

(10153.) NORTHERN INDUSTRIAL DISTRICT CLOTHING TRADE.—  
APPRENTICESHIP ORDER.

In the Court of Arbitration of New Zealand, Northern Industrial District.—In the matter of the Apprentices Act, 1923, and its amendments; and in the matter of the conditions of apprenticeship in the Clothing Trade in the Northern Industrial District.

Thursday, the 20th day of August, 1931.

WHEREAS, pursuant to section 4 (1) of the Apprentices Act, 1923, an Apprenticeship Committee has been set up for the Northern Industrial District in connection with the clothing trade: And whereas the Court has heard the employers, workers, and other persons concerned, and has considered the recommendations made to it by the said committee: And whereas the Court has deemed it expedient to make an order under section 5 of the said Act prescribing the wages, hours, and other conditions of employment to be incorporated in contracts

of apprenticeship in the said industry in the said district, and prescribing such other matters and things as the Court is required and authorized by the said section to prescribe: Now, therefore, the Court doth hereby order and prescribe as follows:—

1. The locality in which this order shall have effect is the Northern Industrial District.

2. The branches of the trade to which this order shall apply are as follows: (1) Coat-machining; (2) stock cutting and trimming; (3) pressing. The provisions of this order shall apply to all employers of apprentices in the trade in the district (whether bound by an award or industrial agreement relating to the said trade or not), and to all apprentices employed by such employers in such trade, and to all contracts of apprenticeship between such employers and apprentices.

3. Every contract of apprenticeship and every alteration or amendment thereof shall be in writing, signed by the employer and the apprentice, and, if the apprentice is under the age of twenty-one years, by the parent or guardian (if any) of the apprentice, and shall be registered in the manner prescribed by the Apprentices Act, 1923, and its amendments.

4. The minimum age at which a person may commence to serve as an apprentice shall be fifteen years in the case of branches (1) and (2), and sixteen years in the case of branch (3) above-mentioned.

5. The terms of apprenticeship shall be—(1) Coat-machining, four years; (2) stock cutting and trimming, five years; (3) pressing, three years.

6. The proportion of the total number of apprentices to the total number of journeymen employed by any employer in any one branch shall be not more than—(1) Coat-machining, one to two or fraction of the first two; (2) stock cutting and trimming, one to two or fraction of the first two; (3) pressing, one to three or fraction of the first three: Provided that the foregoing proportion allowable in the case of an individual employer may be exceeded with the consent of the Apprenticeship Committee.

Where one apprentice only is allowed the employer may, during the third year of the first apprentice, take into his employ a second apprentice, notwithstanding anything to the contrary hereinbefore contained.

7. The powers and discretions provided for in section 13 of the Apprentices Act, 1923, may be exercised by the District Registrar and the Apprenticeship Committee, notwithstanding that the employer to whom it is proposed to transfer an apprentice is already employing the full quota of apprentices as determined by this order.

8. (a) The proportion of apprentices to journeymen employed by any employer shall, for the purpose of determining whether such employer is entitled to enter into a contract of apprenticeship with an apprentice, be based upon the number of journeymen who at the date of the making of the contract of apprenticeship had been employed by that employer for not less than two-thirds full time for a period of six months preceding that date.

(b) For the purposes of this order an employer who himself works at the trade shall be entitled to count himself as a journeyman.

9. The minimum rates of wages payable to apprentices shall be as follows :—

		Per Week.		
		£	s.	d.
(1) Coat-machining—				
First six months	.. ..	1	0	0
Second six months	.. ..	1	2	6
Third six months	.. ..	1	7	6
Fourth six months	.. ..	1	12	6
Fifth six months	.. ..	1	17	6
Sixth six months	.. ..	2	2	6
Seventh six months	.. ..	2	7	6
Eighth six months	.. ..	2	12	6
(2) Stock cutting and trimming—				
First six months	.. ..	1	0	0
Second six months	.. ..	1	2	6
Third six months	.. ..	1	5	0
Fourth six months	.. ..	1	7	6
Fifth six months	.. ..	1	10	0
Sixth six months	.. ..	1	15	0
Seventh six months	.. ..	2	0	0
Eighth six months	.. ..	2	5	0
Ninth six months	.. ..	2	10	0
Tenth six months	.. ..	2	15	0
(3) Pressing—				
First six months	.. ..	1	2	6
Second six months	.. ..	1	7	6
Third six months	.. ..	1	12	6
Fourth six months	.. ..	1	17	6
Fifth six months	.. ..	2	7	6
Sixth six months	.. ..	2	17	6

