

NORTHERN INDUSTRIAL DISTRICT AGRICULTURAL AND PASTORAL ASSOCIATIONS, RACECOURSE, AND SPORTS BODIES' EMPLOYEES.—AWARD.

In the Court of Arbitration of New Zealand, Northern 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 Auckland Houses of Entertainment and Places of Amusement Employees' Industrial Union of Workers (hereinafter called "the union") and the undermentioned associations and clubs (hereinafter called "the employers") :—

Auckland Hockey Association (G. Pearce), Auckland.
 Auckland Cricket Association (A. W. Christmas), Auckland.
 Auckland Lawn Tennis Association (R. Porter), Auckland.
 Auckland Football Association (W. Harrison), Auckland.
 Auckland Rugby Union (T. W. Maben), Auckland.
 Poverty Bay Rugby Union (W. S. McKee), Gisborne.
 Waikato Rugby Union (T. W. Thompson), Hamilton.
 North Auckland Rugby Union (F. L. Morgan), Whangarei.
 Auckland Rugby Football League (I. Culpan), Auckland.
 Auckland Racing Club (W. Spence), Auckland.
 Auckland Trotting Club, Auckland.
 Avondale Jockey Club (J. Rawson), Auckland.
 Rotorua Racing Club (E. La Trobe Hill), Rotorua.
 Waikato Racing Club (E. H. O'Meara), Hamilton.
 Whangarei Racing Club (F. L. Gunn), Whangarei.
 Bay of Plenty Jockey Club (S. G. Wilcox), Tauranga.
 Waipa Racing Club (J. G. Wynyard), Te Awamutu.
 Dargaville Racing Club (J. P. Stanaway), Dargaville.
 Poverty Bay Racing Club, Gisborne.
 Waikato Trotting Club (W. H. Allen), Hamilton.
 Auckland Agricultural and Pastoral Association (W. F. O'Donnell),
 Auckland.
 Waikato Agricultural and Pastoral Association (C. E. Goosman),
 Hamilton.
 Waikato Winter Show Association (W. H. Paul), Hamilton.
 Auckland Winter Exhibition (W. F. O'Donnell), Auckland.
 Rotorua Agricultural and Pastoral Association (W. A. Knaggs),
 Rotorua.
 Whangarei Agricultural and Pastoral Association (C. P. Butler),
 Whangarei.
 Poverty Bay Agricultural and Pastoral Association (W. E.
 Chamberlain), Gisborne.
 Auckland Amateur Cycling Centre (L. Wilson), Auckland.
 Auckland Professional Club (T. Loundes), Auckland.

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 May, 1941, 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 29th day of May, 1940.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE.

PART I.

This Part of this award shall apply to workers employed by racing, trotting, and hunt clubs.

Hours of Work.

1. The hours of work shall not exceed nine per day without restriction as to clock-hours.

Wages.

		Per Day.	
		s.	d.
2. The minimum rates of wages shall be:—			
Number-board men .. .. .	..	27	6
Grandstand enclosure ticket-sellers ..	..	27	6
Ticket-sellers other than above, and money-changers .. .. .	..	25	0
Turnstile-attendants and ticket-collectors		21	0
Men in charge of admission gates to public enclosures .. .. .	..	27	6
Rangers on boundaries, motor-car attendants, doorkeepers, and all other male attendants and gate-keepers other than above .. .. .	..	21	0
Cloakroom-attendants (male or female)		21	0
Female employees in lavatories .. .. .	..	15	0

Meals.

3. All workers shall be provided with a meal on race days, or in lieu thereof a meal allowance of 1s. 6d.

PART II.

This Part of this award shall apply to workers employed by agricultural and pastoral associations and winter exhibitions.

Wages.

4. The minimum rates of pay for the undermentioned classes of workers shall be as follows:—		Per Hour.	
		s.	d.
Gate-keepers .. .. .	..	2	5
Ticket-sellers .. .. .	..	2	7

Any worker in charge of four or more other workers shall be paid an additional 2d. per hour.

Work done on Sundays shall be paid for at the rate of double time.

Partial Exemption.

5. The Auckland Agricultural and Pastoral Association shall be exempt from this award in respect of its caretaker at Epsom so long as his rate of pay and conditions are not less favourable than at present.

PART III.

This Part of this award shall apply to workers employed by cycle clubs, cricket clubs, football clubs, tennis clubs, hockey clubs, speedways, and the like.

Wages.

6. The minimum rate of pay shall be 2s. 6d. per hour: Provided that the minimum payment on any one day shall be three hours' pay.

Meals.

7. A worker shall not be employed for more than four hours continuously without an interval of at least half an hour for a meal, but this shall not apply if the employer provides the worker with refreshments at his post.

PART IV.

This Part of this award shall apply to workers employed under Parts I, II, and III.

Matters not provided for.

8. The essence of this award being that on no account whatsoever shall the work be impeded, 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 Conciliation Commissioner or other person mutually agreed upon, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Commissioner or such other person, may appeal to the Court upon giving written notice of such appeal to the other party within seven days after such decision shall have been communicated to the party desiring to appeal.

Copy of Award.

9. The employer shall have a copy of the award exhibited in a conspicuous place where it can be seen by the members of the staff.

Right of Entry.

10. The secretary or other authorized representative of the union shall have the right (at a time to be agreed upon with the employer) to enter upon the premises of the employer for the purpose of interviewing the workers, but not so as to interfere with the carrying-on of the employer's business.

Workers to be Members of Union.

11. (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.)

(c) Each employer bound by this award shall, on request, at intervals of not less than twelve months, supply to the union a list of all employees coming within the scope of this award.

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.

Application of Award.

13. (a) 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.

(b) This award shall not apply to any member of any amateur club, amateur society, or amateur association, or to any other persons giving services to such amateur body, but if a person receives any valuable consideration for any services to any amateur body, whether by way of cash, free tickets, or otherwise, he shall be bound by all the provisions of the award.

Scope of Award.

14. This award shall operate throughout the Northern Industrial District.

Term of Award.

15. This award, in so far as it relates to the wages prescribed in Part I hereof, shall be deemed to have come into force on the 1st day of August, 1939, and so far as all the other wages and conditions prescribed in 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 May, 1941.

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 29th day of May, 1940.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM.

The Court regrets that owing to a misunderstanding in the first place, and later owing to changes in the personnel of the Court, there has been a delay in issuing this award.

The question of hours in Part II has been left in abeyance in the meantime.

The wages prescribed in Part I have been made payable retrospectively in accordance with the agreement of the parties.

A. TYNDALL, Judge.
