

NORTHERN (AUCKLAND) INDUSTRIAL DISTRICT.

(10554.) AUCKLAND (TWENTY-ONE MILES RADIUS) BUTCHERS.—
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 ”) :—

Auckland.

Auckland Meat Co., Ltd., Wakefield Street
 Bailey, W. W., 1240 Dominion Road, Mount Roskill
 Barrett, M. J., Great South Road, Otahuhu
 Baster, T., Ltd., 133 Ponsonby Road
 Berquist, H. L., 23 Karangahape Road
 Billings, W., 141 Panmure Road, Ellerslie
 Binstead, J. C., 547 Mount Eden Road
 Birch, A., Symonds Street
 Bridges, Overington, and Co., 65 Wellesley Street
 Bridson, D., 397 Manukau Road, Epsom
 Brindle, F. F., 693 Mount Eden Road
 Brindle, H. R., 811 Mount Eden Road
 Caddy Bros., 34 Richmond Avenue, Grey Lynn
 Chalmers, T. B., Queen Street, Onehunga
 Chesney, R. C., Ltd., 60 Queen Street
 Collins, F., Avondale
 Cooper, A. F., 185 Parnell Road
 Couper, A., 119 Dominion Road, Mount Eden
 Courtney, A., Sussex Street, Grey Lynn
 Crang, C. H., 6 Karangahape Road
 Cressey, G. F., 45 Mount Eden Road
 Farmers' Meat Auction Co., Ltd., 6 College Hill, Ponsonby
 Farnell, F., 238 Hobson Street
 Fearon Bros., Avondale
 Ferguson, A. E., 5 Park Road
 Fresh Meat Market Co., 195 Karangahape Road
 Gray and Jansen, 446 Manukau Road, Epsom
 Great Central Meat Co., Ltd., Queen Street
 Hale, C., 31 Parnell Road
 Harris, C. V., Te Papapa
 Harrison, G., Queen Street, Onehunga
 Hawthorne and Munro, Clevedon
 Haydon, S. M., Trafalgar Street, Onehunga
 Heald, Miss M., 748 New North Road, Mount Albert
 Hellaby, R. and W., Ltd., Quay Street
 Holborow, P. C., Henderson
 Holt, E. H., Prince of Wales Estate, Mount Albert
 Hollings, S. A., 245 Dominion Road
 Hood, H. W., and Son, Manurewa
 Hood, H. W., 423 Dominion Road, Mount Eden
 Hutchison, T. W., 9 Grand Avenue, Grey Lynn
 Hutchison, J. H., Great South Road
 Hydra Bacon and Meat Co., Ltd., Margaret Street, Ponsonby
 Hygienic Meat Co., Ltd., Queen Street

Jamieson, W. S., Avondale
 Johnson, F. J., 86 Victoria Street
 Jones A., Dominion Road
 Jones, N. L., 113 Remuera Road
 Kent, R. H., 162 Mount Albert Road, Mount Roskill
 Knight, F., Papakura
 Knight, G. O., 266 Karangahape Road
 Lawson, W. B., Mount Eden Road, Mount Eden
 Leigh, N., 954 Dominion Road, Mount Roskill
 Lister, L., Dominion Road, Mount Eden
 Lockhart, W., Station Road, Otahuhu
 Lousich, J., 588 Dominion Road
 McLaren, C. R., Mangere Road, Otahuhu
 McLoughlin, E., Victoria Road, Belmont, Takapuna
 Magill, R. S., 237 Upper Symonds Street
 Mann, D., and Co., 53 Richmond Avenue, Grey Lynn
 Manurewa Meat Co., Ltd., Great South Road, Manurewa
 Mayer, S., and Son, 420 Mount Eden Road
 Mills and Tinkler, 530 Manukau Road, Epsom
 Millerchen, G. W., 865 New North Road, Mount Albert
 Naylor, A. F., New Lynn
 Nears, C. A., Point Chevalier
 Nield, C. W., Great South Road, Otahuhu
 Papatoetoe Meat Co. (T. J. Salter, Proprietor), Papatoetoe
 Parsons, F. W., 310 Dominion Road
 Parsons, H. S., 193 Great North Road, Grey Lynn
 Parsons, V., Avondale
 Pascoe and Sons, Queen Street, Northcote
 Pennell, F., 81 Sandringham Road
 Ratcliffe, A., 314 Sandringham Road
 Reid, Ernest, 128 Grey's Avenue
 Rich, W. J., and Co., 618A Manukau Road, Epsom
 Robertson, Charles, Glen Eden
 Rowe, J., Broadway, Newmarket
 Scotting, A. W., St. Helier's Bay
 Scotts, W., Ltd., 33 Calliope Road, Devonport
 Sealey, Percy, Howick
 Shand, G., 248 Sandringham Road, Sandringham
 Shand, James, Campbell Road, Onehunga
 Smith, A. E., 81 Panmure Road, Ellerslie
 Smith, F. J., 604 New North Road, Mount Albert
 Smith, J. T., 222 Sandringham Road
 Smith and Smith, Great North Road, Grey Lynn
 Stansfield, E., 159 Karangahape Road
 Steane, T., 91 Richmond Road, Ponsonby
 Stott, R. E., Onewa Street, Birkenhead
 Swaffield, H., Papatoetoe
 Tucker, G., 401 New North Road
 Wadsworth, Mrs. W., 885 Mount Eden Road
 Ward, W. J., Jervois Road, Ponsonby
 Wengdal, H. J., 25 Sandringham Road
 Wengdal, W. H., 262 Ponsonby Road
 Westfield Freezing Co., Ltd., Westfield
 White, L., and Sons, Howick
 Williams, J. B., 181 Broadway, Newmarket
 Woodhall, B., 227 New North Road