Youths who have served six months or more at seam-opening or other work in the trade prior to entering upon an apprenticeship to the pressing branch shall be paid 2s. 6d. per week in addition to the foregoing rates.

10. If ordered to do so by the Court or a committee, any apprentice residing within a radius of ten miles from a technical college or school or other approved institution shall, during the first two years of his apprenticeship, attend the classes in such college, school, or institution in the subjects taught of application to the branch of the trade to which he is apprenticed, and in such case the employer shall refund to the apprentice the amount of the fees for each term in which his attendance is not less than 85 per cent. of the maximum possible.

11. The period of probation to be prescribed in any contract of apprenticeship to enable the employer of any apprentice to determine his fitness shall not exceed three months in the case of a first apprenticeship to the trade, and shall not exceed one month in any other case.

12. A person under twenty-one years of age who has served part of his apprenticeship to the trade outside of New Zealand may complete the term of apprenticeship herein provided for with an employer in the district on furnishing to the District Registrar a certificate from his former employer and/or such other evidence (if any) as the District Registrar may require in order to show the time served by such person as an apprentice outside of New Zealand. The District Registrar may refuse to register any contract of apprenticeship entered into under the provisions of this clause until such evidence has been furnished to him. Any party aggrieved by the decision of the District Registrar may, within fourteen days, appeal to the Court, whose decision shall be final and conclusive. The period of probation in cases coming within the scope of this clause shall not exceed three months.

13. An apprentice shall make up all time lost by him in any year through his own default or sickness, or through any cause over which the employer has no control, before he shall be considered to have entered on the next succeeding year of his apprenticeship, or, if in the final year, to have completed his apprenticeship.

14. Accidents not arising out of and in the course of the employment shall be deemed to be sickness, and the provisions of this order relative to payment of and deductions from wages and making up time in case of sickness shall apply accordingly.

15. An employer shall be entitled to make a rateable deduction from the wages of an apprentice for any time lost by him through sickness, accident, or default, or through voluntary absence with the consent of the employer, or through the closing of the factory for cleaning or repairing of the same, or of machinery, subject, however, to the provisions of the Factories Act, 1921-22, in so far as it affects apprentices under eighteen years of age.

16. The hours worked by an apprentice shall, subject to the provisions of any statute, be those normally worked by journeymen in accordance with the provisions of the award or industrial agreement relating to the employment of journeymen for the time being in force in the district.

17. An employer shall not require or permit an apprentice under seventeen years of age to work more than six hours' overtime in any week.

18. The minimum rates of overtime payment for apprentices shall be assessed on the basis fixed for journeymen under the award referred to in clause 16 hereof, but in no case shall the payment be less than 1s. per hour.

19. The conditions of the award or industrial agreement referred to in clause 16 hereof, in so far as they relate to the method and time of payment of wages, holidays (except in regard to deductions for holidays), meal-money, and other matters (other than preference to unionists) relating generally to the employment and not in conflict with this order, shall be applicable to apprentices.

20. Every contract of apprenticeship shall accord with the provisions of the Apprentices Act, 1923, and its amendments, and this order, and shall make provision, either expressly or by reference to the said Act or this order, for the several matters provided for therein, and shall not contravene the provisions of any Act relating to the employment of boys or youths. In default of such provision being made in any such contract of apprenticeship, or in so far as such provision is defective or ambiguous, the contract shall be deemed to provide that the conditions of apprenticeship shall be not less favourable to the apprentice than the minimum requirements of this order.

