

OHINEMURI AND WAIHI **CARPENTERS AND JOINERS.**—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 Branch of the Amalgamated Society of Carpenters and Joiners and Joiners' Machinists' Industrial Union of Workers (hereinafter called "the union") and the undermentioned company (hereinafter called "the employer") :—

The Martha Gold-mining Co. (Waihi), Ltd., Shortland Street, Auckland, C. 1.

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 6th day of December, 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 10th day of December, 1937.

[L.S.]

P. J. O'REGAN, Judge.

SCHEDULE.

Hours of Work.

1. (a) Forty hours shall constitute a week's work, to be worked between the hours of 7.30 a.m. and 5 p.m. from Monday to Friday, both days inclusive.

(b) If a worker is called out to start work before the usual starting-time, he shall receive 2s. extra, provided he works only the ordinary number of shift-hours.

Overtime and Holidays.

2. (a) Overtime shall be paid for at the rate of time and a half for the first three hours, and thereafter at double time

rates. All work done on Sundays, New Year's Day, Good Friday, Easter Monday, the Sovereign's Birthday, Labour Day, Christmas Day, and Boxing Day shall be paid for at double time rates.

(b) If a worker has been engaged all day and all night and is required to continue on working into the next day, double time rates shall be paid for all such time worked after the usual hour for commencing work on the second day.

Wages.

3. The minimum rate of wages for journeymen carpenters and joiners shall be 2s. 9 $\frac{3}{4}$ d. per hour.

Youths.

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

		Per Day.	
		s.	d.
For the first year's service	5 0
For the second year's service	6 6
For the third year's service	8 6
For the fourth year's service	9 9
For the fifth year's service	11 0

(b) Youths, after two years' service in one branch, shall be given the opportunity in other branches of the work to enable them to gain full knowledge of the trade.

(c) Certificates covering length of service shall be given to youths when leaving their employer, and on the termination of five years' service if required.

(d) All youths after five years' service shall be paid journeymen's wages.

Country Work.

5. For country work the employer shall pay the fare of the worker both ways, and a proper allowance at current rates shall be made to the worker for necessary meals. When a worker is employed at such distance that he is unable to return at night, suitable board and lodging shall be provided at the employer's expense. Travelling-time shall be paid for at the ordinary rates, but not to a greater amount than eight hours in a day.

General Clauses.

6. (a) Any worker called out to return to work after his ordinary hours shall be paid as from the time he leaves home, such travelling-time not to exceed half an hour.

(b) When a worker is employed in "hot" places underground (*i.e.*, above 83 degrees Fahrenheit, wet bulb) or in

“wet” places underground, he shall not be required to work more than six hours (exclusive of overtime) in any day. The wages for journeymen while so employed shall be 3s. 9d. per hour for up to six hours’ work, and overtime rates shall apply thereafter. For the purpose only of computing the weekly hours, six hours’ work under this subclause shall count as eight hours worked.

(c) The employer shall provide all benches, cramps, spanners, wire-cutters, and pinch-bars, and other tools not ordinarily provided by a carpenter.

(d) Workers employed underground shall be paid 3d. per hour extra for the actual time worked while so employed.

Payment of Wages.

7. All wages shall be paid fortnightly on Fridays, four working-days after the date to which the pay-rolls are made up.

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 of the union, and in default of any agreement being arrived at, then such dispute shall be referred to the local Conciliation Commissioner, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Commissioner, may appeal to the Court upon giving written notice of such appeal to the other party within seven days after such decision shall have been communicated to the party desiring to appeal.

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 apply to the parties named herein.

Term of Award.

12. This award, in so far as it relates to wages, shall be deemed to have come into force on the 6th day of December, 1937, and so far as all the other conditions of this award are

concerned it shall come into force on the 13th day of December, 1937; and this award shall continue in force until the 6th day of December, 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 10th day of December, 1937.

[L.S.]

P. J. O'REGAN, Judge.

MEMORANDUM.

The parties having failed to agree, save as to a few minor details, though the dispute was twice before the Council of Conciliation, the hearing was protracted and the Court's work more exacting than usual. The principal matters in issue centred round wages and hours, and these the Court has fixed at standard rates.

P. J. O'REGAN, Judge.
