

(11253.) NORTHERN INDUSTRIAL DISTRICT (EXCEPT POVERTY BAY)
TAILORESSES.—AWARD.

In the Court of Arbitration of New Zealand, Northern Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925; and in the matter of an industrial dispute between the Auckland Tailoresses and other Female Clothing Trade Employees' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

- Ayres, Stan., 177 Karangahape Road, Auckland.
 Berridge, A. A., 17 T. and G. Buildings, Wellesley Street West, Auckland, C. 1.
 Bevege, A., corner Queen and Wellesley Streets, Auckland, C. 1.
 Boyd, R. G., Highbury Buildings, Birkenhead, Auckland, N. 5.
 Brown, J., 196 Broadway, Newmarket, Auckland, S.E. 1.
 Buckley, E. E., 602 Great North Road, Auckland.
 Bunker, H. E., 41 Strand Arcade, Auckland, C. 1.
 Campbell, F., 83 Victoria Street West, Auckland.
 Clarke, E. G., 36-38 Pitt Street, Auckland.
 Connell, G. C., 519 Karangahape Road, Auckland.
 Crawshaw, E., Palmerston Buildings, Queen Street, Auckland, C. 1.
 Cummins, F. W., 89 Shortland Street, Auckland, C. 1.
 Daniels, A. W., 102 Victoria Arcade, Auckland.
 Davey, F., 7 Union Buildings, Customs Street East, Auckland, C. 1.
 Devcich, A., 69 Victoria Street West, Auckland, C. 1.
 Drew, W. H., 210 Hobson Street, Auckland, C. 1.
 Dyer, F. H., 212 Pacific Buildings, Wellesley Street, Auckland, C. 1.
 Flyger, E. L., 410 Karangahape Road, Auckland, C. 2.
 Fort, H., 15 Palmerston Buildings, Queen Street, Auckland, C. 1.
 Gadd, A. H. (The London Clothing Co.), 8 Great North Road, Auckland, W. 2.
 Groos, P. and C., 4-6 Durham Street East, Auckland, C. 1.
 Halstead, H., 20 Ponsonby Road, Auckland.
 Hebden, A. O., 2A Wyndham Street, Auckland, C. 1.
 Hebden, J. R., Otahuhu.
 Heine, W., Security Buildings, Queen Street, Auckland, C. 1.
 Jaffe, Max, and Sons, 219 Queen Street, Auckland, C. 1.
 Jaffe, R., 344 Queen Street, Auckland, C. 1.
 Kemp, B. J. M. (H. R. Maxwell) 99 Queen Street, Auckland, C. 1.
 Lane & Harman (W. Lane), British Chambers, High Street, Auckland, C. 1.
 Larritt, J., 223 Queen Street, Auckland, C. 1.
 Lees, Les., 7 Ferguson Street, Auckland, C. 1.
 Lyon, G. H., 31 Hall of Commerce, High Street, Auckland, C. 1.
 Manning, C. C., 310 Ellison Chambers, Queen Street, Auckland, C. 1.
 Martin, E., 44 College Hill, Auckland.
 Martin, W. E., Tabernacle Buildings, Karangahape Road, Auckland, C. 2.
 Masterton, A., 378 Great South Road, Ellerslie, Auckland.
 Maurice, Ltd. (M. H. Kushner), Civic House, Queen Street, Auckland, C. 1.
 McCarthy, D., Khyber Pass, Newmarket, Auckland.
 McConnell, T., 63 Queen Street, Auckland, C. 1.
 Mitchell, Les., 40 Palmerston Buildings, Queen Street, Auckland, C. 1.

Morgan, James, Victoria Road, Devonport, Auckland.
 Moyes, J., 29 Hall of Commerce, High Street, Auckland, C. 1.
 Moyes, J., 18 Victoria Street East, Auckland, C. 1.
 Myers, Nathaniel, Swanson Street, Auckland, C. 1.
 O'Gorman, F. R., Gore Street, Auckland, C. 1.
 Olsen and Greer, Ltd., Dingwall Buildings, Queen Street, Auckland,
 C. 1.
 Pearce, J. W., 108 N.Z. Insurance Buildings, Queen Street, Auckland,
 C. 1.
 Pollard, A. C., 8 Khyber Pass Road, Auckland, C. 1.
 Pool, J., 84 Owairaka Avenue, Mt. Albert, Auckland.
 Preston and Son, Ltd. (H. Preston), 10 H.M. Arcade, Queen Street,
 Auckland, C. 1.
 Reiman, G., 4 Pierce Buildings, Symonds Street, Auckland, C. 1.
 Roberts, E. C., 451 Karangahape Road, Auckland, C. 1.
 Selby, W., Ponsonby Road, Auckland.
 Simpson, J., Brunswick Buildings, 174 Queen Street, Auckland, C. 1.
 Speir, J., 413 Dominion Road, Auckland.
 Taylor, Frank, care of Horace Bull, Queen Street, Auckland, C. 1.
 Thompson, A., 538 Manukau Road, Auckland.
 Todd, J., 8 Wakefield Street, Auckland, C. 1.
 Tutts Ltd., Symond Street, Auckland.
 Tyr, H. W., 103 Pacific Buildings, Wellesley Street, Auckland, C. 1.
 Verrill, A., 4 Abbotts Buildings, Karangahape Road, Auckland, C. 2.
 Waterworth, J. E., 12 Great North Road, Auckland.
 Wilson, H. H., 303 Karangahape Road, Auckland.
 Wilson, Ltd., James, 14 O'Connell Street, Auckland, C. 1.

