

NORTHERN (AUCKLAND) INDUSTRIAL DISTRICT.

(10521.) AUCKLAND (TEN-MILES RADIUS) COAL, LIME, SAND, AND CEMENT MERCHANTS' AND STONEMASONS' LABOURERS.—AWARD.

In the Court of Arbitration of New Zealand, Northern 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") :—

- Aickin, C., and Sons (Ak.), Ltd., Coal-merchants, Anzac Avenue, Auckland C. 1
 Allport, E., Coal-merchant, 11 Hector Street, Herne Bay, Auckland W. 1
 Amos, A. W., and Co., Coal-merchants, Great North Road, Avondale, Auckland S.W. 3
 Anderson, P. H., Coal-merchant, 34 Garnet Road, Grey Lynn, Auckland W. 2
 Andrew and Andrew, Quay Street, Auckland
 Andrew, H., Coal-merchant, Valley Road, Auckland S. 2
 Andrews and Andrews, Coal-merchants, Otahuhu, Auckland S.E. 7
 Archer, G., Coal-merchant, Warnock Street, Grey Lynn, Auckland W. 2
 Arkless, T., Coal-merchant, 236 New North Road, Auckland C. 3
 Ashforth, W. J., Coal-merchant, 119 Queen Street, Onehunga, Auckland S.E. 5
 Audain, E. J., Coal-merchant, 7 Codrington Street, Auckland W. 2
 Bain, M. J., Coal-merchant, 68 Ellerslie—Panmure Road, Auckland S.E. 6
 Baker, L., Coal-merchant, Shackleton Road, Sandringham, Auckland S. 2
 Barrett, P. U., Coal-merchant, Mount Albert Road, Mount Albert, Auckland
 Beale and Co., Coal-merchants, Ellerslie, S.E. 6
 Beanland and Griffiths, Coal-merchants, 4 Eden View Road, Sandringham, S.W. 1
 Beaver Bros., Coal-merchants, Trafalgar Street, Onehunga, Auckland S.E. 5
 Bell, C., Coal-merchant, 1 Mount St. John Avenue, Epsom, Auckland S.E. 3
 Bertleson, B. G., Coal-merchant, Te Papapa
 Bishop, V., Coal-merchant, 263 Khyber Pass Road, Newmarket, Auckland S.E. 1
 Blayney, F. A., Coal-merchant, 30 Argyle Street, Morningside, Auckland S.W. 1
 Blayney, Thomas A., Coal-merchant, 20 Argyle Street, Morningside, Auckland S.W. 1
 Blott, H. R., Coal-merchant, Titirangi Road, New Lynn, Auckland S.W. 4
 Bottrill, R. A., Coal-merchant, Garfield Street, Auckland C. 4
 Bray, H., and Co., Ltd., Coal-merchants, 187 Queen Street, Onehunga, Auckland S.E. 5
 Briggs, L., Coal-merchant, Brown's Bay
 Brizzell, Robert, Coal-merchant, 42 Franklin Road, Ponsonby, Auckland C. 1
 Bryant, A. W., Ltd., Coal-merchants, Customs Street, Auckland C. 1
 Bullen, A. W., Coal-merchant, Quay Buildings, Quay Street, Auckland C. 1
 Burgess, A., Coal-merchant, 485 Dominion Road, Auckland S. 2
 Butland, R., Coal-merchant, George Street, Ponsonby, Auckland W. 1
 Cain, J., Coal-merchant, Great North Road, Point Chevalier, Auckland W. 3
 Callinan, J. S., Coal-merchant, Hamilton Road, Ponsonby, Auckland W. 1
 Campbell, J., Coal-merchant, Tui Street, Otahuhu, Auckland S.E. 7
 Canham, H. S., Coal-merchant, 386 Khyber Pass, Auckland, S.E. 1
 Carter, A., Coal-merchant, John Street, St. Heliers Bay, Auckland E. 1
 Castleton, L., Coal-merchant, Birkenhead, Auckland N. 5
 Chaney, F., Coal-merchant, 19 Edwin Street, Mount Eden, Auckland C. 3
 Chapman, Mrs., Coal-merchant, 86 Burnley Terrace, Sandringham, Auckland S. 2

