

## OTAGO AND SOUTHLAND INDUSTRIAL DISTRICT.

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### (10241.) SOUTHLAND BUTCHERS.—AWARD.

In the Court of Arbitration of New Zealand, Otago and Southland Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925; and in the matter of an industrial dispute between the undermentioned persons, firms, and companies (hereinafter called “the employers”):—

Aitken, R., Otautau

Anderson, Hy., Fortrose

Booth, H. H., Yarrow Street, Inver-  
cargill

Botting, A. R., Edendale

Brown, A. J. N., Otautau

Bulling, A. C., Glenham

Campbell, Thos., Riversdale

- Cochrane, R., Dipton  
 Cox, Wm., Gore  
 Crawford and Grant, Gore  
 Crighton, Walter, Wyndham  
 Cundall, Albert, Invercargill  
 Darragh, P. M., Kennington  
 Davis, W. L., Queenstown  
 Dripps, W. A., Lumsden  
 Grenville, J. A., 136A Crinan Street,  
 Invercargill  
 Grey, Geo., Ryal Bush  
 Halligan, J., Invercargill South  
 Hannon, J. L., and Co., Tay Street,  
 Invercargill  
 Haynes, A., Waikiwi  
 Heller, R., Ohai  
 Henderson, T. J., Tuatapere  
 Henry, C. C., Mataura  
 Holland, J., 118 Dee Street, Inver-  
 cargill  
 Howard, J., Gore  
 Johnston and Co., Bluff  
 Johnston, H. J., Gore  
 Johnston, J., Pukerau  
 Jones, L. F., Hedgehope  
 Kay, L. D., Waikaka  
 Kelly, H. C., Waikiwi  
 King, R. J., Wyndham  
 Lindsay and Co., Tay Street, Inver-  
 cargill  
 Lindsay, S. A., 101 Dee Street and  
 Elles Road, Invercargill  
 Lyall, T. L., Woodlands  
 Maltby, T. C., Waikiwi  
 Marshall, Jno., Lumsden  
 Marshall, W., Centre Street, George-  
 town  
 McKellar, A. R., Half-moon Bay  
 McKelvie, L., Mataura  
 McKenzie, M., 231 Tweed Street, Inver-  
 cargill

and

- McKenzie, J. C., 135 Yarrow Street,  
 Invercargill  
 McLean, H. H., Balfour  
 McMaster, J. R., Otautau  
 McNamara, P., Wright's Bush  
 Metcalfe, D. F., 83 Dee Street, Inver-  
 cargill  
 Metcalfe, R. T., Dee Street, Inver-  
 cargill and Gladstone  
 Milne, J. H., and Co., Martin Road,  
 Invercargill  
 Noble and Stewart, Winton  
 O'Neill, D., Gore  
 Patterson, T., Orepuki  
 Price, P. A., Don Street, Invercargill  
 Pulley, A. D., Georgetown, Invercargill  
 Purdue and Reed, Nightcaps  
 Shirley Bros., Tokanui  
 Smith, F., Edendale  
 Soper, C., Waikaia  
 Stevens and Walker, Otautau  
 Stevenson, L., Waikaia  
 Sutherland, D. F., Queenstown  
 Thomson Bros., Riverton  
 Thomson, G., 149 Tweed Street, Inver-  
 cargill  
 Thomson, J., Limehills  
 Thomson, T. B., Invercargill North  
 Tweedie and Co., Riverton  
 Walker, R., jun., 302 Yarrow Street,  
 Invercargill  
 Walker, T. H., Otautau  
 Ward, F. J., Pukerau  
 Ward, S., 33 Dee Street, Invercargill  
 Williamson, A. C., Gorge Road, Gorge  
 Road  
 Winders, P., 4 Kelvin Street, Inver-  
 cargill  
 Wright, F. J., Lochiel  
 Wyber, A. and E., Wyndham  
 Wyeth and Waddell, Kennington  
 Young, C. D., Half-moon Bay

Southland Operative Butchers' Industrial Union of Workers, Allen's Hall, Kelvin Street, Invercargill.