and

The Auckland Butchers' 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 20th day of November, 1933, and shall continue in force until the 17th day of July, 1935, 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 10th day of November, 1933.

[L.S.]

F. V. FRAZER, Judge.

SCHEDULE.

Hours of Work.

1. (a) For butchers' assistants the ordinary hours of work shall not exceed forty-eight per week, and they shall be worked as follows: In all shops, other than those mentioned in subclause (c) hereof, Mondays to Fridays (inclusive) from 7 a.m. to 4.30 p.m. with one hour allowed for dinner, and on Saturdays from 6 a.m. to 12 noon, with one half-hour allowed for breakfast.

(b) In the case of workers specified in subclause (a) carting meat to shops, supplying early shipping, or attending an early morning train,

such workers may be required to commence work not earlier than 6 a.m.: Provided that such workers shall be allowed half an hour for breakfast and time off at the end of the day equivalent to the time worked before 7 a.m. in excess of the breakfast half-hour.

(c) The hours of work for workers exclusively employed as pork-butchers and small-goods-shop assistants shall not exceed forty-eight per week, arranged as follows: On Mondays, Tuesdays, Wednesdays, and Thursdays, between 8 a.m. and 5.30 p.m., with one hour allowed for dinner; on Fridays the hours shall be worked between 8 a.m. and 9 p.m., with one hour allowed for dinner, and if employed after 6 p.m. one hour allowed for tea; on Saturdays the hours shall be from 7.30 a.m. to 12.30 p.m.

The hours of work, save for meals, shall in all cases be consecutive.

(d) For small-goods-factory workers the ordinary hours of work shall not exceed forty-eight per week, and shall be worked as follows: On Mondays to Fridays (inclusive), from 7 a.m. to 4.30 p.m., with one hour allowed for dinner, and on Saturdays from 7 a.m. to 11.30 a.m. The time of starting and finishing work and the time allowed for dinner in any small-goods factory may be varied by arrangement between the employer and the union.

(e) In the case of motor-drivers, horse-drivers, and workers hawking and/or delivering ice, the ordinary hours of work shall not exceed forty-eight per week. They shall be regulated in advance by the employer, subject to the following restrictions:—

That the hours worked in any one day of the week shall be consecutive, save that if a worker is required to commence work before 6.30 a.m. he shall be allowed one half-hour for breakfast, and if he is required to work after 12 noon he shall be allowed one hour for dinner.

That the hours worked shall not exceed eight hours and a half in any day of the week, nor more than five hours and a half on the day of the half holiday.

Closing of Shops.

2. (a) In exercise of the powers vested in the Court by section 69 of the Shops and Offices Act, 1921-22, as amended by section 17 of the Shops and Offices Amendment Act, 1927, it is ordered—

- (1) That butchers' shops in the combined district of Auckland shall be closed on five days of the week at 4.30 p.m., and on one day of the week at noon.
- (2) That all pork-butchers' shops in the combined district of Auckland shall be closed on five 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.

(b) All the said shops shall be closed from the hour of 7 a.m. on each of the days prescribed by this award as holidays (including days lawfully observed as holidays in lieu of any prescribed).

