

**NORTHERN INDUSTRIAL DISTRICT SOAP, STARCH, CANDLE,
SODA-CRYSTAL, AND OIL 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 Fellmongers, Tanners, Soap-workers, and General Tannery Employees' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

Farley Ltd., E. O., 2 King Edward Avenue, Epsom,
Auckland, S.E. 3.

"Moa" Soaps and Polishers, 277 Victoria Street West,
Auckland, C. 1.

Pearson Soap Co., Ltd., Great South Road, Penrose,
Auckland, S.E. 6.

Pure Soap Products, Ltd., Roxburgh Street, Newmarket,
Auckland, S.E. 1.

Union Oil, Soap, and Candle Co., Ltd., Albert Street,
Auckland, C. 1.

Warnock Bros., Ltd., 7 Kingston 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 8th 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 8th day of December, 1937.

[L.S.]

— W. J. HUNTER, Judge.

SCHEDULE.

Interpretation.

1. This award shall apply only to workers employed in soap, starch, candle, soda-crystal, and oil factories.

Hours of Work.

2. (a) The ordinary hours of work shall not exceed forty per week or eight per day, and shall be worked as follows: From Mondays to Fridays inclusive, between the hours of 7.45 a.m. and 5 p.m., with three-quarters of an hour allowed on each day for lunch: Provided, however, that the present practice as to Saturday work by workers in the starch department shall be allowed to continue, but any work performed on Saturday shall be paid for at the overtime rates prescribed in clause 6 hereof.

(b) Two or three shifts of eight hours may be worked if necessary on the first five days of the week. Workers employed on shift-work shall during each shift be allowed thirty minutes for a meal without deduction from wages. No worker under the age of twenty-one years shall be employed on the morning or evening shifts.

(c) A worker employed on shift work between the hours of 5 p.m. and 7.45 a.m. shall be paid $1\frac{1}{2}$ d. per hour in addition to the wage specified in clause 3 hereof.

(d) Where necessary to complete the casting of a pan, five hours may be worked without an interval for a meal.

Wages.

3. The minimum rate of pay for male workers over the age of twenty-one years shall be not less than 2s. 3d. per hour.

Boys and Youths.

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

	Per Week.		
	£	s.	d.
Under 16 years of age	1	2	6
From 16 to $16\frac{1}{2}$ years of age	1	7	6
From $16\frac{1}{2}$ to 17 years of age	1	12	6
From 17 to $17\frac{1}{2}$ years of age	1	17	6
From $17\frac{1}{2}$ to 18 years of age	2	2	6
From 18 to $18\frac{1}{2}$ years of age	2	7	6
From $18\frac{1}{2}$ to 19 years of age	2	15	0
From 19 to 20 years of age	3	0	0
From 20 to 21 years of age	3	10	0

(b) An employer shall be entitled to make a rateable deduction from the weekly wages of youths for any time lost through the worker's sickness, default, or accident.

Females.

5. Females may be employed at suitable work and shall be paid not less than the following scale:—

	Per Week.		
	£	s.	d.
During the first six months	1	5	0
During the second six months	1	10	0
During the third six months	1	15	0
During the fourth six months	2	0	0
During the fifth six months	2	12	6

Provided that workers of the age of twenty-one years and upwards shall be paid not less than the basic wage for the time being prevailing.

Overtime.

6. (a) Time worked in any day outside of or in excess of the hours specified in clause 2 hereof shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

(b) In the case of shift-workers, overtime at the above-mentioned rates shall be paid in excess of the specified shift hours.

Holidays.

7. (a) All workers shall receive the following holidays in each year: New Year's Day, Good Friday, Easter Monday, Anzac Day, Labour Day, Christmas Day, Boxing Day, and the birthday of the reigning Sovereign.

(b) Each of the holidays mentioned in subclause (a) of this clause shall be subject to the provisions of the Factories Amendment Act, 1936, and shall be paid for in accordance therewith as an ordinary working-day. Pieceworkers shall in such case be paid the rates specified herein for timeworkers.

(c) All work done on any of the holidays mentioned in subclause (a) of this clause shall be paid for at double rates in addition to the ordinary rates payable under subclause (b) of this clause.

(d) All work done on Sunday shall be paid for at double rates.

(e) The 2nd January and Anniversary Day shall be allowed as holidays, but a worker shall not be entitled to pay for such days unless he works, in which case he shall be paid for the time worked at the rate of time and a half.

Payment of Wages.

8. Wages shall be paid weekly.

Termination of Employment.

9. Twenty-four hours' notice of the termination of the employment shall be given by the employer or worker as the case may be, but this shall not prevent the employer from summarily dismissing a worker for misconduct.

General.

10. (a) The employer shall supply aprons, leggings, gum boots, respirators, and all other materials necessary to carry on the work.

(b) 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.

(c) Suitable dressing-rooms, dining-rooms, and drying facilities shall be provided.

(d) Suitable washing accommodation with both hot and cold water shall be provided.

(e) A supply of boiling water shall be available at meal times.

(f) Suitable accommodation shall be provided for the parking of bicycles.

Workers to be Members of Union.

11. (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.

12. (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.

13. 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.

Application of Award.

14. This award shall apply to the original parties named herein, and shall extend to and bind as subsequent party hereto every trade-union, industrial union, industrial association, or employer who, not being an original party hereto, is, when this award comes into force or at any time whilst this award is in force, connected with or engaged in the industry to which this award applies within the industrial district to which this award relates.

Scope of Award.

15. This award shall apply to employers carrying on business in 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 3rd day of December,

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 8th 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 8th day of December, 1937.

[L.S.]

W. J. HUNTER, Judge.

MEMORANDUM.

The only matter referred to the Court related to the payment for work done on Saturdays by boys in the starch-making department. In other respects the award embodies the recommendations arrived at by the assessors in Conciliation Council as amended by agreement of the representatives of the parties at the hearing.

W. J. HUNTER, Judge.
