

**NORTHERN INDUSTRIAL DISTRICT SEAGRASS, CANE, WICKER-
WORKING, AND GENERAL BASKETWARE.—APPRENTICESHIP
ORDER.**

In the Court of Arbitration of New Zealand, Northern Industrial District.—In the matter of the Apprentices Act, 1923, and its amendments; and in the matter of the conditions of apprenticeship in the Seagrass, Cane, Wickerworking, and General Basketware industry in the Northern Industrial District.

Friday, the 7th day of October, 1938.

WHEREAS pursuant to section 4 (1) of the Apprentices Act, 1923, an Apprenticeship Committee has been set up for the Northern Industrial District in connection with the seagrass, cane, wickerworking, and general basketware industry: And whereas the Court has heard the employers, workers, and other persons concerned, and has considered the recommendations made to it by the said Committee: And whereas

the Court has deemed it expedient to make an order under section 5 of the said Act prescribing the wages, hours, and other conditions of employment to be incorporated in contracts of apprenticeship in the said industry in the said district, and prescribing such other matters and things as the Court is required and authorized by the said section to prescribe: Now, therefore, the Court doth hereby order and prescribe as follows:—

1. The locality in which this order shall have effect is the Northern Industrial District.

2. The trade or industry to which this order shall apply is wicker, cane, seagrass, basketware of every description, and composition fibre (hand and machine). The provisions of this order shall apply to all employers of apprentices in the industry in the district (whether bound by an award or industrial agreement relating to the said industry or not), and to all apprentices employed by such employers in such industry, and to all contracts of apprenticeship between such employers and apprentices.

3. Before taking an apprentice an employer shall have been in business for at least twelve months.

4. Every employer desiring to employ an apprentice in any branch or branches of the trade shall, before engaging the proposed apprentice, make application in writing to the Apprenticeship Committee, and the Committee shall either grant or refuse the application, after inquiring into the facilities within the scope of the proposed employer's business for teaching the proposed apprentice.

5. Every employer shall within three days after engaging any person as an apprentice give notice of such engagement to the District Registrar of Apprentices for the locality concerned.

6. The minimum age at which a person may commence to serve as an apprentice shall be fifteen years.

7. The term of apprenticeship shall be five years in all cases.

8. Contracts of apprenticeship, and every alteration or amendment thereof, shall be registered with the District Registrar for the district within a period of fourteen days after the commencement of the employment of the apprentice, or the expiration of any period of probation served by him, pursuant to the Apprentices Act (in the case of an original contract), or within fourteen days after the making of the alteration. If the contract or alteration is not presented for registration as aforesaid the parties thereto are severally liable to a fine of £10 under the Apprentices Act, 1923.

9. (a) The proportion of the total number of apprentices to the total number of journeymen employed by any employer shall be not more than one to two, two to four, and thereafter not more than one to every three journeymen employed.

(b) For the purpose of this order any employer who has been in business as a seagrass and wicker employer from the 1st day of January, 1937, shall be entitled to count himself as a journeyman.

10. For the purpose of determining the number of apprentices each employer may employ, the number shall be computed upon the total number of journeymen employed full time for six months prior to the taking-on of an apprentice.

11. (a) The minimum rate of wages payable to apprentices who commence employment as such when under eighteen years of age shall be—

			Per Week.		
			£	s.	d.
For the first six months	..	..	0	15	0
For the second six months	..	..	0	19	0
For the third six months	..	..	1	3	0
For the fourth six months	..	..	1	7	0
For the fifth six months	..	..	1	12	0
For the sixth six months	..	..	1	17	0
For the seventh six months	..	..	2	2	6
For the eighth six months	..	..	2	7	6
For the ninth six months	..	..	2	15	0
For the tenth six months	..	..	3	5	0

(b) The minimum rate of wages payable to apprentices eighteen years of age and over shall be—

			Per Week.		
			£	s.	d.
For the first six months	..	..	1	10	0
For the second six months	..	..	1	15	0
For the third six months	..	..	2	0	0
For the fourth six months	..	..	2	5	0
For the fifth six months	..	..	2	10	0
For the sixth six months	..	..	2	15	0
For the seventh six months	..	..	3	0	0
For the eighth six months	..	..	3	5	0
For the ninth six months	..	..	3	10	0
For the tenth six months	..	..	3	15	0

12. The period of probation to be prescribed in any contract of apprenticeship to enable the employer of any apprentice to determine his fitness shall not exceed three months in the case of a first apprenticeship to the trade, and shall not exceed one month in any other case.

13. The powers and discretions provided for in section 13 of the Apprentices Act, 1923, may be exercised by the District Registrar and the Apprenticeship Committee notwithstanding that the employer to whom it is proposed to transfer an apprentice is already employing the full quota of apprentices as determined by the Apprenticeship Order.

