

(10625.) NORTHERN INDUSTRIAL DISTRICT BACON WORKERS.—
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 Meat Co., Ltd., Wakefield Street, Auckland, C. 1
 Baster, T., Ponsonby Road, Auckland W. 1
 Birch, A., Ltd., 199 Symonds Street, Auckland C. 3
 Harrison, G., 210 Queen Street, Onehunga, Auckland S.E. 5
 Hellaby, R. and W., Ltd., Quay Street, Auckland C. 1
 Hutton, J. C. (N.Z.), Ltd., Stanley Street, Auckland, C. 1
 Hydra Bacon Co., Ltd., Grace Street, Ponsonby, Auckland W. 1
 Kiwi Bacon Co., Ltd., Fort Street, Auckland C. 1
 Mandeno, T. N., Mangere
 Nikau Bacon Co., Ltd., 273 New North Road, Auckland C. 3
 Oakdale Bacon Co., Ltd., Melrose Road, Mount Roskill, Auckland S. 3
 Stansfield, E., Karangahape Road, Auckland C. 2
 Williamson and Jackson, 73 Victoria Road, Devonport, Auckland N. 1
 Wiltshire Bacon Co., 5 Chapman Street, Newton, Auckland W 2

and

the Auckland Butchers' Industrial Union of Workers, Trades Hall, Hobson Street, Auckland C. 1 (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 28th day of May, 1934, and shall continue in force until the 28th day of May, 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 17th day of May, 1934.

[L.S.]

F. V. FRAZER, Judge.

SCHEDULE.

Hours of Work.

1. (a) Except as otherwise provided herein, the hours of work shall not exceed forty-eight per week, to be worked between the hours of 7.30 a.m. and 5 p.m. on five days of the week, and between 7.30 a.m. and noon on Saturday.

(b) Three-quarters of an hour shall be allowed for meals, except where otherwise mutually arranged between the employer and the union.

Wages.

2. The following shall be the minimum rates of wages payable to the undermentioned workers:—

(a) First small-goodsman, £5 3s. 6d. per week.

(b) Workers employed at marking down, chopping, boning, rolling and curing, 1s. 10d. per hour.

(c) Cellarmen and assistant small-goodsman, 1s. 8d. per hour.

(d) Lardmakers, storehands, and all other workers employed in the department, 1s. 6 $\frac{3}{4}$ d. per hour.

Females.

3. Female workers may be employed at suitable work in small-goods factories, bacon-factories, and in packing-rooms at a minimum wage of £2 2s. per week: Provided that their hours of work shall be as prescribed in the Factories Act, 1921-22.

Boys and Youths.

4. (a) Boys and youths may be employed, at the discretion of the employers, at not less than the following rates of wages:—

	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

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

Drivers.

5. (a) 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

(b) In the case of drivers, 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.

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

Overtime.

6. Except where otherwise provided, all time worked in excess of the hours mentioned in clause 1 hereof in any one day shall be considered overtime, and shall be paid for at the rate of time and a quarter for the first two hours and time and a half thereafter.

Holidays.

7. (a) The following holidays shall be observed: New Years Day, the day following New Years Day, Anniversary Day, Good Friday, Easter Monday, Sovereign's Birthday, Labour Day, Christmas Day, and Boxing Day.

(b) For work done on Good Friday, Christmas Day, and Sunday double time rates shall be paid, and for work done on all other holidays, time and a half rates shall be paid.

(c) If any of the above holidays fall on a Sunday, the holiday shall be observed on the Monday following.

Deductions from Wages.

8. An employer shall be entitled to make a rateable deduction from weekly wages specified in this award for any time lost by a worker through his or her sickness, accident, or default.

Payment of Wages.

9. (a) Wages shall be paid weekly in the employer's time.

(b) If any worker leaves his employment with his employer's consent, or is dismissed by his employer, his wages shall be paid in cash immediately following such leaving or dismissal.

General Conditions.

10. (a) When working overtime, or when loading out, meal-times shall be at intervals of not more than four hours.

(b) 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. No deduction shall be made from the men's wages on account of such spell.

(c) All freezing-chambers shall be provided with a light and adequate provision for communication with the outside.

(d) Suitable facilities for dressing shall be provided, with provision for hot or cold water, and for drying wet clothes.