- Chapman, H. C., Coal-merchant, 9 Richmond Street, Mount Eden, Auckland S. 2
- Chitham, F., Coal-merchant, 28 Parau Street, Mount Eden, Auckland S. 2
- Clark, G., Coal-merchant, 21 Brown Street, Ponsonby, Auckland W. 1
- Clayton, E. J., Coal-merchant, 74 Prospect Terrace, Mount Eden, Auckland S. 2
- Cleal, G. W., Coal-merchant, 10 Firth Road, Grey Lynn, Auckland W. 2
- Clifford and Blankern, Coal-merchants, 1667 Great North Road, Avondale, Auckland S.W. 3
- Collins, R., Coal-merchant, 260 Sandringham Road, Sandringham, Auckland S. 2
- Connelly, A. E., Coal-merchant, Taylor's Road, Avondale, Auckland S.W. 3
- Copas, A., Coal-merchant, 84 Garnett Road, Grey Lynn, Auckland W. 2
- Coupland, J., Coal-merchant, 88 Dominion Road, Auckland S.W. 1
- Cowbrick and Son, Coal-merchants, The Drive, Epsom, Auckland S.E. 3
- Craig, E., and H., Ltd., Coal-merchants, High Street, Auckland C. 1
- Craig, G., Coal-merchant, Speight Road, Kohimarama, Auckland E. 1
- Craig, J. J., Ltd., Coal-merchants, Queen Street, Auckland C. 1
- Crombie, A. R., Coal-merchant, Mount Eden Road, Auckland S. 1
- Crow, W., Coal-merchant, Otahuhu, Auckland S.E. 7
- Culbert, A., Coal-merchant, St. Leonard's Road, Mount Eden, Auckland S. 1
- Cunningham and Co., Coal-merchants, Queen Street, Onehunga, Auckland S.E. 5
- Cutler, A., Coal-merchant, 6 Royal Terrace, Remuera, Auckland S.E. 2
- Daniels, J. A., Coal-merchant, Warwick Street, Morningside, Auckland S.W. 1
- Davies, E. N., Coal-merchant, Devonport, Auckland
- Denison, O. W., Coal-merchant, 611 Dominion Road, Auckland S. 2
- Dingle, A., Coal-merchant, 12 Belmont Terrace, Auckland S.E. 2
- Donald, A., Coal-merchant, Glen Eden
- Dorman, J. F., Coal-merchant, Henderson
- Douglas, J., Coal-merchant, Seabrook Avenue, New Lynn, Auckland S.W. 4
- Dove, H., Coal-merchant, New Lynn
- Dowd, J., Coal-merchant, Johnston Street, Point Chevalier, Auckland W. 3
- Duffey Bros., Coal-merchants, Church Street, Onehunga, Auckland S.E. 5
- Duley, T., Coal-merchant, 96 Garnet Road, Grey Lynn, Auckland W. 2
- Dunn, G., Coal-merchant, Northcote, Auckland N. 4
- Dyer, E., Coal-merchant, New Lynn
- Dyer, W., Coal-merchant, 171 Manukau Road, Parnell, Auckland C. 4
- Edmonds, W., Coal-merchant, Birkenhead N. 5
- Edwards and Sons, Coal-merchants, 2 Warnock Street, Grey Lynn, Auckland W. 2
- Elderton, W., Coal-merchant, 123 Eden Terrace, Auckland C. 3
- Ellis, Edward, Coal-merchant, Station Road, Otahuhu, Auckland S.E. 7
- Emson, G., Coal-merchant, 848 New North Road, Auckland S.W. 2
- Espie, J. H., Coal-merchant, 77 Pah Road, Epsom, Auckland S.E. 3
- Evans, G. S., Coal-merchant, 93 Dominion Road, Auckland S.W. 1
- Evans, W. J., and Son, Coal-merchants, corner Peary Street and Mount Eden Road, Mount Eden, Auckland S. 1
- Fawkes, J. M., Coal-merchant, Great North Road, Grey Lynn, Auckland W. 2
- Fenton, H. C., Coal-merchant, Mount Eden Road, Auckland
- Finlay, W., Coal-merchant, 81 Elizabeth Street, Sandringham, Auckland S. 2
- Fletcher, O. L., Coal-merchant, 469 Dominion Road, Mount Eden, Auckland S. 2
- Foley, E., Coal-merchant, 19 Pratt Street, Ponsonby, Auckland C. 2
- Ford, W., Coal-merchant, Oakley Avenue, Avondale, Auckland S.W. 3
- Forsyth, J., Coal-merchant, Rosebank Road, Avondale, Auckland S.W. 3
- Freeman, J., Coal-merchant, Hamlin's Road, Ellerslie, Auckland S.E. 6
- French and Son, Coal-merchants, 16 King Street, Newmarket, Auckland S.E. 1
- Fulton, W. M., Coal-merchant, Station Road, Penrose, Auckland S.E. 6

