

OTAGO AND SOUTHLAND **WATCHMAKERS, JEWELLERS, AND
RELATED TRADES.**—AWARD.

In the Court of Arbitration of New Zealand, Otago and Southland Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925; and in the matter of an industrial dispute between the Dunedin Watchmakers, Jewellers, and Related Trades Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

- Baker, Wm., 131 Main Street, Gore.
 Benson, H., 85 Thames Street, Oamaru.
 Brown, Wm. A., 83 Dee Street, Invercargill.
 Campbell, H. P., 97 Dee Street, Invercargill.
 Crawley, D. J., 105 Thames Street, Oamaru.
 Dawsons Limited, 72-82 Princes Street, Dunedin.
 Dick, Peter, 488 Moray Place, Dunedin.
 Hamilton, Geo. G., 97 Main Street, Gore.
 Hannagan, J. and A., 140 Princes Street, Dunedin.
 Holloway, A. J., Ltd., 140 Princes Street, Dunedin.
 Holmes, E., Don Street, Invercargill.
 Huntley, H. W., 142 Rattray Street, Dunedin.
 Kernohan, J. J., 33 Princes Street, Dunedin and Cromwell.
 Lumley, Wm., 24 Gladstone Road, North-east Valley.
 Lumsden, Geo., Ltd., 15 Dee Street, Invercargill.
 McNeill, S. L., Riverton.
 Moller, C., and Sons, 358 Moray Place East, Dunedin.
 Neill, Henry, 49 Dowling Street, Dunedin.
 Paterson, W. J., 80 George Street, Dunedin.
 Rankin, Thos., 14 Tay Street, Invercargill.
 Reid, J., 140 Thames Street, Oamaru.
 Rein, N. J. M., Ltd., 44 Dee Street, Invercargill.
 Rout, Harry E., 26 Esk Street, Invercargill.
 Shaw, A. J., 151 Rattray Street, Dunedin.
 Skelt, Chas. H., Alexandra Buildings, Don Street,
 Invercargill.
 Stewart Dawson, and Co. (N.Z.), Ltd., 144-148 Princes
 Street, Dunedin.
 Stewart, Wm., Jeweller, Balclutha.
 Stroud, T. R., 6 Kelvin Street, Invercargill.
 Swan, John, and Co., 23 Bath Street, Dunedin.
 Thompson, M. S., 161 Dee Street, Invercargill.
 Townsend, F. J., 40 George Street, Dunedin.
 Warburnton, J. S., 4 Dee Street, Invercargill, and 112
 Main Street, Gore.

Ward, W. R., Jeweller, Wyndham.

Williamson, J. P., and Co., 59 Princes Street, Dunedin.

Wylie, W. J., and Co., 25 Thames Street, Oamaru.

Young, G, and T., Ltd., 186 Princes Street, Dunedin.

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 1st day of March, 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 3rd day of March, 1937.

[L.S.]

E. PAGE, Judge.

SCHEDULE.

Hours of Work.

1. The hours of work for all journeymen employed at any branch of the industry shall be forty hours per week, to be worked between the hours of 8 a.m. and 5.30 p.m. on five days of the week, and between 8 a.m. and 12 noon on the day of the half-holiday.

Not less than forty-five minutes shall be allowed for dinner.

Wages.

2. The minimum rate of pay to all journeymen working at any branch of the trade shall be £5 5s. per week. "Journemen" shall include jewellers, watchmakers, engravers, die-sinkers, diamond-setters, enamellers, and silversmiths.

Journemen employed as casuals shall be paid not less than 3s. an hour.

Overtime.

3. All time worked outside or in excess of the hours mentioned in clause 1 hereof shall be counted as overtime, and shall be paid for at the following rates: Time and a half for the first three hours, thereafter double time.

Workers called back to work overtime shall, in addition to the above-mentioned rates, be allowed tea-money at the rate of 1s. 6d. unless the worker has been notified the day previously that overtime would have to be worked.

Holidays.

4. (a) The following holidays shall be observed: New Year's Day and the day following, Good Friday, Easter Monday, Labour Day, Anzac Day, Christmas Day, Boxing Day, and the birthday of the reigning Sovereign.

(b) Work done on any of the foregoing days shall be paid for at the rate of double time.

(c) Every worker on completion of twelve months' service shall be entitled to one week's holiday on full pay: Provided that any worker may agree with his employer to take as an equivalent the four working-days between Christmas and New Year. Workers dismissed or leaving the service after six months' employment shall be entitled to a holiday proportionate to the time worked.

Payment of Wages.

5. All wages, including overtime, shall be paid weekly not later than Thursday, in the employer's time.

Terms of Engagement.

6. Except in the case of casual workers, the employment shall be deemed to be a weekly one, and no deduction shall be made from the weekly wage except for time lost through the worker's sickness or default. One week's notice in writing shall be given on either side to terminate the engagement.

Right of Entry.

7. With the intent to secure the effective operation of this award, the secretary of the union, or such other officer or representative of the union as may from time to time be appointed in that behalf, shall have the right to enter at all reasonable times upon the premises of any employer bound by this award and there to interview workers, but not so as to interfere unreasonably with the employer's business.

Matters not provided for.

8. Any dispute in connection with any matter not provided for in this award shall be settled between the particular employer concerned and the secretary or president of the union, and in default of any agreement being arrived at, then such matter shall be referred to the local Conciliation Commissioner, who shall decide the matter or refer same to the Court. Either party if dissatisfied with the ruling of the Commissioner may appeal to the Court upon giving notice of such appeal to the other party within fourteen days after such decision shall have been communicated to the dissatisfied party.

Workers to be Members of Union.

9. (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.

10. (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.

11. This award shall operate throughout the Otago and Southland Industrial District.

Term of Award.

12. This award, in so far as it relates to wages, shall be deemed to have come into force on the 1st day of March, 1937, and so far as all the other conditions of this award are concerned it shall come into force on the day of the date hereof; and this award shall continue in force until the 1st day of March, 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 3rd day of March, 1937.

[L.S.]

E. PAGE, 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.

E. PAGE, Judge.