(e) Hot water shall be provided convenient to the dressing-rooms.

(f) A St. John, or similar, first-aid outfit shall be provided in each factory.

(g) Where men are requested to work more than two hours' overtime (whether before 7.30 a.m. or after 5 p.m.) without having previously been notified, a suitable meal consisting of at least bread, butter, and meat, with tea, coffee, or cocoa, shall be provided by the employer, or 1s. 3d. tea-money shall be paid, at the option of the employer.

(h) All workers shall be supplied with articles reasonably necessary to carry on the work, or materials for making the same. All such articles are to be replaced by the employer when worn out and beyond repair as the result of fair wear-and-tear, and shall remain the property of the employer. The articles to be supplied in the various departments shall be as follows: (1) Chamber hands, two-piece overalls and gloves; (2) preserving department, clogs and aprons; (3) Manure and tallow department, overalls and clogs.

Award not to apply to Foremen.

11. Nothing in this award shall apply to foremen.

Under-rate Workers.

12. (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.

13. (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.

Exemptions.

14. The following employers are exempted from the operation of this award if and so long as they shall pay the wages and observe the conditions set out and prescribed in the Butchers' award for the time being in force in the City of Auckland:—

Baster, T., Ponsonby Road, Auckland W. 1.

Standfield, E., Karangahape Road, Auckland C. 2.

Williamson and Jackson, 73 Victoria Road, Devonport, Auckland N. 1.

Scope of Award.

15. This award shall operate throughout the Northern Industrial District.

Term of Award.

16. This award shall come into force on the 28th day of May, 1934, and shall continue in force until the 28th day of May, 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 17th day of May, 1934.

[L.S.]

F. V. FRAZER, Judge.

MEMORANDUM.

The Court has settled the clauses relating to wages, holidays, overtime, general conditions, preference, and exemptions. The rates of wages are the same as those fixed by the most recent award in the industry (the Canterbury award of 1933). A somewhat higher set of rates is payable under the Wellington award of 1929, but the rates fixed by that award were based on the highest rate being 1d. per hour below the Court's rate for skilled workers, which at that time was 2s. 3d. per hour. The Court has adopted the same principle in the present award, and has fixed the highest rate at 1s. 10d. per hour, which is 1d. per hour below the current rate for skilled workers (1s. 11d. per hour). In the Northern Industrial District, workers in bacon factories were formerly dealt with under the butchers' awards, but the trade has grown in recent years to such an extent as to become a distinct trade, separate altogether from the ordinary work of a butcher's shop. It has become necessary, therefore, to frame an award applicable to factory-work performed under factory conditions, as is the case in other parts of New Zealand. The Court has, however, recognized a first small-goods man as occupying a position comparable with that of a first small-goods man in a retail shop, and has provided the same wage rate for a worker in that class. With regard to the other workers, the Court was of opinion that it could not logically place a highly graded semi-skilled worker on the same level as skilled tradesmen, and it graded the scale for workers, other than first small-goods men, on the basis generally adopted, according to the degree of skill involved. The other clauses in dispute have been settled in accordance with the principles adopted in recent awards and industrial agreements.

The award represents the decision of a majority of the Court. Mr. Monteith is not in accord with the views of the majority, and his dissenting opinion is subjoined.

F. V. FRAZER, Judge.

DISSENTING OPINION OF MR. MONTEITH.

I dissent from this award on account of the rates of wages awarded to all except the top-rate man. Ninety per cent. of the workers

covered will get a substantial reduction. As an example, take the rate for the lowest-paid worker: In 1931 the rate was £4 12s. per week; this award will give, if he secured full time, £3 15s. per week, a 20 per cent. reduction. Also, the employment has been changed from a weekly one to an hourly one. In New Zealand we have two other awards for similar workers operating, one in Wellington which has a minimum rate (on a full week) of £3 18s. 5d., and one in Christchurch (on a full week) £3 15s. The fact that the Wellington employers can pay this rate, and have allowed the award to continue shows clearly that the trade can stand these wages. The total reductions made since 1931 will be, in my opinion, about 25 per cent., made up as follows: 10 per cent. reduction by the Court's General Order, 10 per cent. by this award, and the alteration in conditions contained in this award, 5 per cent. I do not think that lower rates than Wellington were justified.