- Gilliland, C. H., Coal-merchant, Victoria Street, Auckland C. 1
 Gilpin, L., Coal-merchant, Birkdale, Auckland N. 5
 Glen Afton Collieries, Ltd., Coal-merchants, Anzac Avenue, Auckland C. 1
 Graham-Hedley Co., Coal-merchants, 16 Mount Eden Road, Auckland S.E. 3
 Gregory, B., Coal-merchant, Penrose
 Griffiths, S., and Son, Coal-merchants, 1 Lloyd Avenue West, Mount Albert, Auckland S.W. 2
 Hadfield and Sons, Coal-merchants, 654 Manukau Road, One Tree Hill, Auckland S.E. 3
 Haite, P. W., Coal-merchant, 90 Owen's Road, Epsom, Auckland S. 1
 Hall, A., Coal-merchant, 14 Dorset Street, Grey Lynn, Auckland W. 2
 Hall, J. K. S., and Entrican, A. J. (Trustees of late H. J. Hall), Otahuhu, Auckland
 Hancock, W. I., Coal-merchant, 102 Green Lane Road, Remuera, Auckland S.E. 4
 Hardiman, S. and H., Coal-merchants, Glen Eden
 Harris, J., Coal-merchant, Reimers Avenue, Sandringham, Auckland S.W. 1
 Harrison, J., Coal-merchant, New North Road, Kingsland, Auckland
 Harvey, J., Coal-merchant, Smith Street, New Lynn, Auckland S.W. 4
 Hedland, J., Coal-merchant, Faulder Avenue, Westmere, Auckland W. 2
 Henderson and Walker, Coal-merchants, Hobson Street, Auckland C. 1
 Herd, E. A., Coal-merchant, Hillsborough Road, Mount Roskill, Auckland
 Highman, P., and Co., Coal-merchants, 14 Beach Road, Onehunga, Auckland S.E. 5
 Holden, A., Coal-merchant, Castor Bay, Auckland N. 2
 House, T., Coal-merchant, 1 Morrin Street, Kingsland, Auckland C. 3
 Hutchinson Wholesale, Ltd., Coal-merchants, Beach Road, Auckland C. 1
 Inwood, E. S., Coal-merchant, 545 New North Road, Auckland S.W. 1
 Izant, J., Coal-merchant, Freeman's Bay, Auckland
 Jackson, T. A., Coal-merchant, Duncan Avenue, Sandringham, Auckland S.W. 1
 Jesser and Jessup, Coal-merchants, Birkenhead, Auckland N. 5
 Johnston, R. B., Coal-merchant, 288 Mount Albert Road, Mount Albert, Auckland
 Jones, E. F., Coal-merchant, Park Store, Manukau Road, Epsom, Auckland S.E. 3
 Jordan Bros., Coal-merchants, Northcote, Auckland N. 2
 Jugusch, H. W., Coal-merchant, corner Great South Road and Rockfield Street, Auckland S.E. 6
 Kennan, J. F., Coal-merchant, 32 Brighton Road, Parnell, Auckland C. 4
 Kennedy, P. J., Coal-merchant, Busby Road, Avondale, Auckland S.W. 3
 Kennerley, K. G., Coal-merchant, 30 Victoria Road, Devonport, Auckland N. 1
 Kerr, J. H., Coal-merchant, Manukau Road, Epsom, Auckland S.E. 3
 Kerr, J. H., Coal-merchant, 654 New North Road, Auckland S.W. 2
 Kevey and Towers, Coal-merchants, Hokanui Road, Otahuhu, Auckland S.E. 7
 Kew, F., Coal-merchant, Campbell Road, Green Lane, Auckland S.E. 4
 Kirkus, E. H. G., Coal-merchant, Devonport, Auckland N. 1
 Langabeer, C. A., Coal-merchant, 156 Garnett Road, Grey Lynn, Auckland W. 2
 Lear, G., Coal-merchant, Kohimarama, Auckland E. 1
 Lloyd, C. R., Coal-merchant, Devonport, Auckland N. 1
 Lloyd, W. B., and Co., Coal-merchants, Otahuhu, S.E. 7
 Lorking, A. G., Coal-merchant, Broadway, Newmarket, Auckland S.E. 1
 Lovett, W., Ltd., Coal-merchants, 71 Ponsonby Road, Auckland C. 2
 McAnulty, J. H., Coal-merchant, Otahuhu, Auckland S.E. 7
 McCarten Bros., Ltd., Coal-merchants, Queen Street, Onehunga, Auckland S.E. 5
 McClymont, T., Coal-merchant, Quay Street, Auckland C. 1
 McGrath, T., Coal-merchant, Cockburn Street, Ponsonby, Auckland W. 2

