

## WELLINGTON INDUSTRIAL DISTRICT.

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(10452.) WELLINGTON INDUSTRIAL DISTRICT (EXCEPT WANGANUI DISTRICT) FURNITURE TRADE.—APPRENTICESHIP ORDER.

In the Court of Arbitration of New Zealand, Wellington Industrial District.—In the matter of the Apprentices Act, 1923, and its amendments; and in the matter of the conditions of apprenticeship in the furniture trade in the Wellington Industrial District (except Wanganui District).

Friday, the 28th day of April, 1933.

WHEREAS pursuant to section 4 (1) of the Apprentices Act, 1923, an Apprenticeship Committee has been set up for the Wellington Industrial District (except Wanganui District) in connection with the furniture 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 Wellington Industrial District, except that area which is bounded by a straight line drawn from the mouth of the Patea River to Pipiriki, up the Wanganui River to the 39th parallel, along the 39th parallel to the Ruahine Ranges, along the Ruahine Ranges to the Kawhatu Stream, thence along the Kawhatu Stream to the Rangitikei River, continuing along the Rangitikei River to the sea.

2. The trade or industry to which this order shall apply is cabinet-making, upholstering, chair and frame making, machining, wood-carving, turning, pianoforte-making (in all branches), french polishing, wire-mattress making (in all branches), and picture-frame making. Upholstering work shall include all kinds of bedding, laying of carpets and linoleums, also fixing of drapings. The provisions of this order shall apply to all employers of apprentices in the industry in the district (whether bound by an award or industrial agreement relating to the said industry or not) and to all apprentices employed by such employers in such industry, and to all contracts of apprenticeship between such employers and apprentices.

3. Every employer shall within three days after engaging any person as an apprentice give notice of such engagement to the District Registrar of Apprentices for the locality concerned.

4. Contracts of apprenticeship, and every alteration or amendment thereof, shall be registered with the District Registrar for the district within a period of fourteen days after the commencement of the employment of the apprentice, or the expiration of any period of probation served by him, pursuant to the Apprentices Act (in the case of an original contract) or within fourteen days after the making of the alteration. If the contract or alteration is not presented for registration as aforesaid the parties thereto are severally liable to a fine of £10 under the Apprentices Act, 1923.

5. The minimum age at which a person may commence to serve as an apprentice shall be fourteen years.

6. The term of apprenticeship shall be five years; wire-mattress makers and picture-frame makers, three years.

7. (a) The proportion of the total number of apprentices to the total number of journeymen employed by any employer shall be not more than one to two or fraction of the first two, in each branch of the trade. When an apprentice has completed his fourth year an employer may, with the consent of the Apprenticeship Committee, employ an additional apprentice. For the purposes of this order an employer who performs the work of a journeyman in the branch of the trade shall be counted for the purpose of calculation. Before taking on an apprentice an employer shall have been in business at least eight months.

(b) For the purpose of determining the proportion of apprentices to journeymen when taking any new apprentice on, the calculation shall be based on a two-thirds full time employment of the journeymen employed during the previous six calendar months.

8. 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.

9. Every employer desiring to employ an apprentice in any branch or branches of the trade shall, before engaging the proposed apprentice, make application in writing to the Apprenticeship Committee, and the Committee shall either grant or refuse the application after inquiring into the facilities within the scope of the proposed employer's business for teaching the proposed apprentice the branch or branches of the trade.

10. (a) The minimum rate of wages payable to apprentices shall be 12s. 6d. per week for the first year; 19s. per week for the second year; £1 6s. per week for the third year; £1 13s. 6d. per week for the fourth year; £2 per week for the fifth year.

(b) The minimum rates of wages payable to apprentices in the branches of the industry for which a three years' apprenticeship is provided shall be 12s. 6d. per week for the first year; £1 2s. 6d. per week for the second year; and £1 15s. per week for the third year.

(c) The provisions of subclauses (a) and (b) hereof shall not affect the rates of remuneration of an apprentice employed under a contract of apprenticeship subsisting at the date of the coming into operation of this order.

11. If ordered to do so by the Court or the Apprenticeship Committee, any apprentice residing within a radius of five miles from a technical college, school, or other approved institution shall, during three years of his apprenticeship, as ordered by the Court or the Committee, or until he shall have obtained the certificate hereinafter mentioned, attend the classes in such college, school, or institution, 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 70 per cent. of the maximum possible, provided that the report of the Director is satisfactory.

12. Every apprentice who, whether he has been ordered to attend such classes or not, shall have obtained from the principal of the college, school, or institution in which he has attended classes as before-mentioned, a certificate that he has passed an examination of a standard to be arranged between the management of the college, school, or institution and the Committee, shall, upon production of such certificate to his employer, be paid during the fourth year of his apprenticeship at the rate of not less than 3s. 6d. per week in excess of the minimum rate provided in clause 10 (a) hereof, and

during the fifth year of his apprenticeship at the rate of not less than 6s. per week in excess of such minimum rate.

