

**(8173.) NORTH AUCKLAND BUTCHERS.—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 an industrial dispute between the Auckland Butchers' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

Henshaw and Jones, Butchers, Whangarei.

Macfarlane and Co., Butchers, Whangarei.

Thomas and Taylor, Butchers, Kamo.

Timewell and King, Butchers, Whangarei.

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 as hereinafter provided, and shall continue in force until the 17th day of April, 1928, 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 29th day of April, 1925.

[L.S.]

F. V. FRAZER, Judge.

## SCHEDULE.

*Hours of Work.*

1. (a.) The ordinary hours of work shall not exceed forty-eight per week, arranged as follows: On Mondays, Tuesdays, Wednesdays, and Fridays, from 7 a.m. to 4.30 p.m.; on Saturdays from 7 a.m. to 5 p.m.; on Thursdays from 7 a.m. to 12 noon.

(b.) The hours of work for pork-butchers shall be, on Mondays, Tuesdays, Wednesdays, and Fridays, from 7.30 a.m. to 5 p.m.; and on Saturdays from 7 a.m. to 5 p.m.; and on Thursdays from 7 a.m. to 12 noon.

(c.) On each day save Thursday there shall be one hour allowed for dinner.

*Overtime.*

2. All work done, of whatever nature or kind, before the time specified for commencing work, or after the time specified for ceasing work, or on a Sunday or a holiday, shall be deemed to be overtime, and shall be paid for at the rate of time and a half on all days except Sunday, Christmas Day, and Good Friday, on which days double time shall be paid.

*Wages.*

3. (a.) Workers shall be paid not less than the wages specified in the following scale:—

	Per Week.
	£ s. d.
First shopman or man in charge .. .. .	5 17 6
Second shopman .. .. .	5 5 0
First small-goodsman .. .. .	5 17 6
Slaughterman .. .. .	5 5 0
Man in charge of hawker's cart .. .. .	5 5 0
All other hands employed in connection with the business .. .. .	4 16 0

(b.) The wages herein prescribed are weekly wages, and are not subject to any deduction save for time lost through the default or sickness of the worker.

*Casual Workers.*

4. Casual workers shall be paid not less than 2s. 6d. per hour. No casual labour shall be allowed for boys.

*Boys and Youths.*

5. (a.) Employers may employ boys and youths at not less than the following rates of wages:—

	Per Week.
	£ s. d.
Under the age of sixteen years .. .. .	1 10 0
From sixteen to seventeen years of age .. .. .	1 15 0
From seventeen to eighteen years of age .. .. .	2 0 0
From eighteen to nineteen years of age .. .. .	2 7 6
From nineteen to twenty years of age .. .. .	2 15 0
From twenty to twenty-one years of age .. .. .	3 5 0

(b.) The proportion of boys or youths employed by any employer shall not exceed one boy or youth to every three men or fraction of three. For the purpose of determining the proportion of boys to men in taking on a new boy the calculation shall be based on two-thirds full-time employment of men for the preceding twelve months: Provided that for the purpose of this clause no firm shall count as more than one man, though there be more than one member of the firm.

(c.) The wages herein prescribed are weekly wages, and are not subject to any deduction save for time lost through the default or sickness of the worker.

*Payment of Wages.*

6. Wages, including overtime, shall be paid in full on Friday in each week.

*Holidays.*

7. (a.) All workers shall receive the following holidays: New Year's Day, 2nd January, 29th January, Good Friday, Easter Monday, Sovereign's Birthday, Labour Day, Christmas Day, Boxing Day, and the day of the butchers' picnic.

(b.) An employer may arrange for any worker to work for not more than two hours on any of the foregoing holidays provided he shall pay such worker overtime in addition to his ordinary pay, as specified in clause 2 hereof.

(c.) For the purpose of calculating the hours of work each of the holidays hereinbefore mentioned shall be deemed to be a day worked, although no work shall have actually been done on such holiday.

(d.) The employers in any town or place may agree with the union to substitute any other day or days for all or any of the holidays hereinbefore mentioned.

(e.) A holiday of one week on full pay shall be granted to each worker under this award on completion of each year of service. It shall be a matter of mutual arrangement between the employer and the worker concerned when the holiday shall be taken, provided that it shall be given within a period of two months from the due date of such holiday.

*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 9d. per week.

*Under-rate Workers.*

9. (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 Awards 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.

*Scope of Award.*

10. The operation of this award shall be limited to all those employers carrying on business outside a radius of twenty-one miles north from the Chief Post-office in the City of Auckland: Provided, however, that no employer outside a five-miles radius from the Whangarei Post Office shall be added as a party without an order of the Court, which reserves power to amend the hours of work to meet the special circumstances of any locality.