- McKay, T., and Son, Coal-merchants, Windsor Street, Parnell, Auckland C. 4
 McKinlay, D., Coal-merchant, 62 Marsden Avenue, Auckland S. 2
 McKinnon, C., Coal-merchant, Panmure, Auckland S.E. 6
 McLean-Douse, W., Coal-merchant, Birkenhead, Auckland N. 5
 McMillan, G., Coal-merchant, 29 Richmond Avenue, Auckland W. 2
 McMurray, A., Coal-merchant, Wynyard Road, Blockhouse Bay, Auckland S.W. 3
 McPherson, J., Coal-merchant, Market Road, Remuera, Auckland S.E. 2
 McSwan, M., Coal-merchant, Marama Avenue, Epsom, Auckland S. 1
 Maddaford Bros., Coal-merchants, Broadway, Newmarket, Auckland S.E. 1
 Mann, S. J., Coal-merchant, Jervois Road, Ponsonby, Auckland W. 1
 Marks, S., Coal-merchant, Mackenzie Road, Mangere, Auckland S.E. 5
 Martyn, G., Coal-merchant, 5 Henley Road, Mount Eden, Auckland S. 2
 Mascn, A., Coal-merchant, Dominion Road, Auckland
 Mills, R. J., Coal-merchant, 680 Dominion Road, Mount Eden, Auckland S. 2
 Moore, W. H., Coal-merchant, 6 Garnett Road, Grey Lynn, Auckland W. 2
 Morgan, W. H., Coal-merchant, Panmure Road, Ellerslie, Auckland S.E. 6
 Morrison, P., Coal-merchant, 358 Dominion Road, Auckland S. 2
 Murphy, T. W., Coal-merchant, 2 Linwood Avenue, Epsom, Auckland S.W. 2
 Nevil, C. H., Coal-merchant, Otahuhu
 Newton, G. A., and Co., Coal-merchants, Howick and Panmure
 Nicholson, W., Coal-merchant, 289 Point Chevalier Road, Auckland W. 3
 Norcross, H., Coal-merchant, Henderson
 O'Gara, L. H., Coal-merchant, 60 France Street, Newton, Auckland C. 2
 Olsen, B. P., Coal-merchant, Manukau Road, Auckland
 Orr, G., Coal-merchant, Porter's Avenue, Eden Terrace, Auckland C. 3
 Page, A. W., Coal-merchant, New North Road, Kingsland, Auckland S.W. 1
 Palmer, C., Coal-merchant, 272 Ponsonby Road, Auckland W. 1
 Parr and Son, Coal-merchants, Green Lane, Auckland
 Parsons, F. D., Coal-merchants, Devonport, Auckland N. 1
 Patch, F., Coal-merchant, 1 Northcote Street, Grey Lynn, Auckland W. 2
 Pegler, V. L., Coal-merchant, Nihotapu, Auckland
 Perrott, M. A., Coal-merchant, 26 Kingsway Avenue, Mount Albert, Auckland S.W. 1
 Pollard, H. V., Coal-merchant, 4 Wootton Road, Remuera, Auckland S.E. 2
 Powell and McKenzie, Coal-merchants, New Lynn, Auckland
 Prendergast Bros., Coal-merchants, Lincoln Street, Ponsonby, Auckland W. 1
 Price, S., Coal-merchant, Kings Road, Mount Roskill, Auckland S. 2
 Price, J. V., Coal-merchant, Station Road, Avondale, Auckland S.W. 3
 Pukemiro Collieries, Ltd., Coal-merchants, Anzac Avenue, Auckland C. 1
 Reanny, Mrs. B. B., Coal-merchant, Henderson
 Reid, R., Coal-merchant, 35 Union Street, Auckland C. 1
 Removals Ltd., Coal-merchants, Edean's Buildings, Queen Street, Auckland C. 1
 Rich, J. J., Coal-merchant, 80 Great North Road, Auckland W. 2
 Richmond, J. G., Coal-merchant, 240 Sandringham Road, Auckland S. 2
 Robinson, E., and Son, Coal-merchants, 191 Dominion Road, Auckland S. 2
 Robinson, H., Coal-merchants, 28 Kingsland Avenue, Auckland S.W. 1
 Roper, C. B., Coal-merchant, Takapuna, Auckland N. 2
 Roper, E., Coal-merchant, 27 Ariki Street, Grey Lynn, Auckland W. 2
 Roscoe, J., Coal-merchant, Mount Eden, Auckland
 Rowell, E., Coal-merchant, 24 Leslie Avenue, Auckland S.W. 1
 Sadgrove, F., Coal-merchant, 13 Fifth Avenue, Point Chevalier, Auckland W. 3
 Sadler, A. A., Coal-merchant, 15 Ardmore Road, Ponsonby, Auckland W. 1
 Seagar, A. E., Coal-merchant, Manukau Road, Royal Oak, Auckland S.E. 3
 Searle, G., Coal-merchant, 43 Virginia Avenue, Eden Terrace, Auckland C. 3
 Shaw Bros., Coal-merchants, Howick, Auckland
 Simmons, W. R., Coal-merchant, Khyber Pass, Auckland
 Simpson, J., Coal-merchants Lloyds Buildings, Otahuhu, Auckland