13. The period of probation that may be prescribed in any contract of apprenticeship shall not exceed three months in the case of the first apprenticeship and two months in any other case.

14. 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 four months.

15. Rateable deductions from wages of an apprentice may be made for any time lost through sickness or accident not arising out of his employment, or for any time lost by the default of the apprentice.

16. An apprentice shall make up all time lost by him in any year through his own default or sickness, or through accident (unless arising out of, and in the course of his employment), or for any cause not directly connected with the business of the employer, 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.

17. (a) Nothing herein contained shall prevent an employer, during periods of slackness of work, from temporarily transferring an apprentice to another employer who is able and willing to employ him, provided that the provisions of clause 7 of this order relating to the two-thirds full time employment shall not apply in the case of any temporary transfer made in accordance with this clause.

(b) Any employer employing an apprentice in accordance with clause 17 hereof shall for the time being and during the period of the said employment be bound by all the conditions of the contract entered into by the original employer and the apprentice.

(c) An apprentice shall not be employed under a temporary transfer as aforesaid without the permission of the Apprenticeship Committee.

18. The hours of work of apprentices shall, subject to the provisions of any statute, be those fixed by the award or industrial agreement (if any) relating to the employment of journeymen for the time being in force in the district.

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

20. The minimum rate of overtime payment to apprentices shall be 1s. per hour, or time and a half, whichever is the greater.

21. The conditions of the award or industrial agreement in force in the district shall, in so far as they relate to the method and time of payment of wages, holidays (except in regard to deductions for holidays), travelling-time, suburban work, country work, meal-money, and any other matters (except preference to unionists) relating generally to the employment, and not in conflict with this order, be applicable to apprentices.

22. Every contract of apprenticeship shall accord with the provisions of the Apprentices Act, 1923, 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.

23. It shall be an implied term in every contract of apprenticeship that the apprentice will 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.

24. It shall be an implied term in every contract of apprenticeship that the employer will 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 trade or branches of the trade to which he is apprenticed in accordance with the provisions of the Apprentices Act, 1923, 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 trade or branches of the trade 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 trade or branches of the trade to which he is apprenticed.

25. 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.

26. 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.

27. 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.

28. The powers conferred on the Court by paragraphs (b) to (l) inclusive of section 5 (4) of the Apprentices Act, 1923, are hereby delegated by the Court to the said Committee in so far as those powers relate to the said industry within that part of the Wellington Industrial District lying within a radius of twenty miles from the Chief Post Office in the City of Wellington, but reserving nevertheless power to the Court at any time and from time to time to withdraw all or any of such powers.

29. This order shall operate and take effect as from the 1st day of May, 1933.

[L.S.]

F. V. FRAZER, Judge.

#### MEMORANDUM.

This order is made in substitution of an order dated the 22nd day of December, 1924, and recorded in Book of Awards, Vol. XXV, p. 1642, and it 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 a            (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.

[Signed by the said  
presence of—

in the }  
\_\_\_\_\_

[*Employer's signature.*]

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

[*Continue similarly for guardian and apprentice.*]

(10500.) WELLINGTON INDUSTRIAL DISTRICT (EXCEPT WANGANUI DISTRICT) FURNITURE TRADE.—AMENDMENT OF APPRENTICESHIP ORDER.

In the Court of Arbitration of New Zealand, Wellington Industrial District.—In the matter of the Apprentices Act, 1923, and its amendments; and in the matter of the Wellington Industrial District (except Wanganui District) Furniture Trade apprenticeship order, dated the 28th day of April, 1933, and recorded in Book of Awards, Vol. XXXIII p. 445.

Wednesday, the 5th day of July, 1933.

WHEREAS by section 5 (2) of the Apprentices Act, 1923, the Court is empowered to amend any order made under section 5 (1) of the said Act; And whereas the apprenticeship committee set up in connection with the furniture trade in the Wellington Industrial District (except Wanganui District) has made application to the



Court for amendment of the Wellington Industrial District (except Wanganui District) Furniture Trade apprenticeship order, dated the 28th day of April, 1933, and recorded in Book of Awards, Vol. XXXIII, p. 445: Now, therefore, the Court, in pursuance and exercise of the powers vested in it by the said Act, doth hereby order as follows:—

1. That the said order shall be amended by striking out sub-clause (b) of clause 10 thereof, and substituting the following subclause therefor:—

“(b) The minimum rates of wages payable to apprentices in the branches of the industry for which a three years’ apprenticeship is provided shall be—

			Per Week.		
			£	s.	d.
“ For the first year	..	..	..	0 15	0
“ For the second year	..	..	..	1 2	6
“ For the third year	..	..	..	1 15	0.”

2. That this order shall be deemed to have operated and taken effect as from the 1st day of May, 1933.

[L.S.]

F. V. FRAZER, Judge.