

(10586.) CANTERBURY LEADLIGHT AND GLASSWORKERS.—
APPRENTICESHIP ORDER.

In the Court of Arbitration of New Zealand.—Canterbury Industrial District.—In the matter of the Apprentices Act, 1923, and its amendments; and in the matter of the conditions of apprenticeship in the leadlight and glassworking industry in the Canterbury Industrial District.

Monday, the 10th day of March, 1934.

WHEREAS, pursuant to section 4 (1) of the Apprentices Act, 1923, an Apprenticeship Committee has been set up for the Canterbury Industrial District in connection with the leadlight and glassworking industry: And whereas the Court has heard the representatives of 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 Canterbury Industrial District.

2. The branches of the trade or industry to which this order shall apply are (a) lead-glazing, and (b) glass-bevelling. 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. (a) 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 apprentice, after inquiring into the facilities within the scope of the proposed employer's business for teaching the proposed apprentice: Provided, however, that after the Committee has been satisfied as to an employer's facilities for teaching an apprentice in any branch or branches of the trade, it shall not be necessary for that employer, previously to engaging further apprentices (up to his quota) for that branch or those branches, to make such application to the Committee, if his facilities for teaching apprentices remain equally efficient; but if the Committee, in granting permission to employ an apprentice, shall have notified the employer that his facilities for teaching apprentices are insufficient to justify the employment of more than a limited

number of apprentices, it shall in such case be necessary for that employer to make such application as hereinbefore mentioned in respect of any apprentices he may thereafter wish to engage in excess of that number.

(b) Every contract of apprenticeship and every alteration or amendment thereof shall be in writing signed by the employer and the apprentice, and, if the apprentice is under the age of twenty-one years, by the parent or guardian (if any) of the apprentice, and shall be registered by the employer in the prescribed manner, within fourteen days of the date thereof, with the District Registrar.

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

5. The term of apprenticeship shall be five years.

6. The proportion of the total number of apprentices to the total number of journeymen employed by any employer in each branch of the industry shall be not more than one to two or fraction of two.

7. For the purpose of determining from time to time the total number of journeymen employed by any employer in each branch of the trade, each employer when seeking to engage a further apprentice shall furnish to the District Registrar a statement of the number of journeymen employed by him in the particular branch to which it is sought to apprentice the boy for at least one-third full time during the six months ended on the last day of the month preceding the date of the application. For the purpose of this order an employer who himself works at the trade shall be entitled to count himself as a journeyman.

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. The minimum rates of wages payable to apprentices shall be :—

	Per Week.		
	£	s.	d.
First year	0	12	6
Second year	0	17	6
Third year	1	2	6
Fourth year	1	8	6
Fifth year	1	17	6

10. The period of probation to be prescribed in contracts of apprenticeship to enable the employer of an apprentice to determine his fitness shall not exceed six months in the case of a first apprenticeship to the trade, and shall not exceed two months in any other case.

11. 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 three months.

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

13. 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 through his own default.

14. The hours worked by an apprentice shall, subject to the provisions of any statute, be those normally worked by journeymen in accordance with the provisions of the award or industrial agreement relating to the employment of journeymen for the time being in force in the district; and if no such award or industrial agreement is in force, then the hours of work shall be in accordance with the Factories Act, 1921-22.

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

16. The minimum rates of overtime payment for apprentices shall be the same proportion to ordinary pay as is prescribed for journeymen by the award or industrial agreement, or, failing their existence, the Factories Act as referred to in clause 14.

17. The conditions of the award or industrial agreement referred to in clause 14 hereof, 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 other matters (other than preference to unionists) relating generally to the employment and not in conflict with this order, shall be applicable to apprentices.

18. 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.

19. 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.

20. 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 of a leadlight and glass worker in accordance with the provisions of the Apprentices Act, 1923, and of this order and any amendment 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 of a leadlight and glass worker, 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 of a leadlight and glass worker.

21. 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.

22. 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.

23. 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.

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

25. This order shall operate and take effect as from the day of the date hereof.

26. The apprenticeship order of the 29th day of May, 1925, recorded in Book of Awards, Vol. XXVA, p. 458, is hereby revoked.

[L.S.]

F. V. FRAZER, Judge.

MEMORANDUM.

This order 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.

[Employer's signature.]

Signed by the said in the }
presence of— }

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

[Continue similarly for guardian and apprentice.]