

## WELLINGTON INDUSTRIAL DISTRICT.

**(10592.) WELLINGTON (TWENTY-FIVE MILES RADIUS) CARPENTERS AND JOINERS.—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 carpentering and joinery industry in that portion of the Wellington Industrial District situate within a radius of twenty-five miles from the Te Aro Post-office, Wellington.

Wednesday, the 7th day of March, 1934.

WHEREAS, pursuant to section 4 (1) of the Apprentices Act, 1923, an Apprenticeship Committee has been set up for that portion of the Wellington Industrial District situate within a radius of twenty-five miles from the Te Aro Post-office, Wellington, in connection with the carpentering and joinery industry: 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 locality, 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 as follows:—

1. The locality in which this order shall have effect is that portion of the Wellington Industrial District situate within a radius of twenty-five miles from the Te Aro Post-office, Wellington.

2. The trade or branches of the industry to which this order shall apply are carpentering and/or joinery, with or without joinery machining. The provisions of this order shall apply to all employers of apprentices in the industry in the locality (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. The term of apprenticeship in every case shall be five years.

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

5. The proportion of apprentices to fully paid workers employed by any employer shall be not more than one apprentice to every two journeymen. For the purpose of determining the proportion of

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

6. 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.

7. The minimum rates of wages payable to apprentices shall be 15s. per week for the first year ; £1 2s. 6d. per week for the second year ; £1 10s. per week for the third year ; £1 17s. 6d. per week for the fourth year ; £2 5s. per week for the fifth year ; subject in each case to the provisions of the general order of the Court of the 29th May, 1931.

8. 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.

9. Contracts of apprenticeship and any alterations thereto shall be registered with the Registrar of Apprentices 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 ten pounds under the Apprentices Act, 1923.

10. 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.

11. An employer shall be entitled to make a rateable deduction from the wages of an apprentice for any time lost by him through sickness or accident not arising out of his employment or through his own default, in excess of four weeks in any year, or for any time lost by the apprentice through his own default.

12. An apprentice shall make up all time lost by him in any year through his own default, or sickness or accident from 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.

13. (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 5 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 this clause 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 of the apprentice, without relieving such original employer from liability for the observance and performance thereof.

(c) An apprentice shall not be employed under a temporary transfer as aforementioned without the express permission of the Apprenticeship Committee, but such permission shall be granted only if the proposed transferee can satisfy the Committee that he will not employ more than one apprentice to every two journeymen during the period of the transfer.

14. 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.

15. 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, 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.

16. The minimum rate of overtime payment to apprentices shall be 1s. per hour.

17. 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 or school or other approved institution shall, during the first three years of his apprenticeship, 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.

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

19. 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 5s. per week in excess of the minimum rate provided in clause 7 hereof, and during the fifth year of his apprenticeship at the rate of not less than 7s. 6d. per week in excess of such minimum rate.

20. 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 two months.

21. 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.

22. 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.

23. 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 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, 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 journeymen in the trade.

24. It shall not be competent for an employer to employ a youth as an apprentice until he has been established in business for at least two years unless he satisfies the Committee that he is in a position to continue as an employer.

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 provisions of the General Order of the Court of the 29th May, 1931, shall apply to this order.

29. 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 and locality, but reserving, nevertheless, power to the Court at any time and from time to time to withdraw all or any of such powers.

30. This order shall operate and take effect as from the 12th day of March, 1934.

31. The apprenticeship order of the 21st day of August, 1924, and recorded in Book of Awards, Vol. XXV, p. 787, is hereby revoked.

[L.S.]

F. V. FRAZER, Judge.

#### MEMORANDUM.

This order supersedes the existing order of 21st August, 1924. Mr. Monteith desires to record his dissent in so far as clause 13 is concerned. A suggested form of apprenticeship contract is appended.

F. V. FRAZER, Judge.

*[For suggested form of apprenticeship contract see p. 43.]*