

OTAGO AND SOUTHLAND ROPE AND TWINE SPINNERS.—
AMENDMENT OF 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 the Otago and Southland Rope and Twine Spinners' award, dated the 27th day of June, 1939, and recorded in Book of Awards, Vol. XXXIX, p. 804; and in the matter of an appeal against a decision of James A. Gilmour, Esq., S.M., delegate of the Court of Arbitration.

*Wages, Rate of—Relationship between Hourly and Weekly Rates—
Rope and Twine Workers—Dominion Award—Uniformity of Wages.*

(1) The Otago and Southland award, made by the delegate of the Court, fixed the hourly rates of wages at a figure which for a full week gave the equivalent of the weekly rates fixed by the Northern Industrial District award. *Held*, on appeal, That workers in Otago and Southland, being paid on an hourly basis, were at a disadvantage compared with the workers under the Northern award paid on a weekly basis. The rates were therefore increased by $\frac{1}{2}$ d. per hour.

(2) The Court recorded its strong opinion that in this industry there should be a Dominion award and that provision should be made therein for wages for other than casual workers to be fixed on a weekly basis.

COPY OF CASE ON APPEAL.

In making the above-mentioned award the delegate of the Court of Arbitration awarded in clause 2 thereof the following rates of wages to the following classes of adult male workers:—

	Per Hour.	
	s.	d.
Assistant rope-maker	2	5
Leading feeder hand on first spreader ..	2	4
General hands	2	3

To the Clerk of Awards at Dunedin.

The undersigned, being a person directly affected by the accompanying decision of James A. Gilmour, Esq., S.M., a delegate of the Court of Arbitration, acting under the authority of section 4 of the Industrial Conciliation and Arbitration Amendment Act (No. 2), 1937, hereby appeals to the said Court against the said decision on the following grounds:—

- (1) That the decision is against the weight of evidence tendered at the hearing of the dispute.
- (2) That the decision is in conflict with the terms of the Court's standard-wage pronouncement, dated 7th September, 1937, and published in Book of Awards, Vol. XXXVII, p. 1648, in that it prescribes a lower rate of wages than 2s. 4d. per hour for adult male workers employed by the hour.
- (3) That the decision has removed the classes of adult male workers specified above from the relative position to other workers in industry in which they were placed by the Court in 1920 (Vol. XXI, p. 1904) after the Court had examined for itself the character of the work performed, and which position they occupied continuously from 1920 until 3rd December, 1937.

Dated at Dunedin, this 3rd day of July, 1939.

J. ROBINSON,
Secretary, Dunedin Rope and Twine Spinners'
Industrial Union of Workers.

JUDGMENT OF THE COURT, DELIVERED BY TYNDALL, J.

This is an appeal from the decision of the delegate of the Court under which the hourly rates of wages for certain workers in the rope and twine industry in the Otago and Southland Industrial District were fixed as follows:—

		Per Hour.	
		s.	d.
Assistant rope-maker	2	5
Leading feeder hand on first spreader	2	4
General hands	2	3

Subsequently in the Northern Industrial District the Court made an award for the same industry (Book of Awards, Vol. XXXIX, p. 1685) prescribing the following weekly rates of wages for similar classes of worker:—

		Per Week.		
		£	s.	d.
Assistant rope-maker	4	16	8
Leading hand on first spreader	4	13	4
General hands	4	10	0

In the same award the Court fixed a minimum rate of pay for casual workers at 2s. 4d. per hour, a casual being defined as a worker who is employed for less than one week.

In the Otago and Southland award there is provision under usual conditions for payment for statutory holidays and for

a week's annual holiday on full pay to all hourly workers. This unusual provision for hourly workers was agreed upon in Conciliation Council by the parties, and is similar in effect to the provision in regard to holidays for weekly workers appearing in the Northern Industrial District award.

The hourly workers under the Otago and Southland award are therefore working under appreciably better conditions than the casual worker under the Northern award. On the other hand, the hourly workers in Otago and Southland are to some extent at a disadvantage compared with the weekly workers under the Northern award.

A majority of the Court is of the opinion that weekly rates of wages should be in operation in the Otago and Southland Industrial District, but unfortunately both parties have requested that the rates should be fixed on an hourly basis.

To place the Otago and Southland District workers on a basis closely comparative with the conditions enjoyed by the Northern District workers the Court, by a majority, has decided to fix hourly rates as follows:—

	s.	d.
Assistant rope-maker	2	5½
Leading feeder hand on first spreader ..	2	4½
General hands	2	3½

The increases are to date from 12th June, 1940, being the date upon which the appeal was heard.

The Court, however, desires to record its strong opinion that in this industry there should be a Dominion award and that provision should be made therein for wages for other than casual workers to be fixed on a weekly basis.

Mr. Prime does not agree with the decision of the majority of the Court, and his dissenting opinion is attached.

Dated this 28th day of June, 1940.

[L.S.]

A. TYNDALL, Judge.

DISSENTING OPINION OF MR. PRIME.

The provisions of the award in respect of payment for statutory holidays and annual holiday, and the conditions regarding the employment generally, place these workers in practically as good a position as if paid a weekly wage. There exists no ground, therefore, for increasing the rates beyond those existing in the Auckland award at the time the award now appealed against was made. As the Magistrate followed what was at that time the latest award of the Court, his decision should not be disturbed.