

(11182.) CANTERBURY TAILORS AND TAILORESSES, WESTLAND TAILORS AND TAILORESSES, AND OTAGO AND SOUTHLAND SHOP TAILORESSES.—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 applications to amend the Canterbury Tailors and Tailoresses' award, dated the 30th day of November, 1926, and recorded in Book of Awards, Vol. XXVI, p. 1290; the Westland Industrial District Tailors and Tailoresses' award, dated the 29th day of April, 1921, and recorded in Book of Awards, Vol. XXII, p. 696; and the Otago and Southland Shop Tailoresses' award, dated the 9th day of March, 1921, and recorded in Book of Awards, Vol. XXII, p. 455. Messrs. *J. Roberts* and *E. B. Newton* 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 tailoring industry.

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, five applications made on behalf of eighty-four factory-occupiers 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.

The industry involved in these application is that of tailoring.

When the judgment on the question of a 40-hour week in relation to the clothing industry was given certain awards, namely:—

Canterbury Tailors and Tailoresses' award,  
Westland Industrial District Tailors and Tailoresses'  
award, and

Otago and Southland Shop Tailoresses' award,

governing the tailoring industry were by error included in the judgment.

The tailoring industry has now been given a hearing separate from that of the clothing industry on the question of a 40-hour week.

Though this industry experiences periods when business is very active, such as the few months prior to Christmas, and the month or so prior to Easter, we have, by a majority, come to the conclusion that it has not been shown to be impracticable to carry on the industry efficiently on a 40-hour week.

At the hearing the workers' representative informed the Court that in Otago an agreement had been reached between the employers and the workers providing for a 40-hour week for nine months of the year and a 44-hour week for the remaining three months.

In view of this fact, Mr. Prime is of opinion that an order in terms similar to those agreed on in Otago should be made for the whole industry.

The question of Saturday work remains to be considered.

A tailor's shop is as a rule essentially a retail establishment, and is open at hours similar to those observed in retail shops. The workroom staff on the other hand have heretofore generally followed the hours observed in factories.

For the efficient conduct of the retail business it is necessary that an adequate number of the workroom staff should be available on Saturday mornings.

Saturday work for the male staff will therefore be permitted. In respect of the female staff the 40-hour week will be worked from Monday to Friday inclusive.

The reduction of the hours of work to 40 per week does not apply to cutters or fitters.

An order amending the above-enumerated awards is accordingly made.

Similar orders under the Factories Amendment Act, 1936, are also made.

These orders shall come into force on the day of the date hereof, and, so far as the orders under the Factories Amendment Act, 1936, are concerned, shall continue in force until the 31st August, 1937.

Dated this 9th day of September, 1936.

[L.S.]

E. PAGE, Judge.