

NORTHERN (AUCKLAND) INDUSTRIAL DISTRICT.

(11383.) NORTHERN INDUSTRIAL DISTRICT **BOOT-REPAIRING AND BESPOKE FOOTWEAR MANUFACTURING.**—APPRENTICESHIP ORDER.

In the Court of Arbitration of New Zealand, Northern Industrial District.—In the matter of the Apprentices Act, 1923, and its amendments; and in the matter of the conditions of apprenticeship in the boot-repairing and bespoke footwear manufacturing industry in the Northern Industrial District.

Thursday, the 17th day of December, 1936.

WHEREAS pursuant to section 4 (1) of the Apprentices Act, 1923, an Apprenticeship Committee has been set up for the Northern Industrial District in connection with the boot-repairing and bespoke footwear manufacturing industry: And whereas the Court has considered the recommendations made to it by the said Committee: And whereas the Court has deemed it expedient to make an order under section 5 of the said Act prescribing

the wages, hours, and other conditions of employment to be incorporated in contracts of apprenticeship in the said industry in the said district, and prescribing such other matters and things as the Court is required and authorized by the said section to prescribe: Now, therefore, the Court doth hereby order and prescribe as follows:—

1. The locality in which the order shall have effect is the Northern Industrial District.

2. The branches of the industry to which this order shall apply are: The repairing of every class of footwear, and to the clicking, rough-stuff cutting, making, and finishing of bespoke footwear.

The provisions of this order shall apply to all employers of apprentices in the industry in the district (whether bound by an award or industrial agreement relating to the said industry or not) and to all apprentices employed by such employers in such industry, and to all contracts of apprenticeship between such employers and apprentices.

3. Every contract of apprenticeship and every alteration or amendment thereof shall be in writing signed by the employer and the apprentice, and if the apprentice is under the age of twenty-one years by the parent or guardian (if any) of the apprentice, and shall be registered by the employer in the prescribed manner within fourteen days of the date thereof with the District Registrar of Apprentices.

4. (a) The term of apprenticeship shall be five years.

(b) The minimum age at which a person may commence to serve as an apprentice shall be fourteen years.

5. The proportion of apprentices to journeymen shall not exceed one apprentice to every three or fraction of the first three journeymen in each department.

6. For the purpose of determining the number of apprentices, the number of journeymen to be taken into account must have been employed in the branch of the trade in which the apprentice is engaged for at least two-thirds full time for the six months immediately preceding the taking on of the apprentice.

7. An employer taking on an apprentice to learn a branch of the trade shall be deemed to undertake the duty which he agrees to perform as a duty enforceable under the terms of this order, and the obligation of the apprentice to serve the employer shall be deemed to be a duty enforceable under this order.

8. An employer taking an apprentice shall give notice thereof and the name and address of the apprentice to the District Registrar of Apprentices within three days, and an employer

transferring an apprentice (with the consent of the Committee) to another employer shall similarly, within three days thereof, give notice of such transfer to the District Registrar of Apprentices.

9. An employer shall not be deemed to discharge his duty towards an apprentice if he fails to keep the apprentice at work owing to slackness of work, but such slackness may form a proper ground for the transfer of the apprentice to an employer willing to undertake the responsibility of teaching such apprentice.

10. When an apprentice (with the consent of the Committee) is discharged for cause, the employer shall send notice of the discharge and the cause thereof to the District Registrar of Apprentices.

11. The powers and discretions provided for in section 13 of the Apprentices Act, 1923, may be exercised by the District Registrar and the Apprenticeship Committee notwithstanding that the employer to whom it is proposed to transfer an apprentice is already employing the full quota of apprentices as determined by the Apprenticeship Order.

12. No deduction shall be made from the wages of an apprentice except through the default of the worker, but sickness shall not be deemed to be default. The employer may request a medical certificate as to the worker's health after one week's absence from work. Time lost under this clause shall be made up in each year of service.

13. Apprentices wages: The minimum wage to be paid apprentices per week of forty hours shall be not less than the following rates:—

	Per Week.		
	£	s.	d.
First six months' experience ..	0	15	0
Second six months' experience ..	0	19	0
Third six months' experience ..	1	3	0
Fourth six months' experience ..	1	7	0
Fifth six months' experience ..	1	11	0
Sixth six months' experience ..	1	15	0
Seventh six months' experience ..	2	0	0
Eighth six months' experience ..	2	5	0
Ninth six months' experience ..	2	11	0
Tenth six months' experience ..	3	10	0

“Experience” in this clause means actual experience as an apprentice in any one or more of the operations provided in clause 2 of this order.

