

CANTERBURY CONCRETE-PIPE MAKERS.—AWARD.

In the Court of Arbitration of New Zealand, Canterbury Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925; and in the matter of an industrial dispute between the Canterbury Builders and General Labourers and Related Workers' Industrial Union of Workers (hereinafter called "the union") and the undermentioned company (hereinafter called "the employer") :—

Hume Pipe Company (Aust.), Ltd., Hornby.

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 4th day of January, 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 26th day of April, 1937.

[L.S.]

E. H. NORTHCROFT, Judge.

SCHEDULE.

Hours of Work.

1. (a) Except as provided in subclause (b) hereof, the ordinary hours of work shall not exceed forty per week, to be worked between the hours of 7.30 a.m. and 5 p.m. on the first five days of the week, with an hour for lunch.

(b) In the event of necessitous work, men may be employed for not more than four hours between 7.30 a.m. and 12 noon on Saturday mornings, provided that not more than forty hours are worked in one week.

(c) The meal interval may be reduced by mutual consent of the employer and the workers, and further, with the consent of the men concerned, five hours may be worked without an interval for a meal.

Wages.

2. (a) The following shall be the minimum rates of wages:—

	Per Hour.	
	s.	d.
Head moulder	2	6
Moulders and mixers	2	5 $\frac{1}{4}$
All other concrete-pipe workers	2	3 $\frac{3}{4}$

(b) Subject to the limit of the forty-hour week, men engaged on night work firing boilers and steaming pipes, shall not be subject to the limitation of hours prescribed in clause 1 hereof and shall be paid not less than £4 12s. per week.

Piecework.

3. Piecework may be worked at rates to be agreed upon between the union and the employer concerned.

Youths.

4. (a) The following shall be the minimum weekly rates of wages for youths:—

Age commencing.	First Six Months.	Second Six Months.	Third Six Months.	Fourth Six Months.	Fifth Six Months.	Sixth Six Months.	Fourth Year.
Sixteen to seventeen ..	20/-	25/-	35/-	40/-	50/-	60/-	70/-
Seventeen to eighteen ..	30/-	35/-	40/-	45/-	52/6	70/-	..
Eighteen to nineteen ..	35/-	40/-	45/-	52/6	60/-	70/-	..
Nineteen to twenty ..	45/-	52/6	60/-	70/-
Twenty to twenty-one ..	60/-	70/-

Thereafter adult rate: Provided that workers of the age of twenty-one years and upwards shall receive not less than the basic wage for the time being prevailing.

(b) Youths may be employed in the proportion of not more than one to each three or fraction of each three fully paid workers. In special circumstances this proportion may be increased by arrangement between the union and the employer.

(c) No youth under twenty years of age shall be expected to carry buckets or measures which, when loaded, exceed 60 lb. in weight.

Overtime.

5. Work done in excess of eight hours on the first five days of the week shall be paid for at time and a half for the first three hours and double time thereafter. Work done on Saturdays shall be paid for at the rate of time and a half for the first four hours and double time thereafter, except where workers are employed under clause 1 (b) hereof, when the overtime shall not be payable until after four hours have been worked at ordinary rates of pay, provided that not more than forty hours shall be worked at ordinary rates in any week.

Payment of Wages.

6. Wages shall be paid weekly, in cash, and in the employer's time. No deduction shall be made from the wages of any worker paid at a weekly rate, except for time lost through the worker's sickness, accident, voluntary absence, or default.

Tools.

7. All tools shall be supplied by the employer.

Holidays.

8. (a) The following shall be the recognized holidays: New Year's Day, Good Friday, Easter Monday, King's Birthday, Anzac Day, Christmas Day, Boxing Day, and Labour Day.

(b) Payment for the above holidays shall be made in accordance with the provisions of section 14 (2) of the Factories Amendment Act, 1936.

(c) Work done on Sundays or on any of the above-mentioned holidays shall be paid for at double time rates in addition to the payment provided for in subclause (b) hereof.

(d) Show Day and the 2nd January shall be paid holidays, provided that any work done on those days shall be paid for at time and a half rates.

Accommodation and Sanitation.

9. The employers shall provide reasonable accommodation for employees to take their meals and change their clothing,

and shall also provide satisfactory sanitary accommodation. A washing-basin shall be provided, and a bicycle stand shall be provided outside the factory.

Accidents.

10. A modern first-aid emergency case fully equipped shall be provided by the employer in a convenient and accessible place.

Termination of Engagement.

11. The employer shall give a worker one hour's notice, or one hour's pay in lieu thereof, prior to his dismissal. Any worker about to leave his employment shall give the employer one hour's notice or forfeit in lieu thereof one hour's pay, to be deducted from the wages due to him. In the event of any worker being dismissed, all wages due to him shall be paid immediately. Any worker leaving his employment shall be paid the wages due to him within a reasonable time.

Special Conditions.

12. Rubber gloves shall be supplied by the employer where necessary. Conditions in force at the coming into operation of this award, in so far as men working in the wet are concerned, shall continue. Present conditions relating to "smoke-oh" shall continue.

Disputes Committee.

13. The essence of this award being that the work of the employers shall not on any account whatsoever 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 specifically 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 to appeal to the Court against a 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.

Workers to be Members of Union.

14. (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.

15. (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.

Extension of Hours under Factories Act.

16. Pursuant to the provisions of section 3 of the Factories Amendment Act, 1936, the limits of hours fixed by subsection (1) of that section are hereby extended upon the terms of this award in respect of every occupier of a factory bound or to be bound by such award.

Scope of Award.

17. This award shall operate throughout the Canterbury Industrial District, but nothing herein shall apply to any works manager or foreman provided he is paid not less than the minimum rates herein provided.

Term of Award.

18. This award, in so far as it relates to wages, shall be deemed to have come into force on the 4th day of January, 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 4th day of January, 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 26th day of April, 1937.

[L.S.]

E. H. NORTHCROFT, Judge.

MEMORANDUM.

The only matter referred to the Court related to under-rate workers. In other respects the award embodies the recommendations arrived at by the assessors in Conciliation Council.

E. H. NORTHCROFT, Judge.