*Term of Award.*

11. This award in so far as it relates to wages shall be deemed to have come into force on the 18th day of April, 1925, and so far as all the other conditions of this award are concerned it shall come into force

on the day of the date hereof ; and this award shall continue in force until the 17th day of April, 1928.

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 29th day of April, 1925.

[L.S.]

F. V. FRAZER, Judge.

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MEMORANDUM.

The only question submitted to the Court was that of the scope of the award, which embraces a considerable area, though only Whangarei and Kamo employers were cited. In view of the statement of the advocate for the employers that the conditions of the award would be acceptable to the employers generally with the exception of the clause relating to the hours of work, the Court has decided not to reduce the scope agreed upon, but has kept the matter of subsequent parties outside a limited radius in its own hands.

[L.S.]

F. V. FRAZER, Judge.

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(8287.) NORTH AUCKLAND BUTCHERS.—AMENDMENT OF 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 North Auckland Butchers' award, dated the 29th day of April, 1925, and recorded in Book of Awards, Vol. XXVA, p. 350.

Tuesday, the 21st day of July, 1925.

In pursuance and exercise of the powers conferred by section 92 of the Industrial Conciliation and Arbitration Act, 1908, and for the purpose of remedying a defect in the North Auckland Butchers' award, dated the 29th day of April, 1925, and recorded in Book of Awards, Vol. XXVA, p. 350, this Court, being of the opinion that it is just and equitable to amend the said award, doth hereby order that the said award shall be amended in manner following, that is to say :—

1. Clause 8 of the said award shall be deleted and the following substituted therefor :—

“ *Preference.*

“ 8. Preference of employment shall at all times be given to members of the union, provided that the rules of the union with respect

to admission to members shall provide that no ballot or other election shall be required in the case of any person of good character who is a competent butcher, and provided also that the entrance fee at no time shall exceed 5s., with subsequent contributions not exceeding 1s. per week.”

2. This order shall operate and take effect as from the day of the date hereof.

[L.S.]

F. V. FRAZER, Judge.

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#### MEMORANDUM.

The Court inadvertently inserted in the award the usual form of preference clause. The fact that the parties had already agreed on a somewhat differently worded clause was overlooked. On the application of the union we have now inserted the clause originally agreed upon in Conciliation Council, with a necessary amendment regarding contributions, which the union's advocate was willing to accept.

F. V. FRAZER, Judge.

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(8462.) NORTH AUCKLAND BUTCHERS.—AMENDMENT OF 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 North Auckland Butchers' award, dated the 29th day of April, 1925, and recorded in Book of Awards, Vol. XXVA, p. 350.

Wednesday, the 9th day of December, 1925.

WHEREAS by clause 10 of the North Auckland Butchers' award, dated the 29th day of April, 1925, and recorded in Book of Awards, Vol. XXVA, p. 350, the Court reserved to itself power to amend the hours of work to meet the special circumstances of any locality, and



whereas application has been made by the union, party to the said award, to amend the hours of work fixed by clause 1 of the said award to meet the special circumstances of the Town District of Helensville : Now, therefore, the Court, in exercise of the power so reserved, and with the consent of the parties, doth hereby order as follows :—

1. That the following shall be the hours of work for all workers covered by the said award within the Town Districts of Helensville : On Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays, from 7 a.m. to 4.30 p.m. ; and on Saturdays, from 6.30 a.m. to 12 noon.

2. That this order shall operate and take effect as from the day of the date hereof.

[L.S.]

F. V. FRAZER, Judge.

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(8468.) NORTH AUCKLAND BUTCHERS.—ADDING PARTIES TO  
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 North Auckland Butchers' award, dated the 29th day of April, 1925, and recorded in Book of Awards, Vol. XXVA, p. 350.

Wednesday the 9th day of December, 1925.

UPON reading the application of the Auckland Butchers' Industrial Union of Workers, party to the North Auckland Butchers' award, dated the 29th day of April, 1925, and recorded in Book of Awards, Vol. XXVA, p. 350, which application was filed herein on the 23rd day of November, 1925, and upon hearing the duly appointed representative of the said union and such of the persons and firms hereinafter named as appeared either in person or by their representative duly appointed, this Court doth order that the following be and they are hereby added as parties to the said award as from the day of the date hereof :—

Dwerryhouse, Thomas, Butcher, Helensville.  
Stewart Bros., Butchers, Helensville.

[L.S.]

F. V. FRAZER, Judge.