14. The period of probation to be prescribed in any contract of apprenticeship to enable the employer of any apprentice to determine his fitness shall not exceed four months in the case of a first apprenticeship to the trade, and shall not exceed two months in any other case.

15. A person under twenty-one years of age who has served part of his apprenticeship to the trade outside of New Zealand may complete the term of apprenticeship herein provided for with an employer in the district on furnishing to the District Registrar a certificate from his former employer and/or such other evidence (if any) as the District Registrar may require in order to show the time served by such person as an apprentice outside of New Zealand. The District Registrar may refuse to register any contract of apprenticeship entered into under the provisions of this clause until such evidence has been furnished to him. Any party aggrieved by the decision of the District Registrar may within fourteen days appeal to the Court, whose decision shall be final and conclusive. The period of probation in cases coming within the scope of this clause shall not exceed three months, and shall not count in the proportion.

16. The conditions of the award relating to the employment of journeymen for the time being in force in the district, in so far as they relate to hours, shall, subject to the provision of the statute, apply to apprentices under this order.

17. Every contract of apprenticeship shall accord with the provisions of the Apprentices Act, 1923, and this order, and shall make provision, either expressly or by reference to the said Act or this order, for the several matters provided for therein, and shall not contravene the provisions of any Act relating to the employment of boys and youths. In default of such provision being made in any such contract of apprenticeship, or in so far as such provision is defective or ambiguous, the contract shall be deemed to provide that the conditions of apprenticeship shall be not less favourable to the apprentice than the minimum requirements of this order.

18. It shall be an implied term in every contract of apprenticeship that the apprentice will diligently and faithfully obey and serve the employer as his apprentice for the prescribed term, and will not absent himself from the employer's service during the hours of work without the leave of the employer or except as permitted by this order, and, further, will not commit or permit or be accessory to any hurt or damage to the employer or his property, nor conceal any such hurt or damage if known to him, but will do everything in his power to prevent the same.

19. No premium in respect of the employment of any person as an apprentice shall be paid to or received by an employer, whether such premium is paid by the person employed or by any other person.

20. The provisions of this order shall not necessarily apply in the case of a special contract of apprenticeship entered into under the provisions of section 11 of the Apprentices Act, 1923.

21. It shall be an implied term in every contract of apprenticeship that the provisions of the Master and Apprentice Act, 1908, shall not apply thereto.

22. The powers conferred on the Court by paragraphs (b) to (l) inclusive of section 5 (4) of the said Act are hereby delegated by the Court to the said Committee in so far as those powers relate to the said industry within that part of the Northern Industrial District lying within a radius of twenty miles from the Chief Post-office in the City of Auckland, but reserving nevertheless power to the Court at any time and from time to time to withdraw all or any of such powers.

23. This order shall take effect from the 17th day of December, 1936.

[L.S.]

E. PAGE, Judge.

[For suggested form of apprenticeship contract see p. 87.]

SUGGESTED FORM OF APPRENTICESHIP CONTRACT.

THIS DEED, made the day of , 19 between [Full name of employer], of [Address and occupation], hereinafter called "the master" of the first part, [Full name of apprentice's parent or guardian], of [Address and occupation], hereinafter called "the guardian" of the second part, and [Full name and address of apprentice], a minor born on the day of , 19 , hereinafter called "the apprentice," of the third part, witnesseth as follows:—

1. The master hereby covenants with the apprentice, and also as a separate covenant with the guardian, that he will take the apprentice as his apprentice in the trade of a (or that branch of the trade known as), and the apprentice and the guardian hereby jointly and severally covenant with the master that the apprentice will serve the master as such apprentice for the term and upon and subject to the conditions hereinafter set forth.

2. The term of the apprenticeship shall be years, commencing on the day of , 19 , and shall be served at [State place].

3. The master shall pay to the apprentice during the said term wages at the rates hereinafter specified, to wit: during the first year, per week [and so on for each period].

4. The provisions of the Apprentices Act, 1923, and the regulations made thereunder, and the general order of the Court of Arbitration, dated the day of , 19 , governing the conditions of apprenticeship in the trade, are, save as hereinafter expressly provided, deemed to be incorporated in these presents.

5. The period of probation referred to in section 12 of the said Act shall be months.

6. The apprenticeship shall be subject to the minimum conditions provided in and by the said general order, except as follows: [Here state conditions agreed to in so far as they differ from those of the general order].

7. [If the employer does not carry on a business that comprises all the operations usually included in the training of an apprentice as a journeyman in the trade, state specifically the operations to be taught the apprentice].

In witness whereof these presents have been executed by the parties hereto the day and year first before written.

Signed by the said in the } [Employer's signature.]
presence of— }
[Witness's signature, occupation, and address.]
[Continue similarly for guardian and apprentice.]