(c) This clause shall be read subject to the provisions of section 3 (2) of the Shops and Offices Act, 1921-22.

Overtime.

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

Wages.

4. Workers shall be paid not less than the wages specified in the following scale :—

| | Per Week. | | |
|---|-----------|----|----|
| | £ | s. | d. |
| (a) In the case of butchers' assistants— | | | |
| First shopman, or man in charge | 5 | 3 | 6 |
| First small-goods man | 5 | 2 | 6 |
| Second shopman | 4 | 13 | 6 |
| All other butchers' assistants | 4 | 6 | 0 |
| Cellarmen and packers | 4 | 6 | 0 |
| Ice-roundsmen | 4 | 4 | 0 |
| Chamber hands | 4 | 6 | 0 |
| Boners | 4 | 6 | 0 |
| Butchers over twenty-one years of age and under twenty-two | 4 | 2 | 6 |

(b) In the case of pork-butchers' assistants and small-goods-shop assistants :—

| | Per Week. | | |
|--|-----------|----|----|
| | £ | s. | d. |
| First assistant or person in charge (male) including first small-goods man | 5 | 3 | 6 |
| Second male assistant | 4 | 13 | 6 |
| All other male assistants including small-goods men | 4 | 6 | 0 |
| Female assistants (if in charge) | 3 | 10 | 0 |
| All other female assistants— | | | |
| First year | 1 | 10 | 0 |
| Thereafter | 2 | 2 | 6 |
| In shops where both male (other than boys) and female assistants are employed, the female assistant, if in charge, shall be paid not less than | 5 | 3 | 6 |

(c) In the case of workers engaged in small-goods factories :—

| | Per Week. | | |
|---|-----------|----|----|
| | £ | s. | d. |
| First small-goods man | 5 | 3 | 6 |
| All other workers employed in small-goods factories | 4 | 6 | 0 |
| Female workers may be employed at suitable work in small-goods factories and in packing- rooms, and shall be paid a minimum wage of | 2 | 2 | 0 |

(d) In the case of drivers engaged in carting meat or other material in wholesale quantities only :—

| | Per Week. |
|---|-----------|
| | £ s. d. |
| (i) For those driving and attending to motor-vehicles with a combined weight of vehicle and maximum load not exceeding 2 tons.. | 4 0 0 |
| (ii) For those driving and attending to motor-vehicles with a combined weight of vehicle and maximum load exceeding 2 tons but not exceeding 4 tons | 4 2 0 |
| (iii) For those driving and attending to motor-vehicles with a combined weight of vehicle and maximum load exceeding 4 tons but not exceeding 5½ tons | 4 4 0 |
| (iv) For those driving and attending to motor-vehicles with a combined weight of vehicle and maximum load exceeding 5½ tons but not exceeding 10 tons | 4 7 6 |
| (v) For those driving and attending to motor-vehicles with a combined weight of vehicle and maximum load exceeding 10 tons .. | 4 10 0 |

(e) All wages prescribed in this clause are weekly wages, and are not subject to any deduction, save for time lost through illness or default of the worker.

Casual Labour.

5. (a) Male workers employed on casual work shall be paid not less than 2s. 3d. per hour for work done.

(b) Female workers employed as pork-butchers' assistants shall be paid not less than 1s. 3d. per hour for work done.

(c) No casual worker (whether male or female) shall be employed for less than six hours on any Monday, Tuesday, Wednesday, Thursday, or Friday, or less than four hours on any Saturday.

(d) No casual worker under the age of twenty-one years shall be employed.

Boys and Youths.

6. (a) Employers may employ boys and youths.

(b) All boys and youths shall be paid not less than the wages specified in the following scale :—

| | Per Week. |
|--|-----------|
| | £ s. d. |
| Under sixteen years of age | 0 17 6 |
| From sixteen to seventeen years of age.. | 1 2 6 |
| From seventeen to eighteen years of age | 1 10 0 |
| From eighteen to nineteen years of age.. | 2 0 0 |
| From nineteen to twenty years of age .. | 2 10 0 |
| From twenty to twenty-one years of age | 3 0 0 |

(c) The proportion of boys and youths employed shall not exceed one boy or youth to every three journeymen or fraction of three journeymen employed.

(d) No boy under the age of twenty-one years shall carry quarters of beef.

(e) The wages prescribed in this clause are weekly wages, and are not subject to any deduction save for lost time through illness or default of the worker.