(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 1st day of February, 1932, and shall continue in force until the 31st day of January, 1933, and thereafter as provided by subsection (1) (d) of section 89 of the Industrial Conciliation and Arbitration Act, 1925.

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 15th day of December, 1931.

[L.S.]

F. V. FRAZER, Judge.

#### SCHEDULE.

##### *Hours of Work.*

1. (a) The hours of work shall be forty-eight per week, and shall be worked as follows: On Mondays, Tuesdays, Wednesdays, and Thursdays, between the hours of 8 a.m. and 5.30 p.m.; and 7.30 a.m. and 12.30 p.m. on the day of the statutory half-holiday; and on Fridays from 8 a.m. until 6 p.m.

(b) An hour shall be allowed each day for dinner except on the day of the statutory half-holiday.

(c) For the purpose of calculating the hours of work each of the holidays hereinafter mentioned shall be deemed to be a day worked for the number of hours usually worked on that day of the week although no work shall have actually been done on such holiday.

*Wages.*

2. (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-goods-man .. .. .	5 17 6
Second small-goods-man .. .. .	5 5 0
All other workers connected with the shop or small-goods department .. .. .	4 16 0

(b) The wages hereinbefore prescribed are weekly wages, and no deduction shall be made therefrom save for time lost through the default or illness of the worker.

(c) One week's notice shall be given by either party of the termination of the employment.

*Reduction of Wages.*

3. All rates of wages, overtime, and other special payments provided for in this award (with the exception of those rates fixed for boys and youths' clause) shall be reduced by an amount equal to 10 per centum thereof in accordance with the order of the Court dated the 29th May, 1931.

*Casual Labour.*

4. All casual workers shall be paid at the rate of not less than 2s. 6d. per hour, with a minimum of eight hours for any day on which such workers shall be employed. "Casual" shall mean any person whose engagement is for a period of less than five and a half consecutive days.

*Boys and Youths.*

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

	Per Week.
	s. d.
Under sixteen years of age .. .. .	17 6
From sixteen to seventeen years of age, having served one year at the trade .. .. .	22 6
Seventeen to eighteen—two years at the trade .. .. .	30 0
Eighteen to nineteen—three years at the trade .. .. .	45 0
Nineteen to twenty—four years at the trade .. .. .	60 0
Twenty to twenty-one—five years at the trade .. .. .	70 0
Over twenty-one years of age, at ordinary journeymen's rate.	

(b) The proportion of boys or youths shall be not more than one to every three or fraction of three. After a youth has served three years at the trade his employer may take an additional youth.

*Holidays.*

6. (a) All workers shall receive the following holidays: New Year's Day and the 2nd January, Good Friday, Easter Saturday, Easter Monday, Labour Day, birthday of the reigning Sovereign, Christmas Day, Boxing Day, and the Operative Butchers' picnic day, on a day to be agreed upon.

(b) Should any of the above-mentioned holidays fall on a Sunday, then, for the purposes of this award such holiday shall be observed on the following Monday. Should any of the said Mondays be a holiday under this award such holiday shall be observed on the following Tuesday.

(c) One holiday of one week on full pay shall be granted to each worker under this award on completion of each year of service: Provided, however, this subclause shall not apply in the case of a worker discharged for wilful misconduct.

(d) All time worked under the previous award shall count as if worked under this award for the purpose of calculating the years of service.

(e) In the event of a business changing from one employer to another, the incoming employer shall comply with the obligation of the carrying-out of the foregoing clause.

*Weekly Half-holiday.*

7. No worker shall be employed after 12.30 p.m. on the weekly half-holiday.

*General.*

8. (a) In the case of weekly employment, where a worker is substantially employed in any capacity he shall be paid the rate of wages laid down for that class of employment.

(b) All wages and overtime shall be paid in full on Friday of each week before the closing-hour.

(c) In shops and factories the rotation of employment shall be as follows: First shopman, second shopman, all other workers; or, first small-goods-man, second small-goods-man, all other workers.

(d) A copy of this award shall at all times be affixed in some conspicuous place at or near the entrance to the shop or factory, and in such a position as to be easily accessible to the persons employed therein.