21. It shall be an implied term in every contract of apprenticeship that the apprentice shall diligently and faithfully obey and serve the employer as his apprentice for the prescribed term, and will not absent himself from the employer's service during the hours of work without the leave of the employer or except as permitted by this order, and, further, will not commit or permit or be accessory to any hurt or damage to the employer or his property, nor conceal any such hurt or damage if known to him, but will do everything in his power to prevent the same.

22. It shall be an implied term in every contract of apprenticeship that the employer shall during the prescribed term, to the best of his power, skill, and knowledge, train and instruct the apprentice, or cause him to be trained and instructed, as a competent journeyman in the branch of the trade to which he is apprenticed in accordance with the provisions of the Apprentices Act, 1923, and its amendments, and of this order and any amendments thereof: Provided, however, that if the business carried on by the employer does not comprise all the operations usually included in the training of a journeyman in the particular branch to which he is apprenticed, the operations to be taught the apprentice shall be specifically set out in the contract of apprenticeship, and in default thereof the employer shall be deemed to have contracted to train and instruct the apprentice in all the operations usually included in the training of a journeyman in the branch of the trade to which he is apprenticed.

23. No premium in respect of the employment of any person as an apprentice shall be paid to or received by an employer, whether such premium is paid by the person employed or by any other person.

24. The provisions of this order shall not necessarily apply in the case of a special contract of apprenticeship entered into under the provisions of section 11 of the Apprentices Act, 1923.

25. It shall be an implied term in every contract of apprenticeship that the provisions of the Master and Apprentice Act, 1908, shall not apply thereto.

26. The powers conferred on the Court by paragraphs (b) to (l), inclusive, of section 5 (4) of the said Act are hereby delegated by the

Court to the said committee in so far as those powers relate to the said trade in that portion of the Northern Industrial District lying within a radius of twenty miles from the Chief Post-office in Auckland.

27. This order shall operate and take effect as from the 24th day of August, 1931.

[L.S.]

F. V. FRAZER, Judge.

#### MEMORANDUM.

This order embodies the recommendations of the Apprenticeship Committee. A suggested form of apprenticeship contract is appended.

F. V. FRAZER, Judge.

#### SUGGESTED FORM OF APPRENTICESHIP CONTRACT.

THIS DEED, made the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, between [Full name of employer], of [Address and occupation], (hereinafter called "the master") of the first part, [Full name of apprentice's parent or guardian], of [Address and occupation], (hereinafter called "the guardian") of the second part, and [Full name and address of apprentice], a minor born on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ (hereinafter called "the apprentice") of the third part, witnesseth as follows:—

1. The master hereby covenants with the apprentice, and also as a separate covenant with the guardian, that he will take the apprentice as his apprentice in the trade of \_\_\_\_\_ (or that branch of the \_\_\_\_\_ trade known as \_\_\_\_\_), and the apprentice and the guardian hereby jointly and severally covenant with the master that the apprentice will serve the master as such apprentice for the term and upon and subject to the conditions hereinafter set forth.

2. The term of the apprenticeship shall be \_\_\_\_\_ years, commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and shall be served at [State place].

3. The master shall pay to the apprentice during the said term wages at the rates hereinafter specified, to wit: During the first year, \_\_\_\_\_ per week [and so on for each period.]

4. The provisions of the Apprentices Act, 1923, and the regulations made thereunder, and the general order of the Court of Arbitration dated the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, governing the conditions of apprenticeship in the \_\_\_\_\_ trade, are, save as hereinafter expressly provided, deemed to be incorporated in these presents.

5. The period of probation referred to in section 12 of the said Act shall be \_\_\_\_\_ months.

6. The apprenticeship shall be subject to the minimum conditions provided in and by the said general order, except as follows [Here state conditions agreed to, in so far as they differ from those of the general order].

7. [If the employer does not carry on a business that comprises all the operations usually included in the training of an apprentice as a journeyman in the trade, state specifically the operations to be taught the apprentice.]

In witness whereof these presents have been executed by the parties hereto the day and year first before written.

[Employer's signature.]

Signed by the said \_\_\_\_\_ in the }  
presence of—

[Witness's signature, occupation, and address.]

[Continue similarly for guardian and apprentice.]