

(11155.) CANTERBURY **GLUE-WORKERS.**—AMENDMENT OF AWARD.

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 an application to amend the Canterbury Glue-workers' award, dated the 12th day of November, 1934, and recorded in Book of Awards, Vol. XXXIV, p. 631. Mr. *H. G. Kilpatrick* for the workers; Mr. *D. I. Macdonald* for the employers.

JUDGMENT OF THE COURT, DELIVERED BY PAGE, J.

THIS is an application 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 above-named award relating to glue-workers.

In conjunction therewith, upon the terms detailed in the judgment of the Court given in the applications relating to the footwear-manufacturing industry, the Court is considering, under section 3 of the Factories Amendment Act, 1936, an application made on behalf of a factory-occupier for an extension, to 44, of the weekly hours of work fixed by the latter statute.

Each of the two statutes 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 (or, as the case may be, the work of the factory) if the hours of work were thus limited.

The onus of proof of impracticability lies on the employer.

We think that a case for relief has been made out.

Work on Saturdays is essential in this industry.

We fix the hours of work for all workers (other than shift workers and females) at 44 per week. A maximum of $8\frac{1}{4}$ hours per day will be permitted.

For shift workers and females we fix the hours at 40 per week.

We therefore make an order amending the award accordingly.

A corresponding order will, on 1st September, 1936, be issued under the Factories Amendment Act, 1936.

Saturday work will be permitted.

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 rate of weekly wages of any worker shall not be reduced by reason of the reduction made in the number of his working-hours.

The orders will be made to come into force on 1st September, 1936, and will continue in force until 31st August, 1937.

Dated this 24th day of August, 1936.

[L.S.]

E. PAGE, Judge.