- Skelton, R., Coal-merchant, Remuera Road, Auckland
 Sinel and Vellonwoth, Coal-merchants, 128 Dominion Road, Auckland S.W. 1
 Sly, W. L., Coal-merchant, 91 Eden Terrace, Auckland C. 3
 Small, A. J., Coal-merchant, Three Kings, Mount Roskill, Auckland S. 1
 Smith, A. B., and W., Coal-merchants, Parnell, Auckland
 Smith, S. G., Coal-merchant, Robertson Road, Avondale, Auckland S.W. 3
 Sorensen and Bridges, Coal-merchants, 200 Victoria Street West, Auckland C. 1
 Spragg, H., Coal-merchant, Williamson Street, Epsom, Auckland S.E. 3
 Subritzky, W., Coal-merchant, 22 Somerset Road, Mount Roskill, Auckland S. 3
 Taylor, G., Coal-merchant, Henderson
 Teague, S., and Sons, Coal-merchants, Hepburn Street, Ponsonby, Auckland C. 2
 Thompson, T., Coal-merchant, 1 Union Street, Auckland C. 1
 Tribe, W., Coal-merchant, New Windsor Road, Avondale, Auckland S.W. 3
 Urquhart, E. W., Coal-merchant, Mount Smart Road, Onehunga, Auckland S.E. 5
 Vercoe, T., Coal-merchant, 109 Richmond Road, Ponsonby, Auckland W. 1
 Verran and Sons, Coal-merchants, Birkenhead, Auckland N. 5
 Weddison, H., Coal-merchant, Greenhithe, Auckland
 Wilson and Rothery, Ltd., Coal-merchants, Panmure Road, Ellerslie, Auckland S.E. 6
 Wilson's (N.Z.) Portland Cement, Ltd., Cement and Lime Manufacturers, Customs Street West, Auckland C. 1
 Wilton Collieries, Ltd., Coal-merchants, Queen's Arcade, Customs Street, Auckland
 Winstone Ltd., Coal-merchants, Queen Street, Auckland C. 1
 Witten, F. C., Coal-merchant, 29 Wynyard Road, Mount Eden, Auckland C. 3
 Wood, W. G., Coal-merchant, Birkdale, Auckland N. 5
 Wren, W., Coal-merchant, William Street, Mount Albert, Auckland S.W. 2
 Wright, J., Coal-merchant, corner Clonbern and Remuera Roads, Auckland S.E. 2

and

The Auckland Builders', General and other Labourers' Industrial Union of Workers (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 2nd day of October, 1933, and shall continue in force until the 2nd day of October, 1934, 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 14th day of September, 1933.

