

(11355.) NEW ZEALAND MASTERS AND OFFICERS (COASTAL SHIPPING COMPANIES) AND NORTHERN INDUSTRIAL DISTRICT SHIPS' MASTERS AND OFFICERS.—AMENDMENT OF AWARD AND INDUSTRIAL AGREEMENT.

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 New Zealand Masters and Officers (Coastal Shipping Companies) award, dated the 28th day of August, 1930, and recorded in Book of Awards, Vol. XXX, p. 590; and the Northern Industrial District Ships' Masters and Officers' industrial agreement, dated the 27th day of September, 1930, and recorded in Book of Awards, Vol. XXX, p. 792. Captain *F. A. Macindoe* for the workers; Mr. *T. O. Bishop* for the employers.

JUDGMENT OF THE COURT, DELIVERED BY PAGE, J.

THESE are applications to amend the New Zealand Masters and Officers (Coastal Shipping Companies) award, recorded in Book of Awards, Vol. XXX, p. 590, and the Northern Industrial District Ships' Masters and Officers' industrial agreement, recorded in Book of Awards, Vol. XXX, p. 792, by reducing to 40 the weekly hours of work fixed by such award and agreement.

Under the former, 10 hours per day (which may amount to 70 hours per week) is fixed for vessels in which two mates are employed, and 60 hours per week for vessels in which only one mate is employed. Under the latter the weekly hours are fixed at 60 per week.

A 40-hour week is clearly impracticable in this industry, but we think some reduction of the present hours is warranted.

We make an order in each case amending the award and the agreement respectively by fixing at fifty-six (56) the maximum number of hours, exclusive of overtime, to be worked in any week by any worker bound by the award or agreement.

Mr. Monteith's dissenting opinion is subjoined.

Dated this 15th day of December, 1936.

[L.S.]

E. PAGE, Judge.

DISSENTING OPINION OF MR. MONTEITH.

I dissent from this decision, and am of opinion that an 8-hour day, 48-hour week, and compensation for Sunday work as is done under the agreement between the Merchant Service Guild and the Union Steamship Co., Ltd., should be awarded.

All the Union Steamship Co.'s vessels work 48 hours per week, 8 per day, with Sunday work compensated for. The same weekly hours, daily hours, and conditions for Sunday work are in operation over the whole of the seagoing vessels in Australia. (Commonwealth Court of Arbitration award, made on 18th December, 1928.)

As these hours operate in every seagoing vessel in Australia, and in those owned by the Union Steamship Co. of New Zealand, I see no reason why the same hours should not be observed over the rest of New Zealand.

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