Andrews, E. J., Studholme Street, Morrinsville.
 Brooker, S. C., Tutanekai Street, Rotorua.
 Brown, A., Hakiaha Street, Taumarunui.
 Burch, Philip L., Garden Place, Hamilton.
 Burt, C., Seddon Street, Waihi.
 Butler, H. E., Belmont Road, Paeroa.
 Carlton, E., Willow Street, Tauranga.
 Cullen, J. S., Whitaker Street, Te Aroha.
 Dahya, B., Rora Street, Te Kuiti.
 Danby, Albert W., Pollen Street, Thames.
 De Luen, A., Hinemoa Street, Rotorua.
 De Luen, J., Kenrick Street, Te Aroha.
 Dick, E., Victoria Street, Hamilton.
 Dyall, J., Rora Street, Te Kuiti.
 Fagan, P., Whitaker Street, Te Aroha.
 Fallow, G., Belmont Road, Paeroa.
 Fogarty, J., Victoria Street, Cambridge.
 Forsham, R., Spring Street, Tauranga.
 George, A. H., Rora Street, Te Kuiti.
 George, W. C. E., Main Street, Huntly.
 Govind, P., Maniapoto Street, Otorohanga.
 Hackett, Joseph C., Victoria Street, Dargaville.
 Hendy, George, Bank Street, Whangarei.
 Jack Alex., Queen Street, Waiuku.
 Jones, H. C., Devonport Road, Tauranga.
 Jorgensen's Ltd., Pollen Street, Thames.
 Kelly, K. G. M., Rathbone Street, Whangarei.
 Mason, F., Alexandra Street, Te Awamutu.

Meltzer, L., Cambridge.
 Meltzer, L., 167 Victoria Street, Hamilton.
 Morgan, E., Waihi.
 Muir Bros., Pollen Street, Thames.
 Nicholas, T. H., Moresby Avenue, Waihi.
 Nicol, Thomas, Helensville.
 Osborne, J. T., Canada Street, Morrinsville.
 Parkhouse, G., Victoria Street, Hamilton.
 Quale, William, Bank Street, Whangarei.
 Rayner, A. R., Jesmond Street, Ngaruawahia.
 Renton, H., Sloane Street, Te Awamutu.
 Riley, H., Victoria Street, Cambridge.
 Ritchie and Son, Papatoetoe.
 Rowse, C. J., Rora Street, Te Kuiti.
 Taylor, J. S., Commerce Street, Frankton Junction, Hamilton.
 Thomas, E., Wellesley Chambers, Victoria Street, Hamilton.
 Towler, Harry, Main Street, Huntly.
 Willey, A. H., 7 Collingwood Street, Hamilton.
 Williams, James, King Street, Pukekohe.

THE Court of Arbitration of New Zealand (hereinafter called "the Court"), having taken into consideration the matter of the above-mentioned dispute, and having heard the union by its representatives duly appointed, and having also heard such of the employers as were represented either in person or by their representatives duly appointed, and having also heard the witnesses called and examined and cross-examined by and on behalf of the said parties respectively, doth hereby order and award:—

That, as between the union and the members thereof and the employers and each and every of them, the terms, conditions, and provisions set out in the schedule hereto and of this award shall be binding upon the union and upon every member thereof and upon the employers and upon each and every of them, and that the said terms, conditions, and provisions shall be deemed to be and they are hereby incorporated in and declared to form part of this award; and, further, that the union and every member thereof and the employers and each and every of them shall respectively do, observe, and perform every matter and thing by this award and by the said terms, conditions, and provisions respectively required to be done, observed, and performed, and shall not do anything in contravention of this award or of the said terms, conditions, and provisions, but shall in all respects abide by and perform the same. And the Court doth hereby further award, order, and declare that any breach of the said terms, conditions, and provisions set out in the schedule hereto shall constitute a breach of this award, and that a penalty as by law provided shall be payable by any party or person in respect thereof. And the Court doth further order that this award shall take effect from the 26th day of October, 1936, and shall continue in force until the 26th day of October,

1937, and thereafter as provided by subsection (1) (d) of section 89 of the Industrial Conciliation and Arbitration Act, 1925.

