

## NORTHERN (AUCKLAND) INDUSTRIAL DISTRICT.

## (10739.) NORTHERN INDUSTRIAL DISTRICT ELECTRICAL WORKERS.—APPRENTICESHIP ORDER.

In the Court of Arbitration of New Zealand, Northern Industrial District.—In the matter of the Apprentices Act, 1923, and its amendments; and in the matter of the conditions of apprenticeship in the electrical trade in the Northern Industrial District.

Friday, the 15th day of February, 1935.

WHEREAS, pursuant to the Apprentices Act, 1923, the Court has heard the employers, workers, and other persons concerned in the electrical trade in the Northern Industrial District: 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 trade 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 Northern Industrial District.

2. The trade or industry to which this order shall apply is the electrical trade as defined in the Northern Industrial District Electrical Workers' award (Book of Awards, Vol. XXXIV, p. 377). 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. 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.

4. Contracts of apprenticeship, and every alteration or amendment thereof, shall be registered with the District Registrar 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 £10 under the Apprentices Act, 1923.

5. 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 application 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 the 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 an 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.

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

7. The term of apprenticeship shall be five years.

8. (a) The proportion of apprentices to journeymen shall not exceed one to every two journeymen or fraction of two employed.

(b) For the purpose of determining the number of apprentices each employer may employ, the number shall be computed upon the total number of journeymen employed for two-thirds full time for six months prior to the taking-on of an apprentice.

(c) Before taking an apprentice an employer shall have been in business for at least eight months.

9. 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 the Apprenticeship Order.

10. The minimum rate of wages payable to apprentices shall be—

	Per Week.		
	£	s.	d.
For the first year .. .. .	0	15	0
For the second year .. .. .	1	2	6
For the third year .. .. .	1	10	0
For the fourth year .. .. .	1	17	6
For the fifth year .. .. .	2	5	0

All the above rates to be subject to a deduction of 10 per cent.

11. If ordered to do so by the Court or a Committee, any apprentice residing within a radius of five miles from a technical college 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 or other institution, and in such cases the employer shall refund the apprentice the amount of his fees for each term in which his attendance is not less than 75 per cent. of the maximum possible.

12. Every apprentice who, whether he has been ordered to attend such classes or not, shall have obtained registration under the Wiremen's Registration Act, 1925, shall, upon production of such registration 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 10 hereof, and during the fifth year of his apprenticeship at the rate of not less than 7s. 6d. in excess of such minimum rate: these excess rates to be subject to a deduction of 10 per cent.

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

14. 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, and shall not count in the proportion.

15. An apprentice shall make up any time lost by him in any year through his own default, or sickness, or through accident (unless arising out of and in the course of his employment), 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.

An apprentice working overtime shall have such time added to his ordinary time in calculating the respective years of his apprenticeship.

16. 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 or in the course of the employment, or through his own default.

17. 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.

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

19. The minimum rate of overtime payment for apprentices shall be time and a half or 9d. per hour, whichever is the greater.

20. The conditions of the award or industrial agreement referred to in clause 17 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.

21. (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 8 (b) 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 and the apprentice; but this shall not relieve the original employer of his obligations under the said contract.

(c) An apprentice shall not be employed under a temporary transfer as aforesaid without the permission of the Apprenticeship Committee, or for any longer period than approved by the Committee.

22. 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 and 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.

23. 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.

24. 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 an electrician, in accordance with the provisions of the Apprentices Act, 1923, and of this order and any amendments thereof.

25. The following tools shall be supplied to apprentices: Knife, small footprint pliers, cutting-pliers, screwdrivers (two), and rule. Tools shall be kept in good order (reasonable wear-and-tear excepted). Tools lost shall be replaced by the apprentice.

26. 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.

27. 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.

28. 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.

29. 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 Auckland Electrical Trades Apprenticeship Committee in so far as those powers relate to the said industry within that part of the Northern Industrial District lying within a radius of twenty miles from the Chief Post-office in the City of Auckland, 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 25th day of February, 1935.

[L.S.]

F. V. FRAZER, Judge.

MEMORANDUM.

This order is made in substitution for the former order, which is hereby cancelled. The only matter on which the parties were unable to agree was wages, which the Court has settled on the basis of the current Wellington District order.

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.]