

**(10386.) NEW ZEALAND (EXCEPT MARLBOROUGH) CARPENTERS AND JOINERS.—PARTIAL EXEMPTION FROM AWARD.**

In the Court of Arbitration of New Zealand, Canterbury Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925, and its amendments ; and in the matter of the New Zealand (except Marlborough) Carpenters and Joiners' award, dated the 22nd day of December, 1932, and recorded in Book of Awards, Vol. XXXII, p. 636.

Friday, the 10th day of February, 1933.

UPON reading the applications of the Ashburton Borough Council and the Westfield Freezing Co., Ltd., and other freezing companies for exemption from the provisions of the New Zealand (except Marlborough) Carpenters and Joiners' award, dated the 22nd day of December, 1932, and recorded in Book of Awards, Vol. XXXII, p. 636 ; and upon hearing the duly appointed representatives of the said applicants; this Court, in pursuance and exercise of the powers conferred upon it by section 6 (1) of the Industrial Conciliation and Arbitration Amendment Act, 1932, doth hereby order as follows :—

1. (a) The Ashburton Borough Council and freezing companies are respectively bound by such only of the provisions of the said award as relate to the payment of the minimum rates of wages and overtime, and the observance of Sundays and holidays.

(b) These partial exemptions do not apply to the employment of carpenters and joiners on the erection of new buildings.

(c) Freezing companies shall not be bound by the said award in respect of their respective foremen carpenters and other carpenters permanently employed by them, provided such workers are paid not less than the rates of wages prescribed by this award.

2. That this order shall be deemed to have operated and taken effect as from the 4th day of January, 1933.

[L.S.]

F. V. FRAZER, Judge.

MEMORANDUM.

The exemption granted to freezing companies is renewed in the same terms as in the expired award. The union asked for the transposition of subclauses (c) and (d) of the former clause 10, in order to ensure that all new construction work should be covered by the award in its entirety. The Court is inclined to the view that there has been some misunderstanding as to the effect of the clause. The true meaning is that casually employed carpenters have, under subclause (a), a partial exemption only when working on existing buildings, but they are not subject to any exemption when working on new construction. Permanently employed carpenters, however, are within the partial exemption contained in subclause (c), whether working on existing buildings or on new construction.

F. V. FRAZER, Judge.