

**WELLINGTON INDUSTRIAL DISTRICT STOREMEN AND
PACKERS (IN MOTOR-ASSEMBLY WORKS).—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 Storemen and Packers (other than in Retail Shops) and Warehouse Employees' (other than Drivers and Clerks) Industrial Union of Workers (hereinafter called "the union") and the undermentioned firms (hereinafter called "the employers") :—

General Motors, Ltd., Petone.

Ford Motors, Ltd., Petone.

Todd Motors, Ltd., Petone.

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 27th day of April, 1939, 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 27th day of April, 1938.

[L.S.]

W. J. HUNTER, Judge.

SCHEDULE.

Persons on whom Award binding.

1. This award shall apply to all persons employed as storemen and packers (on work such as is usually performed by storemen and packers) in the motor-assembly works in the Wellington Industrial District and to the persons, firms, and companies party hereto.

Hours of Work.

2. (a) Forty hours shall constitute a week's work, eight in each day for five days of the week, to be worked between the hours of 7.30 a.m. and 5 p.m.

(b) Not less than three-quarters of an hour shall be allowed at midday for a meal.

Wages.

3. (a) Storemen and packers employed in motor-assembly works in connection with C.K.D. parts and who are required to perform any work in connection therewith, including the checking of C.K.D. parts, &c., shall be paid 2s. 7½d. per hour.

(b) Other storemen in motor-assembly works who are not required to take the responsibility of the checking of C.K.D. parts shall be paid 2s. 6d. per hour.

(c) Nothing in this award shall apply to storemen and packers employed in spare-part departments.

(d) The following is the minimum rate for juniors, viz.—

	Per Week.		
	£	s.	d.
Under 17 years of age	1	5	0
From 17 to 17½ years of age	1	10	0
From 17½ to 18 years of age	1	15	0
From 18 to 18½ years of age	2	0	0
From 18½ to 19 years of age	2	5	0
From 19 to 19½ years of age	2	10	0
From 19½ to 20 years of age	2	15	0
From 20 to 20½ years of age	3	0	0
From 20½ to 21 years of age	3	5	0

Thereafter adult rates of pay.

Overtime.

4. (a) All time worked outside 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) Work performed on Saturday mornings shall be paid for at the rate of time and a half for the first four hours and double time thereafter.

(c) Workers who are required to work overtime after 6 p.m. shall be paid a tea allowance of 1s. 6d., provided they have not been notified of such overtime on the day prior to the working, except that if a worker is ordered to work overtime and the overtime is not required, then he shall be paid the tea allowance.

Terms of Employment.

5. (a) No deduction shall be made from the wages of weekly workers except for time lost through the worker's sickness, default, or absence from work with the consent of the employer, or for absence from work through no fault of the employer.

(b) Not less than seven days' notice shall be given by either party in the case of weekly workers, provided that nothing herein shall prevent an employer from summarily dismissing a worker for wilful misconduct.

(c) Other workers shall be entitled to not less than one hour's notice.

Proportion of Juniors.

6. Each firm or employer shall be entitled to employ one junior, after which the proportion of juniors to adult workers shall not exceed one to three or fraction of three fully paid adult storemen.

Payment of Wages.

7. (a) Wages shall be paid weekly and in cash not later than Friday, and during the employer's time.

(b) Casual workers shall be paid immediately upon discharge.

Holidays.

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

(b) For work done on the above holidays and on Sundays or Anzac Day double time shall be paid.

(c) The provisions of clause 14 of the Factories Amendment Act, 1936, shall apply to workers employed in factories owned by employers who are parties to this award.

Accommodation.

9. In every establishment space shall be set apart for workers to hang their clothes. It shall, as far as practicable, ensure a reasonable degree of safety.

First-aid Appliances.

10. First-aid appliances shall be provided in an accessible place to all workers employed.

Disputes.

11. 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.

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.

Workers to be Members of Union.

13. (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.)

Right of Entry upon Premises.

14. The secretary or other authorized officer of the union shall, with the consent of the employer (which consent shall not be unreasonably withheld), be entitled to enter at all reasonable times upon the premises or works and there interview any workers, but not so as to interfere unreasonably with the employer's business.

Application of Award.

15. 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 the 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.

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

Term of Award.

17. This award, in so far as it relates to wages, shall be deemed to have come into force on the 7th day of April, 1938, 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 27th day of April, 1939.

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 27th day of April, 1938.

[L.S.]

____ W. J. HUNTER, 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.

W. J. HUNTER, Judge.
