

WELLINGTON INDUSTRIAL DISTRICT MATCH-MANUFACTURING EMPLOYEES.—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 Match-manufacturing Employees' Industrial Union of Workers (hereinafter called "the union") and the undermentioned firm (hereinafter called "the employers") :—

Bryant and May, Bell and Co., Ltd., Wellington.

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 30th day of November, 1940, 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 duly appointed Delegate of the Court hath hereunto set his hand, this 22nd day of November, 1938.

[L.S.] J. A. GILMOUR, Stipendiary Magistrate,
Acting as a duly appointed Delegate
of the Court of Arbitration.

SCHEDULE.

Interpretation.

1. This award shall apply to all workers employed in the manufacture of matches, including those workers who are not at the time of the making of this award already covered by the provisions of another award.

Hours of Work.

2. Forty hours shall constitute a week's work, to be worked on Monday to Friday inclusive, and eight hours a day shall constitute a day's work.

Wages.

3. (a) The minimum rates of wages of female workers shall be as follows:—

	Per Week.		
	£	s.	d.
For the first six months	0	17	6
For the second six months	1	1	6
For the third six months	1	5	6
For the fourth six months	1	9	6
For the fifth six months	1	13	6
For the sixth six months	1	17	6
For the seventh six months	2	1	6
For the eighth six months	2	5	0
And thereafter	2	10	0

Provided that a female worker of the age of twenty-one years or upwards shall be paid not less than the basic wage.

(b) The minimum rates of wages of male workers shall be as follows:—

	Per Week.		
	£	s.	d.
For the first six months	0	17	6
For the second six months	1	3	6
For the third six months	1	9	6
For the fourth six months	1	15	6
For the fifth six months	2	1	6
For the sixth six months	2	7	6
For the seventh six months	2	13	6
For the eighth six months	2	19	6
For the fifth year	3	5	6
And thereafter	4	10	0

Provided that a male worker of the age of twenty-one years or upwards shall be paid not less than the basic wage.

(c) Male workers making preparation for the work of the factory shall be paid 1s. 6d. per day extra.

(d) Workers in receipt of a higher wage than that set out herein shall not have their wages reduced by reason of any of the provisions of this award.

Overtime.

4. All time worked in excess of the hours prescribed in clause 2 hereof shall count as overtime, and shall be paid for at the rate of time and a half for the first three hours and double time thereafter. For the purpose of computing overtime, work done up to and including half an hour shall be deemed half an hour and work done for any period exceeding half an hour and up to one hour shall count as one hour.

Employment.

5. The employment shall be deemed to be a weekly employment. Employers shall be at liberty to deduct from the weekly wage of workers for time lost through the workers' sickness or default or for absence from work through no fault of the employer.

Holidays.

6. (a) The following holidays shall be allowed without deduction from wages. A whole holiday on every Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Monday, Anzac Day, Labour Day, Anniversary Day, and the birthday of the reigning Sovereign.

(b) Time worked on any of the above holidays and Sundays shall be paid for in accordance with the Factories Act and its amendments.

(c) Payment of wages for the said holidays shall be made to all persons who have been employed in the factory at any time during the fortnight ending on the day on which the holiday occurs.

Annual Holiday.

7. (a) An annual holiday on full pay of one week shall be granted all workers and shall be taken in conjunction with the Christmas and New Year holidays. For the purpose of this clause "a week's holiday" shall mean five full working-days.

(b) Should a male worker be required to work on any of the days classified as holidays in subclause (a) hereof, he shall be entitled, in addition to the payment provided for in the above-mentioned subclause, to be paid for work so done at his ordinary rate of pay.

Termination of Employment.

8. Twenty-four hours' notice of the termination of the employment shall be given by either side, except in the case of casual workers. Workers on being dismissed shall be paid immediately. Nothing in this award shall prevent an employer from summarily dismissing any worker for good cause or wilful misconduct.

Disputes.

9. 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 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 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 of Arbitration within fourteen days after such decision has been made known to the party desirous of appealing.

Workers to be Members of Union.

10. (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.

11. (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.

12. 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.

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

Term of Award.

14. This award, in so far as it relates to wages, shall come into force on the 1st day of December, 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 30th day of November, 1940.

In witness whereof the seal of the Court of Arbitration hath hereto been put and affixed, and the duly appointed Delegate of the Court of Arbitration hath hereunto set his hand, this 22nd day of November, 1938.

[L.S.] J. A. GILMOUR, Stipendiary Magistrate,
Acting as a duly appointed Delegate
of the Court of Arbitration.

MEMORANDUM.

The only matter referred to the Court related to 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.

J. A. GILMOUR, Stipendiary Magistrate,
Acting as a duly appointed Delegate
of the Court of Arbitration.