

WELLINGTON AND CANTERBURY JEWELLERS, WATCHMAKERS,
ENGRAVERS, AND DIE-SINKERS.—AWARD.

[Filed in the Office of the Clerk of Awards, Wellington.]

In the Court of Arbitration of New Zealand, Wellington and Canterbury Industrial Districts.—In the matter of the Industrial Conciliation and Arbitration Act, 1925; and in the matter of an industrial dispute between the New Zealand Federated Jewellers, Watchmakers, and Related Trades' Industrial Association of Workers (hereinafter called "the union") and the undermentioned union, persons, firms, and companies (hereinafter called "the employers") :—

WELLINGTON INDUSTRIAL DISTRICT.

Wellington.

Bock, W. R., and Son, 5th Floor, D.I.C.
Frost and Guy, Dominion Building, Mercer Street.
Hay, V. L., 33 Mercer Street.
Haycraft, W. M., and Co., Ltd., 94 Willis Street.
Mayer and Kean, Ltd., 6A Willis Street.
Morris, H., and Co., Cooper's Building, Mercer Street.
Partridge, L. R., 55 Cuba Street.
Rudolph, H. J., 362 Lambton Quay.
Tomlin, Gleed, and Co., 123 Willis Street.
Webster, F. B., 189 Featherston Street.
Wellington District Manufacturing Jewellers, Die-sinkers, Silversmiths,
Engravers, and Watchmakers' Industrial Union of Employers,
89 Wakefield Street.

Napier.

Corbet, W., 42 Emerson Street.
Jenkins, F. W., 17 Emerson Street.

Hastings.

Dobson, W. E., Karamu Road.
Garland, S. O., and Sons, 223 Heretaunga Street West.
Grieve, H. J., and Co., 214 Heretaunga Street.

Masterton.

Bradbury, J., 73 Queen Street.
Nichol, L., 121 Queen Street.

Wanganui.

Crysell, E. V., 197 Victoria Avenue.
Fitchett, W. R., 190 Victoria Avenue.
Williams, J., and Co., Ltd., 48 Victoria Avenue.

Pahiatua.

Fairweather, A. J.

Palmerston North.

Gerrand, J. B., and Son, 185 The Square.
Knight, W. A., 429 Main Street.
O'Connor, Tydeman, and Stubbs, 158 The Square.

CANTERBURY INDUSTRIAL DISTRICT.

Curtis, F., Ashburton.

Fisse, C., Leeston.

Fraser, S., 139 Gloucester Street, Christchurch.

Hall, L., Watchmaker, Manchester Street, Christchurch.

Jones and Sons, 278 High Street, Christchurch.

McBride, W., Timaru.

McNab, J., Timaru.

Partridge, R., 192 Cashel Street, Christchurch.

Petersens Ltd., High Street, Christchurch.

Robilliard and Sons, Ashburton.

Watson and Co., Ltd., 695 Colombo Street, and High Street, Christchurch.

Young, G. and T., Ltd., Timaru.

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 31st day of May, 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 Judge of the Court hath hereunto set his hand, this 12th day of December, 1938.

[L.S.]

P. J. O'REGAN, Judge.

SCHEDULE.

Interpretation.

1. "Jewellery and watchmaking" shall be deemed to mean and include jewellery, watchmaking, watch-repairing, clock-repairing, engraving, die-sinking, diamond-setting, enamelling, goldsmithing, silversmithing, and polishing.

Hours of Work.

2. (a) The hours of work for all journeymen employed at any branch of the industry shall be forty per week, to be worked between the hours of 8 a.m. and 5.30 p.m. on five days of the week and between 8 a.m. and 12 noon on the day of the half-holiday.

(b) Not less than forty-five minutes shall be allowed for dinner.

Wages.

3. (a) Journeymen shall be paid not less than £5 10s. per week.

(b) Workers employed for less than one week shall be deemed to be casual workers and shall be paid 4½d. per hour in addition to the rate prescribed in subclause (a) hereof. Casual workers shall receive a minimum of four hours' work per day.

(c) A tool allowance of 1s. per week shall be paid to those journeymen employed in the watchmaking and watch- and clock-repairing sections of the industry who provide their own tools.

Overtime.

4. (a) For all work performed outside and in excess of the hours prescribed in clause 2 hereof the following rates shall apply: Time and a half for the first three hours and double time thereafter.

(b) Workers employed for less than half an hour shall receive half an hour's pay.

(c) Workers employed for less than an hour and more than half an hour shall receive an hour's pay.

(d) Employers shall allow meal-money at the rate of 1s. 6d. per meal when workers are required to work after 1 p.m. on Saturdays or after 6 p.m. during the first five working-days of the week, provided that such workers cannot reasonably get home to their meals.

Holidays.

5. (a) The following shall be observed as holidays: New Year's Day and the day following, Good Friday, Easter Saturday, and Easter Monday, Anniversary Day (in Wellington) or Show Day (in Christchurch), Labour Day, Christmas Day, Boxing Day, Anzac Day, and the birthday of the reigning Sovereign. Any such holidays falling on an ordinary working-day shall be allowed without deduction from pay.

(b) Should any of the above holidays, with the exception of Anzac Day, fall on a Sunday, then for the purpose of this award it shall be observed on the following Monday.

(c) Any work done on Sunday or any of the above-mentioned holidays, or holidays observed in lieu thereof, shall be paid for at double time rates. The said payment shall be in addition to the ordinary weekly wage.

Annual Holiday.

6. (a) An annual holiday of one week shall be granted to each worker under this award on completion of each year of service, and the employer shall give the worker or workers at least two weeks' notice before such holidays become due. Such annual holiday shall be exclusive of holidays provided for in subclause 5 (a) hereof.

(b) A worker not completing a year of service shall be granted pay in lieu of holidays in the same proportion according to the length of service.

Payment of Wages.

7. All wages, including overtime, shall be paid weekly, not later than Thursday, in the employer's time.

Terms of Employment.

8. (a) The employment shall be deemed to be a weekly one, subject to subclause (b) hereof, and no deductions shall be made from the weekly wage except for time lost through the worker's sickness or default or breakdown of machinery.

(b) When necessary, owing to slackness of work, employers shall be at liberty to stand workers down for periods of not more than one week at a time, subject to twenty-four hours' notice.

(c) Subject to subclause (b) hereof, one week's notice in writing of the termination of the employment shall be given on either side.

Right of Entry.

9. The secretary of the union shall be entitled to enter at all reasonable times upon the premises of any employer bound by this award for the purpose of interviewing any workers (with the consent of the employer, such consent not to be unreasonably withheld), but not so as to interfere unreasonably with the employer's business.

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 subsection (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 districts to which this award relates.

Scope of Award.

13. This award shall operate throughout the Wellington and Canterbury Industrial Districts.

Term of Award.

14. This award, in so far as it relates to wages, shall be deemed to have come into force on the first pay-day after 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 31st day of May, 1940.

In witness whereof the seal of the Court of Arbitration hath hereunto been put and affixed, and the Judge of the Court hath hereunto set his hand, this 12th day of December, 1938.

[L.S.]

P. J. O'REGAN, 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.

P. J. O'REGAN, Judge.