Day, and Boxing Day.

All work done on these days, also Saturday and Sunday as stated in clause 2, shall be paid at the following rates: Captain and engineer, 3s. per hour each; deck hands, 3s. per hour each in addition or extra to clause 1 hereof.

Preference.

14. (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 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 this 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 or verbal application, without ballot or other election, and to continue a member upon payment of subsequent contributions not exceeding 6d. per week.

(c.) Whenever an employer shall engage a worker who is not a member of the union he shall, within seven days thereafter, give notice in writing of such employment to the secretary of the union.

No Discrimination.

15. Employers shall not discriminate against members of the union, and shall not, in the engagement or dismissal of workers, or in the conduct of their business, do anything to injure the union directly or indirectly.

Ambulance.

16. A St. John, or similar, compressed first-aid kit shall be kept in a convenient and accessible place on board the trawler.

Wages and Overtime Book.

17. A wages and overtime book shall be kept in accordance with the provisions of the Industrial Conciliation and Arbitration Act, 1908, and its amendments.

Copy of Award.

18. A copy of this award shall be placed in a conspicuous place on the "Sir William Wallace" and the "Weka," accessible to the workers.

Workers' Compensation Act.

19. Workers' Compensation Act and its amendments: The employer shall arrange that, in future, policies of insurance under this heading shall have a clause inserted that will cover risk incurred by the employees working under this award.

Matters not provided for.

20. Any dispute connected with any matter not provided for in this award shall be settled between the particular employer concerned and the Disputes Committee of the union, and in default of any agreement being arrived at, then the dispute shall be referred to the local Inspector of Awards, who may either decide the same or refer the matter to the local Conciliation Commissioner for settlement. Either party, if dissatisfied with the decision of the Inspector, may appeal to the Conciliation Commissioner upon giving notice of such appeal to the other party within seven days after such decision shall have been communicated to the party desiring to appeal.

Scope of Award.

21. This award shall apply to the steam trawlers "Sir William Wallace" and "Weka" while working out of any port in the Hawke's Bay District.

Term of Award.

22. This award shall come into force on the 20th day of October, 1924, and shall continue in force until the 20th day of March, 1926.

In witness whereof the seal of the Court of Arbitration hath hereto been put and affixed, and the Judge of the Court hath hereunto set his hand, this 8th day of October, 1924.

[L.S.]

F. V. FRAZER, Judge.

MEMORANDUM.

The substantial question left to the Court for settlement was the weekly day off during the winter months. Other trawlers in the district have Sunday off during the months of April to October, inclusive. The Court, after carefully considering the evidence and argument submitted to it, has not seen its way to depart from the prevailing custom. Wages have been left as in the expired agreement.

[L.S.]

F. V. FRAZER, Judge.