

OTAGO AND SOUTHLAND FUR TRADE EMPLOYEES (DRESSERS AND DYERS SECTION).—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 its amendments; and in the matter of an industrial dispute between the Dunedin Fur Trade Employees' Industrial Union of Workers (hereinafter called "the union") and the under-mentioned persons, firms, and companies (hereinafter called "the employers") :—

Fur Dressers and Dyers, Ltd., 6 Calder Avenue, North-east Valley, Dunedin, N.E. 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 29th day of March, 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 14th day of June, 1938.

[L.S.]

P. J. O'REGAN, Judge.

SCHEDULE.

Hours of Work.

1. Forty hours shall constitute a week's work, to be worked on five days of the week between the hours of 8 a.m. and 5 p.m. from Monday to Friday inclusive. Eight hours shall constitute a day's work.

Shift-work.

2. (a) Shifts may be worked as required by the employer. Eight hours shall constitute a full shift.

(b) A worker required to work for less than three consecutive shifts shall not be deemed to be a shift-worker, but shall be paid for such work at overtime rates: Provided that a worker taking another worker's shift shall be deemed to be a shift-worker.

(c) Shift-workers shall not be required to work the same shift in consecutive weeks.

(d) Shift-workers shall receive, in addition to the wages herein prescribed, the sum of 1s. 6d. per shift extra.

Wages.

3. The following shall be the minimum rates of wages:—

		Per Week.		
		£	s.	d.
Males—				
First six months of service	..	0	17	6
Second six months of service	..	1	2	6
Third six months of service	..	1	7	6
Fourth six months of service	..	1	12	6
Fifth six months of service	..	1	17	6
Sixth six months of service	..	2	2	6
Fourth year of service	..	2	7	6
		Per Hour.		
		£	s.	d.
Fifth year of service	0	1	8½
Sixth year of service	0	2	3
Workers of the age of twenty-two years, with not less than four years' service	0	2	5
Fleshers of the age of twenty-two years, with not less than four years' service	0	2	7
		Per Week.		
		£	s.	d.
Females—				
First six months of service	..	0	15	0
Second six months of service	..	0	19	0
Third six months of service	..	1	3	0
Fourth six months of service	..	1	7	0
Fifth six months of service	..	1	11	0
Sixth six months of service	..	1	15	0
Fourth year of service	..	2	2	6
		Per Hour.		
		£	s.	d.
Fifth year of service	0	1	2½
And thereafter	0	1	4½

Overtime.

4. (a) All time worked in excess of eight hours in any one day or shift, or, in the case of day-workers, before 8 a.m. or after 5 p.m. shall be deemed to be overtime, and shall be paid for at the rate of time and a half for the first four hours and at double time thereafter.

(b) Notice of intention to work overtime after 6 p.m. shall be given by the employer not later than on the previous working-day, or, where such notice is not given, the employer shall pay each worker required to work overtime the sum of 1s. 6d. meal-money, which shall be paid to the worker not later than the ordinary closing-hour of the factory on the day upon which such overtime is to be worked.

(c) An interval of one hour shall occur between the ordinary time for the ceasing of work and the commencement of overtime, except that in the case of any job requiring not more than one hour to complete the work shall proceed without a break.

Holidays.

5. (a) If and when any of the following days fall on an ordinary working-day—viz., Christmas Day, Boxing Day, New Year's Day and the day following, Good Friday, Easter Monday, Labour Day, Anzac Day, and the birthday of the reigning Sovereign—they shall be observed as holidays and paid for. In the event of any of the said holidays, other than Anzac Day, falling on a Sunday, it shall be observed on the following Monday.

(b) For work done on any of the aforementioned holidays payment shall be made at double the ordinary rates.

(c) The working-days occurring between Boxing Day and New Year's Day shall be allowed as holidays and shall be paid for.

Payment of Wages.

6. (a) Wages shall be paid weekly, and in the employer's time, on Tuesday of each week.

(b) An employer shall not retain more than one day's pay at each wages payment.

Termination of Employment.

7. (a) Except in the case of workers on weekly wages, twenty-four hours' notice of the termination of employment shall be given by the employer to the worker or by the worker to the employer, as the case may be, but this shall not affect the right of the employer to dismiss a worker without notice for wilful misconduct.

(b) Any worker leaving or being discharged shall be paid all wages due to him immediately upon termination of his employment.

(c) Upon the termination of the employment the employer shall, if requested to do so, provide the worker with a statement setting out the duration of the said worker's service.

Deductions from Wages.

8. In the case of workers on weekly wages the employment shall be deemed to be a weekly one, and no deduction shall be made save for time lost through the worker's sickness or default or through any cause over which the employer has no control.

General Provisions.

9. All male workers employed on wet work in the tanning and dyeing departments shall be provided with gum boots and rubber aprons, and all females employed in the greasing department with canvas or other suitable aprons.

Matters not provided for.

10. 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 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 fourteen days after such decision shall have been communicated to the party desiring to appeal.

Right of Entry.

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

Workers to be Members of Union.

12. (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.

13. (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.

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.

This award shall apply to the fur-dressing and fur-dyeing industry.

Scope of Award.

15. This award shall operate throughout the Otago and Southland 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 29th day of March, 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 29th day of March, 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 14th day of June, 1938.

[L.S.]

P. J. O'REGAN, Judge.

MEMORANDUM.

The only matter referred to the Court related to under-rate workers. In other respects the award embodies the recommendations of the Conciliation Council.

P. J. O'REGAN, Judge.