[L.S.]

F. V. FRAZER, Judge.

SCHEDULE.

Hours of Work.

1. (a) A week's work shall not exceed forty-four hours.
- (b) The working-time per day shall not exceed eight hours for five days of the week and four hours for one day of the week : Provided that the time for commencing work shall not be earlier than 7.30 a.m.

Wages.

2. The wages of adult workers under this award shall not be less than 1s. 7d. per hour.

Boys and Youths.

3. (a) Boys or youths may be employed in the proportion of one boy or youth to each six or fraction of six adults at the following rates of wages :—

	Per week.		
	£	s.	d.
Under 17 years of age	0	10	0
17 to 18 years of age	0	15	0
18 to 19 years of age	1	2	6
19 to 20 years of age	1	10	0
20 to 21 years of age	1	17	6
21 and over	Adult rates.		

- (b) No deduction shall be made from the weekly wages prescribed in subclause (a) hereof except for time lost through the worker's sickness or default or for any cause over which the employer has no control.

Meal-money.

4. (a) Employers shall allow meal-money at the rate of 1s. per meal when workers are called upon to work overtime after 6 p.m., provided that such workers cannot reasonably get home to their meals.

(b) All time worked in excess of five hours without time being allowed for a meal shall be paid for at double-time rates.

Overtime and Holidays.

5. All time worked beyond the hours prescribed in clause 1 hereof shall be considered overtime, and shall be paid for at the rate of time and a quarter. Double time shall be paid for all work done on Sunday, Christmas Day, and Good Friday, and time and a half shall be paid for time worked on Easter Monday, Labour Day, Boxing Day, New Year's Day, and Anniversary Day.

Tools.

6. All tools shall be supplied by the employer.

Accommodation.

7. (a) Employers shall, where reasonably necessary, provide accommodation to the satisfaction of the Inspector of Awards to enable workers to change and dry their clothes, and shall make proper sanitary arrangements.

(b) Employers shall also provide a constant supply of fresh water for washing and drinking purposes, and facilities for boiling water for meals.

Matters not provided for.

8. Any dispute in connection with any matter not provided for by this award shall be settled by the particular employer concerned and the president or secretary of the union, and in default of any agreement being arrived at; then such dispute shall be referred to the Conciliation Commissioner, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Conciliation Commissioner, may appeal to the Court upon giving a written notice of such appeal to the other party within seven days after such decision shall have been communicated to the party desiring to appeal.

Workers' Representative.

9. With the consent of the employer, the workers' representative shall have the right of entry outside working-hours to all jobs to which the employer can lawfully give such right, and after due notice has been given to the employer or his representative.

Under-rate Workers.

10. (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.

11. (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 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.

Termination of Employment.

12. All wages shall be paid on the dismissal of the labourer. When a worker leaves his employer of his own accord all wages due to him shall be paid by the employer within twenty-four hours.

Accidents.

13. A modern first-aid emergency case, fully equipped, shall be kept by the employer in a convenient and accessible place where the Inspector of Awards shall deem it necessary.

Payment of Wages.

14. Wages shall be paid not later than Friday of each week, during working-hours.

Scope of Award.

15. This award relates only to labourers employed by employers who carry on business as coal, lime, sand, or cement merchants, or stonemasons, within a radius of ten miles from the Chief Post-office in the City of Auckland.

Term of Award.

16. This award shall come into force on the 2nd day of October, 1933, and shall continue in force until the 2nd day of October, 1934.

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 14th day of September, 1933.

[L.S.]

F. V. FRAZER, Judge.

MEMORANDUM.

The only matter referred to the Court was the date of the coming into force of the award. In other respects the award embodies the recommendations of the Conciliation Council, which the parties agreed to accept.

F. V. FRAZER, Judge.