

(11256.) NORTHERN INDUSTRIAL DISTRICT **SHIP, YACHT, AND BOAT BUILDERS.**—DETERMINATION OF CONCILIATION COMMISSIONER.

In the matter of an application under section 15 (3) of the Finance Act, 1936; and in the matter of the Auckland Ship, Yacht, and Boatbuilders' award, dated the 4th day of November, 1935, and recorded in Book of Awards, Vol. XXXV, p. 1149.

DECISION OF CONCILIATION COMMISSIONER.

THE Finance Act, 1936, section 15 (3), provides that a Conciliation Commissioner shall, in the determination of any question submitted to him, endeavour to ensure, as far as practicable, that the earnings of any worker employed under an existing award shall be not less for any week than the earnings he would have been entitled to receive if in that week he had been employed under the conditions prescribed by the award in force when the General Order of the Court imposing the 10-per-cent. cut became operative.

Whereas a question has been submitted to me for determination:—

What wages are boatbuilders entitled to receive subsequent to 1st July, 1936, by virtue of the provisions of the Finance Act, 1936, and in view of the fact that the differentiation of wages between shipwrights and carpenters was discontinued after 4th November, 1935.

I find that shipwrights were paid 2s. 4½d. per hour and boatbuilders 2s. 3d. per hour, for a forty-four hour week, immediately prior to the General Order of the Court of Arbitration which imposed the 10-per-cent. cut. An award was made on the 6th September, 1933, and expired on the 24th July, 1935, pursuant to section 7 (4) of the Industrial Conciliation and Arbitration Amendment Act, 1932. No award or agreement was in force from 24th July, 1935, until 4th November, 1935, when a new award was made which provided a flat rate of 2s. 2d. per hour for shipwrights and boatbuilders.

The applicant union claims that, as the two jobs are interchangeable and as the existing award prescribes a flat rate of wages for both classes of workers, the same should enure and the higher rate operative for shipwrights prior to the 10-per-cent. cut in 1931 should be paid to boatbuilders.

However much need there may be for the continuation of equal rates of pay between shipwrights and boatbuilders, the intention of the Legislature is clearly expressed in the Finance Act, 1936, which seeks to restore the wages of workers to not less than the rates ruling in 1931 before the 10-per-cent. cut became operative.

These rates—viz.,

- 2s. 3d. per hour for boatbuilders,
- 2s. 4½d. per hour for shipwrights,—

are the rates then operative, and must be paid from the 1st day of July, 1936, by all employers who are either original, added, or subsequent parties to the award. Those workers who are employed in a factory to which the forty-hour week applies are entitled to receive forty-four hours' pay for forty hours' work or proportion thereof.

Dated at Auckland, this 21st day of September, 1936.

R. E. PRICE, Conciliation Commissioner.