

(11060.) NORTHERN, WELLINGTON, NELSON, CANTERBURY, AND OTAGO AND SOUTHLAND BISCUIT AND CONFECTIONERY WORKERS.—AMENDMENT OF AWARD.

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 an application to amend the Northern, Wellington, Nelson, Canterbury, and Otago and Southland Biscuit and Confectionery Workers' award, dated the 12th day of February, 1936, and recorded in Book of Awards, Vol. XXXVI, p. 69. Mr. *J. Purtell* for the workers; Mr. *A. S. Cookson* for the employers.

JUDGMENT OF THE COURT, DELIVERED BY PAGE, J.

THIS is an application 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 above-named award relating to the biscuit and confectionery 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, an application made on behalf of thirteen 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.

In these cases the employers have agreed to limit the hours of work to 40 per week, and, except as to the conche-room operatives, to exclude Saturday from the working-week.

The conche department contains those machines that heat, treat, and agitate the chocolate powder or paste from the refiners.

The time for treating the chocolates in these machines varies from 16 to 96 hours, according to the type of chocolate being manufactured, and the processing during this time involves the application of specific temperatures during certain times.

Under section 21 of the Industrial Conciliation and Arbitration Amendment Act, 1936, we make an order amending the above-mentioned award by fixing at 40 the maximum number of hours (exclusive of overtime) to be worked in any week by any worker bound by such award.

Pursuant to section 22 of the same Act, we order that (except as to conche-room operatives, including a shift engineer and a fireman) no part of the working-week shall fall on a Saturday.

Rates of pay prevailing on 1st September, 1936, will be adjusted in accordance with subsection (3) of section 21 of the same Act, so that the ordinary rate of weekly wages of any worker shall not be reduced by reason of the reduction made in the number of his working-hours.

This order will take effect on 1st September, 1936.

Dated this 7th day of July, 1936.

[L.S.]

E. PAGE, Judge.

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