(e) No worker who has charge of or drives any motor-vehicle for his employer and stables or accommodates such vehicle on his own premises shall be permitted to do any work to such vehicle at his place of residence either before or after the hours of starting or finishing work as set out in this award, or on any holiday or a Sunday.

(f) No boy or youth under the age of sixteen shall be employed to have charge of any cart or motor in which meat is delivered or sold.

(g) Any adult worker employed in driving a cart shall be paid not less than the wages provided in this award for "all other workers."

(h) A slaughterman is a worker who does killing, boiling-down, droving, and all other necessary work round or about or in connection with the business of his employer.

*Overtime.*

9. (a) All time worked in any one day outside or in excess of the hours prescribed 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.

(b) For the purpose of calculating overtime, any overtime in excess of quarter of an hour shall count as half an hour, and if over half an hour, but under one hour, as one hour.

*Time and Wages Book.*

10. Each employer shall keep and enter, or cause to be kept and entered up, a book containing the names of each of the workers employed by him to whom this award applies, the class of work performed by each worker, and the time during which he has been employed during each day.

*Early closing of Shops.*

11. (a) In exercise of the powers conferred by section 17 of the Shops and Offices Amendment Act, 1927, and subject to the limitations therein contained, it is ordered that all butchers' shops, and the shops of every person, firm, or company in which fresh meat is sold (exclusive of pork) shall be closed as follows: At the hour of 5.30 p.m. on Mondays, Tuesdays, Wednesdays, and Thursdays; 6 p.m. on Friday; and 12.30 p.m. on the day of the statutory half-holiday.

(b) All shops mentioned in the preceding subclause shall be closed from the hour of 7.30 a.m. on those days set out as holidays, or days observed in lieu thereof, in clause 6 hereof.

(c) It shall be a breach of this award for any person, firm, or company, or for any employee thereof, to sell fresh uncooked meat, exclusive of pork, in any pork-butcher's shop or small-goods shop before the hours at which butcher's shops are permitted to be opened or after the hours at which butchers' shops are required to be closed in terms of the last preceding clause; and in order to give effect to this provision, and in exercise of the powers conferred by section 17 of the Shops and Offices Amendment Act, 1927, it is ordered that all pork-butchers' and small-goods shops shall be closed for the sale of fresh uncooked meat, exclusive of pork, at the hours at which butchers' shops are required to be closed, but that otherwise pork-butchers' shops and small-goods shops shall be closed at the following hours: On four days of the week at 5.30 p.m., on one day of the week at 9 p.m., and on one day of the week at 12.30 p.m.: Provided that on Christmas and New Year Eves the provisions of section 3 (2) of the Shops and Offices Act, 1921-22, shall apply, notwithstanding anything to the contrary appearing in this award.

*Under-rate Workers.*

12. (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.

*Preference.*

13. (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. The provisions of this subclause relating to the dismissal of workers shall apply, with equal effect, to any worker coming within the scope of this award engaged since the 24th day of May, 1929, but before the coming into force of this award, who is not a member of the union during the currency of this award.

(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 application, without ballot or other election, and to continue a member upon payment of subsequent contributions not

exceeding 1s. per week, and such fines as may be lawfully imposed on him for non-attendance without reasonable excuse at a specially called meeting of the union, of which written notice has been given to him or sent to him by post at his last address as notified by him to the union, or for misconduct at a meeting of the union, or for being more than three months in arrear, without reasonable excuse, in his contributions to the union: Provided that the maximum fine shall not exceed 2s. 6d. for non-attendance at a meeting of the union or for being in arrear with his contributions, and £1 for misconduct at a meeting of the union.

*Scope of Award.*

14. This award shall operate throughout that part of the Otago and Southland Industrial District which is included in the Provincial District of Southland.

*Term of Award.*

15. This award shall come into force on the 1st day of February, 1932, and shall continue in force until the 31st day of January, 1933.

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 15th day of December, 1931.

[L.S.]

F. V. FRAZER, Judge.

MEMORANDUM.

This award embodies the recommendations of the Conciliation Council, which the parties agreed to accept.

F. V. FRAZER, Judge.