In witness whereof the seal of the Court of Arbitration hath hereto been affixed, and the Judge of the Court hath hereunto set his hand this 19th day of October, 1936.

[L.S.]

E. PAGE, Judge.

SCHEDULE.

Classes of Workers.

1. The classes of workers recognized by this section are journeywomen and female apprentices.

Hours of Work.

2. The ordinary hours of work shall not exceed forty hours per week, to be worked between the hours of 8 a.m. and 5.30 p.m. on five days of the week, Monday to Friday (both days inclusive).

Female Apprentices.

3. (a) The period of apprenticeship shall be: Trousers, vests, and ladies' skirtmakers, three years; coatmakers, four years; but three months' probation shall be allowed the first employer of the apprentice to determine her fitness, and the obligation of the apprentice to serve her employer shall be deemed to be a duty enforceable under this award.

(b) At the end of the period of apprenticeship, the employer shall give the apprentice a certificate to show that she has served her apprenticeship. Should the employer at any time before the termination of the apprenticeship, wish for any reason to dispense with the services of the apprentice, he shall give her a certificate for the time actually served and procure her another employer carrying on business within a reasonable distance of the original employer's place of business, who shall teach the apprentice, pay her wages, prescribed by this award according to the total length of time she has served, and generally perform the obligations of the original employer: Provided that it shall not be obligatory on the employer to find the apprentice another employer if she shall so misconduct herself as to entitle the employer to discharge her, but he shall give such apprentice a certificate for the time actually served.

(c) An employer taking an apprentice shall give notice thereof and of the name of the apprentice to the Inspector of Awards within one week after the expiration of the period of probation, and an employer transferring an apprentice to

another employer shall similarly within one week thereof give such notice of such transfer to such Inspector. In both cases the Inspector shall notify the secretary of the union when such has taken place.

(d) An employer shall not be deemed to discharge his duty towards his apprentice if he fails to keep her at work owing to slackness of work, but such slackness shall form a proper ground for transferring her to an employer willing to undertake the responsibility of teaching her, notwithstanding that such employer may already have the complement of apprentices in his employ.

(e) When an apprentice is discharged for cause, the employer shall send notice of discharge and of the cause thereof to the Inspector of Awards, and the Inspector shall give notice to the secretary of the union.

(f) The proportion of female apprentices to female operatives shall be one to two.

(g) For the purpose of determining the number of apprentices to operatives, the calculation shall be based on two-thirds full time employment for the six months immediately prior to taking an apprentice.

(h) Any employer taking an apprentice to learn the trade shall be deemed to undertake for the period hereinafter mentioned, the duty which he agrees to perform as a duty enforceable under this award, and shall pay such apprentice not less than the undermentioned rates of wages:—

	Per Week.		
	£	s.	d.
First six months	0	15	0
Second six months	0	19	0
Third six months	1	3	0
Fourth six months	1	7	0
Fifth six months	1	11	0
Sixth six months	1	15	0
Thereafter journeywomen's rates.			
If apprenticed to coatmaking (fourth year)—			
First six months	2	2	6
Second six months	2	7	6
Thereafter journeywomen's wages.			

(i) Apprentices to machining shall be under the same terms and conditions as for trousers, vests, and skirts.

Wages.

4. (a) Coatmakers shall be paid £2 15s. per week.

(b) The minimum wage for other journeywomen employed on weekly wages shall be £2 8s. per week, including machinists.

(c) No deduction shall be made from the weekly wages save for time lost through the worker's sickness or default.

(d) Pieceworkers shall be paid in accordance with the time statement set out in Book of Awards, Vol. XIX, pp. 811-851, inclusive. The said statement shall, for the purposes of this award, be calculated at the rate of 1s. 1½d. per hour.

Overtime.

5. Time worked in excess of forty hours in any week or outside of the starting or finishing times mentioned in clause 2 hereof shall be deemed to be overtime, and shall be paid for at the rate of time and a half for time workers, rate and a half for pieceworkers, or 1s. 6d. per hour, whichever is the greater.

Holidays.