(f) In the event of any general order fixing the conditions of apprenticeship in the butchery trade being made under the Apprentices Act, 1923, the provisions of this clause shall be subject to variation in accordance with the terms of such order.

Payment of Wages.

7. All wages shall be paid on Friday of each week, and shall be paid up to and including the day of payment: Provided that in the case of all workers employed in or about the Quay Street premises of R. and W. Hellaby, Ltd., or in or about the Wakefield Street premises of the Auckland Meat Co., Ltd., the wages shall be paid up to and including the day preceding the day of payment.

Holidays.

8. (a) The following shall be observed as holidays: New Year's Day, 2nd January, 29th January, Good Friday, Easter Monday, Labour Day, Sovereign's Birthday, Christmas Day, Boxing Day, and Anzac Day.

(b) An employer may arrange with any worker to work for not more than two hours in the morning of any of the foregoing holidays provided he shall pay, in addition to ordinary pay, overtime as specified in clause 3 hereof.

(c) Each worker shall be allowed a special holiday of one week on full pay on completion of each year of service. Such holiday shall commence within one month before or after the completion of each year of service, and in each case fourteen days' notice of the date of commencement shall be given by the employer to the worker. Such special holiday shall be exclusive of and in addition to any holiday mentioned in subclause (a) of this clause.

(d) Any worker who has completed six months' service in the employment of any employer and who shall leave such employment without having been allowed a special holiday in respect of any part of the period of such employment, shall, in lieu of a special holiday, be paid wages in proportion to the length of that part of the period of employment for which no special holiday has been allowed: Provided that no worker who has been dismissed for misconduct shall receive any such payment.

(e) In the event of a holiday, other than Anzac Day, falling on a Sunday, the succeeding Monday shall be observed as a holiday, and in the event of another holiday falling on such Monday, such other holiday shall be observed on the succeeding Tuesday.

General.

9. (a) In the case of weekly employment, where a worker is substantially employed on any class of employment he shall be paid the rate of wages laid down for that class of work. This shall not apply to any worker relieving another worker employed in the same shop while on annual holiday.

(b) At each stable and motor-garage there shall be kept a time-book in which there shall be entered day by day the time that each motor-driver, horse-driver, and ice-roundsman employed in connection with such stable or garage commences and the time at which he ceases work. Every such entry shall be signed by the worker whose time is recorded.

(c) All freezing-chamber hands and all motor-drivers and horse-drivers and drivers' assistants engaged in carting, loading, unloading, or handling meat shall be provided with overalls.

(d) Where workers are required to stand and work in wet places wooden gratings shall be provided for the workers to stand upon.

(e) At all establishments where six men or more are employed suitable dressing-rooms shall be provided.

(f) First-aid appliances for use in case of accident shall be provided at each shop or factory.

(g) Spells of a reasonable time shall be allowed chamber hands who are in a heated condition through working outside to cool before entering the freezing-chambers.

(h) All workers who are not provided with overalls shall, when loading or unloading meat, be provided with carrying-covers.

(i) One assistant shall be classed as second shopman in all shops where three or more adult male workers including the employer, if classed as first assistant, are employed.

(j) In combined butchers' and pork-butchers' shops the leading hand, other than the first assistant in each department, shall be classed as second shopman.

(k) When an employer is substantially performing the work of a shopman in his own shop he shall be classed as first shopman.

(l) No female shall be employed as a butcher's assistant or in doing in or about a butcher's shop or the butcher's department of a combined butcher's and pork-butcher's shop work usually done by a butcher's assistant, or in handling, other than in the form of small-goods, any beef, veal, mutton, or lamb.

Preference.

10. (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. 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 17th day of March, 1930, 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.

Under-rate Workers.

11. (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.

12. This award shall operate throughout that part of the Northern Industrial District lying within a radius of twenty-one miles from the Chief Post-office in the City of Auckland.

Term of Award.

13. This award shall come into force on the 20th day of November, 1933, and shall continue in force until the 17th day of July, 1935.

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 10th day of November, 1933.

[L.S.]

F. V. FRAZER, Judge.

MEMORANDUM.

The principal matters referred to the Court related to wages, the employment of "second shopmen," and the term of the award. The decision in regard to "second shopmen" is that of a majority of the Court, Mr. Monteith dissenting on the ground that the provision should be similar to that recently agreed on by the parties at Wellington and Invercargill. The decision of the majority of the Court is in accordance with the existing practice in Auckland.

F. V. FRAZER, Judge.