

(10651.) CANTERBURY BREWERS' DRIVERS.—AWARD.

In the Court of Arbitration of New Zealand, Canterbury 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 ”) :—

Hickmott's Victoria Brewery, Waltham Road, Christchurch

The Dominion Compressed Yeast Co., Ltd., Christchurch

The New Zealand Breweries, Ltd., Christchurch

The Rangiora Brewery Co. (G. Sturgess), Rangiora

The Timaru Brewery Co., Ltd., Timaru and Christchurch

White Star Brewery, Ltd., Harper Street, Sydenham, Christchurch ; and Kaiapoi

and

the Christchurch Maltsters', Brewers' and Related Trades Industrial Union of Workers, Christchurch (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 16th day of July, 1934, and shall continue in force until the 31st day of January, 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 4th day of July, 1934.

[L.S.]

A. W. BLAIR, Judge.

SCHEDULE.

Hours of Work.

1. (a) Except where otherwise provided, a week's work for drivers employed by brewers shall not exceed forty-eight hours, exclusive of time necessary for regular attendance to motor-vehicles but inclusive of time taken for repairs.

(b) If more than nine and a half hours' work (exclusive of the regular attendance to motor-vehicles but inclusive of time taken for repairs) is done in any one day, any excess beyond such nine and a half hours shall be paid for at overtime rates.

(c) Each employer shall be entitled to arrange the hours of work according to the exigencies of his particular business, such hours to be continuous, subject to the usual meal hours.

Wages.

2. The following shall be the minimum rates for drivers per week :—

For those driving and attending to motor-vehicles with a combined weight of vehicle and load—

	£	s.	d.
Maximum not exceeding 2 tons	3	17	6
Exceeding 2 tons but not exceeding 4 tons ..	4	0	0
Exceeding 4 tons but not exceeding 5½ tons ..	4	2	6
Exceeding 5½ tons but not exceeding 10 tons...	4	5	0

Casual Drivers.

3. Casual drivers shall be paid at the rate of 1s. 9d. per hour with a minimum of two hours at any one engagement.

A worker shall be deemed to be a casual driver who is employed as such for less than four days per week.

Holidays.

4. (a) The following shall be the recognized holidays : New Year's Day, Good Friday, Easter Monday, Labour Day, Christmas Day, Boxing Day, the Sovereign's Birthday, and Show Day.

(b) For essential work in the industry covered by this award, employers shall have the right to employ men during any of the above holidays without additional payment, provided that where an employee is required to work on a holiday equivalent time off shall be given within one month or at such other time as shall be mutually agreed upon. In lieu of such time off, payment at ordinary rates for the time worked shall be granted to the employee concerned.

Drivers' Duties.

5. It shall be part of the ordinary duty of a driver to assist when required in the loading and unloading of his employer's vehicles. An employer may employ a driver at work outside his ordinary duties for the purpose of filling in time, but in such case he shall be paid not less than the award or ruling rate for such work, and not less in any case than the ordinary rates for drivers.

Overtime.

6. Overtime shall be worked as required by the employer. All time worked in excess of forty-eight hours in any one week shall be paid for at time and a quarter for the first three hours and time and a half thereafter, computed on the rates set out in clause 2 hereof, irrespective of the actual wage being paid to the worker concerned.

Payment of Wages.

7. Wages, including overtime, shall be paid weekly, on a day to be fixed from time to time in advance by the employer.

Term of Engagement.

8. In the case of workers other than casual hands, a week's notice of dismissal or resignation shall be given by the employer or the worker, as the case may be, but this shall not prevent any employer from summarily dismissing any worker for good cause.

Youths.

9. The Dominion Compressed Yeast Co. may employ youths at not less than the following rates of wages :—

	Per Week.		
	£	s.	d.
Eighteen to nineteen years of age ..	2	0	0
Nineteen to twenty years of age ..	2	5	0
Twenty to twenty-one years of age ..	2	10	0

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 fourteen 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 21st day of June, 1929, 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 9d. per week or 9s. 9d. per quarter, 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.

(c) It is requested that whenever an employer employs a worker who is not a member of the union, he shall, within seven days thereafter, give notice in writing of such employment to the secretary 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 the Canterbury Industrial District.

Term of Award.

13. This award shall come into force on the 16th day of July, 1934, and shall continue in force until the 31st day of January, 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 4th day of July, 1934.

[L.S.]

A. W. BLAIR, Judge.

MEMORANDUM.

The only matters referred to the Court related to under-rate workers and the date of the coming into force of the award. In other respects the award embodies the recommendations of the Conciliation Council, which the parties agreed to accept. Power is reserved to any party to this award to apply to the Court for total or partial exemption therefrom at the next sitting of the Court in Christchurch.

A. W. BLAIR, Judge.

(10693.) CANTERBURY BREWERS' DRIVERS.—ADDING PARTY TO
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 Canterbury Brewers' Drivers' award, dated the 4th day of July, 1934, and recorded in Book of Awards, Vol. XXXIV, p. 367.

Thursday, the 15th day of November, 1934.

UPON reading the application of the union party to the Canterbury Brewers' Drivers' award, dated the 4th day of July, 1934, and recorded in Book of Awards, Vol. XXXIV, p. 367, which application was filed herein on the 16th day of August, 1934, and upon hearing the duly appointed representative of the said Union, this Court doth order that the undermentioned company be and it is hereby added as a party to the said award as from the day of the date hereof:—

Southern Cross Brewery, Devonport Lane, St. Albans, Christchurch.

[L.S.]

F. V. FRAZER, Judge.