6. (a) The following shall be observed as holidays and shall be paid for at the same rate as ordinary working days: Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Monday, Labour Day, Anzac Day, and Sovereign's Birthday.

(b) Should any of the above-mentioned holidays fall on a Sunday, then for the purpose of this award such holidays shall be observed on the following Monday.

(c) Pieceworkers shall be paid for the above holidays at the award rate prescribed for weekly hands.

Provisions relating to both Male and Female Workers.

7. (a) There shall be a fair distribution of work among all operatives in each workroom by the employer. Where there are several workrooms used by the employer, the same shall be considered and included as one workroom for the purposes of this clause. During the slack season a turn-board shall be kept by the employer and employees.

(b) The employer shall have the right to introduce whatever machinery his business may in his opinion require, and to divide and subdivide labour in any way he may deem necessary, subject to the payment of wages as herein specified: Provided that there shall be employed on coats not less than one journeyman to every four journeywomen or apprentices or fraction of four, and in calculating the number of men actually employed on the job pressers shall be excluded from the calculation.

(c) The rules as to standing time shall be as follows: At the first try-on, when the worker has picked the coat to pieces and given it to the cutter to mark up and cut out for him, if the worker is kept idle for more than twenty minutes by reason of

the cutter not giving her back the coat within that time she shall be paid full time for any time over the twenty minutes during which she shall be kept idle as before mentioned.

Detail Disputes.

8. In the case of a dispute as to the interpretation of any of the clauses or provisions hereof, or of anything in the time statement such dispute shall be referred to a joint committee consisting of two representatives of the union and two of the employers, to be appointed as occasion arises. Such representatives shall elect a chairman, who shall have a casting-vote, and in default of their agreeing upon a chairman, the chairman shall be the Conciliation Commissioner for the district. The interpretation adopted by such committee shall be deemed to be the proper interpretation of the award, subject to any ruling of the Court.

Workers to be Members of Union.

9. (a) It shall not be lawful for any employer bound by this award to employ or to continue to employ in the industry to which this award relates any adult person who is not for the time being a member of an industrial union of workers bound by this award or who is not for the time being a member of a trade-union which was registered as such before the 1st day of May, 1936, and which is bound by this award:

Provided, however, that any non-unionist may be continued in employment by an employer bound by this award during any time while there is no member of a union bound by this award who is available to perform the particular work required to be done and is ready and willing to undertake it.

(b) For the purposes of subclause (a) of this clause a person of the age of eighteen years or upwards and every other person who for the time being is in receipt of not less than the minimum rate of wages prescribed by this award for workers of the age of twenty-one years and upwards shall be deemed to be an adult.

NOTE.—Attention is drawn to subsection (4) of section 18 of the Industrial Conciliation and Arbitration Amendment Act, 1936, which gives to workers the right to join the union.

Under-rate Workers.

10. (a) Any worker who considers himself incapable of earning the minimum wage fixed by this award may be paid such lower wage as may from time to time be fixed, on the application of the worker after due notice to the union, by the local Inspector of Awards or such other person as the Court

may from time to time appoint for that purpose; and such Inspector or other person in so fixing such wage shall have regard to the worker's capability, his past earnings, and such other circumstances as such Inspector or other person shall think fit to consider after hearing such evidence and argument as the union and such worker shall offer.

(b) Such permit shall be for such period, not exceeding six months, as such Inspector or other person shall determine, and after the expiration of such period shall continue in force until fourteen days' notice shall have been given to such worker by the secretary of the union requiring him to have his wage again fixed in manner prescribed by this clause: Provided that in the case of any person whose wage is so fixed by reason of old age or permanent disability it may be fixed for such longer period as such Inspector or other person shall think fit.

(c) Notwithstanding the foregoing, it shall be competent for a worker to agree in writing with the president or secretary of the union upon such wage without having the same so fixed.

(d) It shall be the duty of the union to give notice to the Inspector of Awards of every agreement made with a worker pursuant hereto.

(e) It shall be the duty of an employer, before employing a worker at such lower wage, to examine the permit or agreement by which such wage is fixed.

Scope of Award.

11. This award shall operate throughout the Northern Industrial District (except Poverty Bay).

Term of Award.

12. This award shall come into force on the 26th day of October, 1936, and shall continue in force until the 26th day of October, 1937.

In witness whereof the Seal of the Court of Arbitration hath hereto been put and affixed, and the Judge of the Court hath hereunto set his hand this 19th day of October, 1936.

[L.S.]

E. PAGE, Judge.

MEMORANDUM.

The principal matters referred to the Court related to proportion, wages, overtime, holidays, and distribution of work.

E. PAGE, Judge.