

(11140.) NORTHERN INDUSTRIAL DISTRICT (EXCEPT POVERTY BAY) **CREAMERIES, CHEESE AND BUTTER FACTORIES EMPLOYEES**; CANTERBURY BUTTER-FACTORIES EMPLOYEES; AND OTAGO AND SOUTHLAND CHEESE AND BUTTER FACTORIES EMPLOYEES.—AMENDMENT OF AWARDS.

In the Court of Arbitration of New Zealand.—In the matter of the Industrial Conciliation and Arbitration Amendment Act, 1936; and in the matter of the Northern Industrial District (except Poverty Bay) Creameries, Cheese and Butter Factories Employees' award, dated the 1st day of February, 1935, and recorded in Book of Awards, Vol. XXXV, p. 15; the Canterbury Butter-factories Employees' award, dated the 26th day of March, 1934, and recorded in Book of Awards, Vol. XXXIV, p. 85; and the Otago and Southland Cheese and Butter Factories Employees' award, dated the 16th day of December, 1935, and recorded in Book of Awards, Vol. XXXV, p. 1421. Mr. *Jas. Roberts* for the workers; Mr. *T. O. Bishop* for the employers.

JUDGMENT OF THE COURT, DELIVERED BY PAGE, J.

THESE are applications made under section 21 of the Industrial Conciliation and Arbitration Amendment Act, 1936, for a reduction to 40 hours per week of the working-hours fixed by the three awards above enumerated relating to the butter- and cheese-manufacturing industry.

The statute requires the hours of work to be fixed at 40 per week unless, in the opinion of the Court, it would be impracticable to carry on efficiently the industry if the hours of work were thus limited.

In our opinion this industry, which is a seasonal one, cannot be carried on efficiently on a 40-hour week.

We fix the hours of work as follows:—

For the North Island—

Butter-factories—

For seven months from 15th August to 15th March:  
48 hours a week.

For five months from 16th March to 14th August:  
40 hours a week.

Cheese-factories—

For nine months from 14th August to 14th May:  
52 hours a week.

For one month from 15th May to 16th June:  
44 hours a week.

For two months from 17th June to 13th August:  
38 hours a week.

For the South Island—

Butter-factories—

For seven months from 15th September to 15th  
April: 48 hours a week.

For five months from 16th April to 14th  
September: 40 hours a week.

Cheese-factories—

For nine months from 14th September to 14th  
June: 52 hours a week.

For one month from 15th June to 16th July:  
44 hours a week.

For two months from 17th July to 13th  
September: 38 hours a week.

The awards will be amended accordingly.

Rates of pay prevailing on 1st September, 1936, will be adjusted in accordance with subsection (3) of section 21 of the Industrial Conciliation and Arbitration Amendment Act, 1936, so that the ordinary rates of weekly wages of any worker shall not be reduced by reason of the reduction made in the number of his working-hours.

The foregoing hours shall be worked over any six days of the week.

In respect of workers coming within subsection (2) of section 4 of the Factories Amendment Act, 1936—namely, workers in factories in which not more than two workers are regularly employed—if such workers are called on to work on seven days of the week their weekly span of hours shall be those above set out increased by one-sixth.

For such increase they will obtain the benefits set out in subsections (3) and (4) of the said section.

This order will come into force on 1st September, 1936.

Dated this 22nd day of August, 1936.

[L.S.]

E. PAGE, Judge.