

NORTHERN INDUSTRIAL DISTRICT **DRUG-WORKERS.**—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 Aerated Water Condiment and Drug Factories Employees Industrial Union of Workers (hereinafter called “the union”) and the undermentioned persons, firms, and companies (hereinafter called “the employers”):—

- Allen Saline Co. (N.Z.), Ltd., 5 Remuera Road, Newmarket, Auckland, S.E. 1.
- Bell Proprietary, Limited, Cooke’s Buildings, Queen Street, Auckland, C. 1.
- Bock, Paul, and Co., Ltd., 12 Wellington Street, Auckland, C. 1.
- Bright Star Products, Ltd., 160 Khyber Pass, Newmarket, Auckland, S.E. 1.
- Chemicals Limited, 22 England Street, Auckland, C. 1.
- Elwoods Limited, Newmarket, Auckland, S.E. 1.
- Farley, E. O., Ltd., 2 King Edward Avenue, Epsom, Auckland, S.E. 3.
- International Chemical Laboratories, Ltd., 17 Cook Street, Auckland, C. 1.
- Lanz Laboratories, Hall of Commerce, Auckland, C. 1.
- N.Z. Chemicals, Ltd., 435 Mount Eden Road, Auckland, C. 3.
- Paragar Laboratories, 188 Queen Street, Onehunga, Auckland, S.E. 5.
- Paul Proprietary Co., 101 Symonds Street, Auckland, C. 1.
- Salmond and Spraggon, Ltd., Gane Buildings, Anzac Avenue, Auckland, C. 1.
- Sharland and Co., Ltd., Kitchener Street, Auckland, C. 1.
- Smith, S. A., and Co., Ltd., Stanley Street, Auckland, C. 1.
- Thompson and Stebbing, Ltd., 89 Cook Street, Auckland, C. 1.
- Tucker, W. F., and Co., Khyber Pass, Auckland, C. 3.
- Wai Wai Ltd., Great North Road, Grey Lynn, Auckland, W. 2.

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 as hereinafter provided and shall continue in force until the 31st day of December, 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 1st day of May, 1937.

[L.S.]

E. H. NORTHCROFT, Judge.

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SCHEDULE.

*Definitions.*

1. This award shall apply to workers substantially employed in the manufacture, bottling, or packing of chemical products for medicinal use or veterinary use, emulsions, malt extracts, toilet preparations, and medicinal tablets.

*Hours of Work.*

2. (a) The ordinary hours of work for workers employed in the manufacture of drugs shall not exceed forty hours per week, or eight hours per day, to be worked between the hours of 7.45 a.m. and 5 p.m. on Mondays to Fridays, both days inclusive.

(b) Notwithstanding anything contained in this award, sub-section (4) of section 3 of the Factories Amendment Act, 1936, relating to the employment of workers for the purpose of raising steam and in making preparations for the work of the factory, shall be deemed to be incorporated herein.

*Overtime.*

3. Any time worked in excess or outside of the hours prescribed in clause 2 herein shall be deemed to be overtime, and shall be paid for at the rate of time and a half for the first four hours and thereafter double time.

*Wages.*

4. The minimum rates of pay for male workers over the age of twenty-one years shall be:—

	Per Week.		
	£	s.	d.
Working foreman in charge of a department in which three or more adult workers are employed .. .. .	4	15	0
Drug and tablet makers .. .. .	4	7	6
All other workers .. .. .	4	4	0

*Youths.*

5. (a) Youths may be employed at the following rates of pay:—

	Per Week.		
	£	s.	d.
For the first six months .. .. .	0	18	6
For the second six months .. .. .	1	2	6
For the third six months .. .. .	1	7	6
For the fourth six months .. .. .	1	15	0
For the third year .. .. .	2	2	6
For the fourth year .. .. .	2	12	6
For the fifth year .. .. .	3	2	6

And thereafter the rate for adult general hands: Provided, however, that a worker twenty-one years of age or upwards shall be paid not less than the basic wage for the time being prevailing.

(b) The proportion of youths shall not exceed one youth to every two or fraction of two adult workers employed.

*Wages: Female Workers.*

6. Female workers may be employed at the following minimum rates of pay:—

		Per Week.		
		£	s.	d.
For the first six months	.. ..	0	15	0
For the second six months	.. ..	0	19	0
For the third six months	.. ..	1	3	0
For the fourth six months	.. ..	1	7	0
For the fifth six months	.. ..	1	11	0
For the sixth six months	.. ..	1	15	0
For the fourth year..	.. ..	2	0	0
Thereafter .. ..	.. ..	2	5	0

Provided that a worker twenty-one years of age or upwards shall receive not less than the basic wage for the time being prevailing.

*Casual Workers.*

7. (a) Casual workers shall be paid not less than 2s. 3d. per hour.

(b) A casual worker is a worker who is employed for a period of less than one week.

*Holidays.*

8. The provisions of the Factories Act, 1921–22, and its amendment, relating to holidays, statutory half-holidays, and Sundays, and to payment for work done on such days, shall apply hereto.

*Termination of Employment.*

9. Not less than forty-eight hours' notice shall be given by either party of the termination of the engagement, but nothing in this clause shall prevent an employer from summarily dismissing any worker for misconduct.

*Payment of Wages.*

10. Wages shall be paid weekly and in the employer's time, and not later than Friday of each week.

*General Conditions.*

11. (a) A worker required to work overtime after 6 p.m. shall be paid 1s. 6d. tea-money unless such worker was notified on the previous working-day that overtime would be worked.

(b) Boiling water shall be supplied for meals.

(c) Workers employed in damp or wet places shall be supplied with gum boots.

(d) Female workers shall not handle more than 28 lb. single handed.

(e) Boys under seventeen years of age shall not handle more than 56 lb. single handed.

(f) No deduction shall be made from the weekly wages payable hereunder except for time lost through the default or sickness of the worker, or by reason of accident not arising out of and in the course of the employment.

(g) This award shall not operate so as to reduce the wages of any worker during his or her present employment.

*Workers to be Members of Union.*

12. (a) It shall not be lawful for any employer bound by this award to employ or to continue to employ in any position or employment subject to this award 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 any position or 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.*

13. (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.

*Access to Factories.*

14. Every employer bound by this award shall permit the secretary or other authorized officer of the union of workers to enter at all reasonable times (to be mutually arranged between the employer and the union) upon the premises or works, and there interview any workers, but not so as to interfere unreasonably with the employer's business.

*Scope of Award.*

15. This award shall operate throughout the Northern Industrial District.

*Term of Award.*

16. This award, in so far as it relates to wages, shall be deemed to have come into force on the 11th day of March, 1937, and so far as all the other conditions of this award are concerned it shall come into force on the 10th day of May, 1937; and this award shall continue in force until the 31st day of December, 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 1st day of May, 1937.

[L.S.]

E. H. NORTHCROFT, Judge.

MEMORANDUM.

The only matter in dispute related to the date of coming into force of the award. In other respects the award embodies the recommendations arrived at by the assessors in Conciliation Council.

E. H. NORTHCROFT, Judge.