

WELLINGTON INDUSTRIAL DISTRICT **GATE, FENCE, AND WIRE WORKERS.**—AWARD.

In the Court of Arbitration of New Zealand, Wellington Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925; and in the matter of an industrial dispute between the Wellington Branch of the Amalgamated Engineering and Allied Trades' Industrial Union of Workers (hereinafter called "the union") and the undermentioned union, persons, firms, and companies (hereinafter called "the employers") :—

Eclipse Wire Products, Ltd., 11 Grey Street, Palmerston North.

Foglia and Copp, 82 Vivian Street, Wellington.

Good, H. G., and Son, 191 Willis Street, Wellington.

N.Z. Fence and Gate Works, 65 Jackson Street, Petone.

Wellington District Gate, Fence, and Wire Products Manufacturers' Industrial Union of Employers, 89 Wakefield Street, Wellington.

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 from the 15th day of September, 1937, and shall continue in force until the 15th day of September, 1938, 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 6th day of September, 1937.

[L.S.]

P. J. O'REGAN, Judge.

SCHEDULE.

Classification.

1. The workers provided for in this award shall be classified as: (a) Foremen; (b) first-class wire-workers; (c) other adult workers; (d) youth assistants.

Interpretation.

2. A "first-class wire-worker" is an adult of five years' experience and solely engaged in the hand production of wire goods and capable of working from blue prints or plans of goods other than those which are machine made, or who is capable of applying general trade experience.

Hours of Work.

3. (a) Forty hours shall constitute a week's work, of which eight hours shall be worked on each day from Monday to Friday, inclusive, and between the hours of 7.30 a.m. and 5 p.m. The hours of starting and ceasing work shall be arranged in each establishment between 7.30 a.m. and 5 p.m. daily with a break of not more than one hour for lunch. In the case of shift-workers the commencing-hours shall not be earlier than 7 a.m.

(b) Shifts: Shifts may be worked as required by the employer. In factories or workshops a worker required to work not more than three consecutive days on shift-work outside the hours prescribed in subclause (a) hereof shall be paid at overtime rates, but if he is required to work more than three consecutive evening or night shifts he shall be paid the sum of 3s. per shift in addition to his ordinary wage.

Wages.

4. (a) The minimum rates of wages for adults shall be as follows:—

Foremen, £6 per week.

Wire-workers, 2s. 6d. per hour.

Other workers, 2s. 3d. per hour.

(b) The minimum weekly rates of wages payable to boys and youths shall be in accordance with the following scale:—

Age commencing at Trade.	First Six Months.	Second Six Months.	Third Six Months.	Fourth Six Months.	Fifth Six Months.	Sixth Six Months.	Seventh Six Months.	Eighth Six Months.	Ninth Six Months.	Tenth Six Months.
Under 16 ..	17/6	22/6	27/6	32/6	37/6	42/6	47/6	52/6	57/6	62/6
16 to 17 ..	20/-	25/-	30/-	35/-	40/-	45/-	50/-	55/-	60/-	62/6
17 to 18 ..	27/6	32/6	37/6	42/6	47/6	52/6	57/6	62/6	..	..
18 to 19 ..	30/-	35/-	40/-	45/-	50/-	55/-	..	..	..	..
19 to 20 ..	40/-	45/-	50/-	55/-	..	..	..	..	..	..
20 to 21 ..	50/-	55/-	..	..	..	..	..	..	..	..

Thereafter not less than the wage provided for adult workers.

No youth under twenty-one years of age shall be employed operating machines or looms producing sheep and pig fences or upon quick-fix presses.

Proportion.

5. The proportion of junior assistants to adult workers shall be one junior to each machinist.

Payment of Wages.

6. (a) Wages shall be paid weekly and within ten minutes of knocking off work.

(b) All wages shall be paid on dismissal of a worker or when a worker leaves of his own accord.

Overtime.

7. (a) All work done outside of or in excess of the hours specified in clause 3 hereof 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 double time thereafter.

(b) No worker shall be required to work continuously for more than four and a quarter hours without an interval for a meal.

(c) Any worker having worked all day and all night and being required to continue working into the next day shall be paid double time rates for all such time worked on the second day.

Meal-allowance.

8. The employers shall allow meal-money at the rate of 1s. 6d. per meal when workers are called upon to work overtime after 6 p.m.: Provided that such workers cannot reasonably get home to their meals in one hour.

Holidays.

9 (a) The following holidays shall be allowed without deduction from wages: A whole holiday on every Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Monday, Anzac Day, Labour Day, and Sovereign's Birthday.

(b) Time worked on any of the above-named holidays or on Sundays shall be paid at twice the ordinary rate.

(c) Payment of wages for the said holidays, when they fall on ordinary working-days, shall be made to all persons who have been employed in the factory:—

(i) In the case of Christmas Day, Boxing Day, New Year's Day, Good Friday, or Easter Monday, at any time during the fortnight ending on the day on which the holiday occurs.

(ii) In the case of any other whole holiday, for at least four days during the week ending on the day on which the holiday occurs.

(d) Establishments shall close for the intervening days between Christmas and New Year's Day, both days inclusive. Workers shall be paid for the intervening days at ordinary rates, in addition to the statutory holidays.

Disputes Committee.

10. The essence of this award being that the work of the employers shall not on any account whatever be impeded but shall always proceed as if no dispute had arisen, it is provided that if any dispute or difference shall arise between the parties bound by this award, or any of them, as to any matter whatsoever arising out of or connected therewith and not dealt with in this award, every such dispute or difference shall be referred to a committee to be composed of two representatives of each side, together with an independent chairman to be mutually agreed upon or, in default of agreement, to be appointed by the Conciliation Commissioner for the district. Either side shall have the right of appeal to the Court against the decision of any such committee upon giving to the other

side written notice of such appeal within fourteen days after such decision has been made known to the party desirous of appealing.

Right of Entry upon Premises.

11. The secretary of the union, or any person duly appointed, shall be allowed access to any workshop at any time for the purpose of interviewing any worker coming within the scope of this award, upon business connected therewith, with the consent of the employer (which consent shall not be unreasonably withheld), and the employer shall give recognition to any worker who is appointed shop steward for the particular department in which he is employed.

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.

Scope of Award.

14. This award shall operate throughout the Wellington Industrial District.

Term of Award.

15. This award shall come into force on the 15th day of September, 1937, and shall continue in force until the 15th day of September, 1938.

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 6th day of September, 1937.

[L.S.]

P. J. O'REGAN, Judge.

MEMORANDUM.

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

P. J. O'REGAN, Judge.