14. A person under twenty-one years of age who has served part of his apprenticeship to the trade outside of New Zealand may complete

the term of apprenticeship herein provided for with an employer in the district on furnishing to the District Registrar of Apprentices a certificate from his former employer and/or such other evidence (if any) as the District Registrar may require in order to show the time served by such person as an apprentice outside of New Zealand. The District Registrar may refuse to register any contract of apprenticeship entered into under the provisions of this clause until such evidence has been furnished to him. Any party aggrieved by the decision of the District Registrar may, within fourteen days, appeal to the Court, whose decision shall be final and conclusive. The period of probation in cases coming within the scope of this clause shall not exceed one month.

15. An apprentice shall make up any time lost by him in any year through his own default, or sickness, or through accident (unless arising out of and in the course of his employment) before he shall be considered to have entered on the next succeeding year of his apprenticeship or, if in the final year, to have completed his apprenticeship.

16. An apprentice working overtime shall have such time added to his ordinary time in calculating the respective years of his apprenticeship.

17. An employer shall be entitled to make a rateable deduction from the wages of an apprentice for any time lost by him through sickness in excess of two weeks in any year, or accident not arising out of or in the course of the employment, or through his own default: Provided that if an apprentice is absent through sickness the employer may require the apprentice to furnish a medical certificate to the effect that sickness prevented him from attending at work, and if the apprentice fails to furnish such medical certificate the employer shall be entitled to make a rateable deduction from the wages of the apprentice for the time lost.

18. The hours worked by an apprentice shall, subject to the provisions of any statute, be those normally worked by journeymen in accordance with the provisions of the award or industrial agreement relating to the employment of journeymen for the time being in force in the district.

19. An employer shall not require or permit an apprentice under seventeen years of age to work more than six hours overtime in any one week.

20. An employer shall not require or permit an apprentice to work overtime unless he has journeymen employed working overtime on the same day, and the number of apprentices employed shall not exceed the number allowed under clause 9 (a) of this order.

21. The minimum rate of overtime for apprentices shall be time and a half for the first three hours and double time thereafter, or 1s. 6d. per hour, whichever is the greater.

22. No apprentice shall be permitted to work overtime after 8.30 p.m.

23. The conditions of the award or industrial agreement referred to in clause 18 hereof, in so far as they relate to the method and time of payment of wages, holidays, travelling-time, suburban work, country work, meal-money, and other matters (other than preference to unionists) relating generally to the employment and not in conflict with this order, shall be applicable to apprentices.

24. Every contract of apprenticeship shall accord with the provisions of the Apprentices Act, 1923, and this order, and shall make provision, either expressly or by reference to the said Act or this order, for the several matters provided for therein, and shall not contravene the provisions of any Act relating to the employment of boys and youths. In default of such provision being made in any such contract of apprenticeship, or in so far as such provisions are defective or ambiguous, the contract shall be deemed to provide that the conditions of apprenticeship shall be not less favourable to the apprentice than the minimum requirements of this order.

25. It shall be an implied term in every contract of apprenticeship that the apprentice will diligently and faithfully obey and serve the employer as his apprentice for the prescribed term, and will not absent himself from the employer's service during the hours of work without the leave of the employer or except as permitted by this order, and, further, will not commit or permit or be accessory to any hurt or damage to the employer or to his property, nor conceal any such hurt or damage if known to him, but will do everything in his power to prevent the same.

26. It shall be an implied term in every contract of apprenticeship that the employer will, during the prescribed term, to the best of his power, skill, and knowledge, train and instruct the apprentice, or cause him to be trained and instructed, as a competent journeyman in the trade or branch or branches of the trade to which he is apprenticed, in accordance with the provisions of the Apprentices Act, 1923, and of this order, and any amendments thereof: Provided, however, that if the business carried on by the employer does not comprise all the operations usually included in the training of an apprentice in the trade or branch or branches of the trade to which the apprentice is apprenticed, the operations to be taught the apprentice shall be specifically set out in the contract of apprenticeship, and in default thereof the employer shall be deemed to have contracted to train and instruct the apprentice in all operations usually included in the training of a journeyman in the trade or branch or branches of the trade to which the apprentice is apprenticed.

27. No premium in respect of the employment of any person as an apprentice shall be paid to or received by an employer, whether such premium is paid by the person employed or by any other person.

28. It shall be an implied term in every contract of apprenticeship that the provisions of the Master and Apprentice Act, 1908, shall not apply hereto.

29. The powers conferred on the Court by paragraph (b) to (1), inclusive, of section 5 (4) of the said Act are hereby delegated by the Court to the said Committee in so far as those powers relate to the said industry within that part of the Northern Industrial District lying within a radius of twenty miles from the Chief Post-office in the City of Auckland, but reserving nevertheless power to the Court at any time and from time to time to withdraw all or any of such powers.

30. This order shall operate and take effect as from the 17th day of October, 1938.

[L.S.]

J. A. GILMOUR, Stipendiary Magistrate.

Acting as a duly appointed Delegate
of the Court of Arbitration.

MEMORANDUM.

The matters in dispute related to wages payable to apprentices eighteen years of age and over, and deduction from wages. These have been settled on the lines of recent apprenticeship orders.

J. A. GILMOUR, Stipendiary Magistrate,

Acting as a duly appointed Delegate
of the Court of Arbitration.

[For suggested form of apprenticeship contract see page 2047.]
