

**OTAGO SHEET-GLASS WORKERS, SILVERING AND LEADLIGHT WORKERS.—APPRENTICESHIP ORDER.**

In the Court of Arbitration of New Zealand, Otago and Southland Industrial District.—In the matter of the Apprentices Act, 1923, and its amendments; and in the matter of the conditions of apprenticeship in the glass bevelling, silvering, and leadlight industry in the Otago Provincial District.

Tuesday, the 6th day of February, 1940.

WHEREAS, pursuant to section 4 (1) of the Apprentices Act, 1923, an Apprenticeship Committee has been set up for that portion of the Otago and Southland Provincial District lying within a radius of twenty miles from the Chief Post-office in the City of Dunedin in connection with the glass bevelling, silvering, and leadlight industry: And whereas the duly appointed delegate of the Court has heard the employers, workers, and other persons concerned, and has considered the recommendation made to it by the said Committee: And whereas the duly appointed delegate of 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 Otago Provincial District, and prescribing such other matters and things as the Court is required and authorized by the said section to prescribe: Now, therefore, the duly appointed delegate of the Court doth hereby order and prescribe as follows:—

1. The locality in which this order shall have effect is that portion of the Otago and Southland Industrial District known as the Otago Provincial District.

2. The trade or industry to which this order shall apply is leadlight-working, glass-cutting, hand and machine bevelling, silvering, and glass-polishing. Glass-bevelling shall consist of roughing, smoothing, pumicing, rouging, drilling, mitreing, and brilliant cutting.

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. 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.

4. 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.

5. 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.

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. (a) The proportion of apprentices to journeymen shall not exceed one to every two journeymen or fraction of two employed in the branch of the trade in which such apprentice is apprenticed.

(b) 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 for two-thirds full time for six months prior to the taking-on of an apprentice

in each of the following branches of the trade: Leadlight-working, glass-cutting, hand and machine bevelling, silvering, and glass-polishing.

(c) Before taking an apprentice, an employer shall have been in business for at least eight months.

9. 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.

10. (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.
First six months	..	..	0	15	0
Second six months	..	..	0	19	0
Third six months	..	..	1	3	0
Fourth six months	..	..	1	7	0
Fifth six months	..	..	1	12	0
Sixth six months	..	..	1	17	0
Seventh six months	..	..	2	2	6
Eighth six months	..	..	2	7	6
Ninth six months	..	..	2	15	6
Tenth six months	..	..	3	5	0

(b) The minimum rate of wages payable to apprentices who commence employment as such when eighteen years of age or over shall be:—

			Per Week.		
			£	s.	d.
First six months	..	..	1	10	0
Second six months	..	..	1	15	0
Third six months	..	..	2	0	0
Fourth six months	..	..	2	5	0
Fifth six months	..	..	2	10	0
Sixth six months	..	..	2	15	0
Seventh six months	..	..	3	0	0
Eighth six months	..	..	3	5	0
Ninth six months	..	..	3	10	0
Tenth six months	..	..	3	15	0

11. 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 four months in the case of a first apprenticeship to the trade, and shall not exceed one month in any other case.

12. 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 with an employer in the district on furnishing to the District Registrar 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 three months and shall not count in the proportion.

13. An apprentice shall make up any time lost by him in any six-monthly period through his own default or sickness, or through accident (unless arising out of and in the course of his employment), or for any cause not directly connected with the business of the employer, before he shall be considered to have entered on the next succeeding six-monthly period of his apprenticeship or, if in the final six months, to have completed his apprenticeship. An apprentice working overtime shall have such time added to his ordinary time in calculating the respective periods of his apprenticeship.

14. 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.

15. 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.

16. 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.

17. No apprentice under eighteen years of age shall be permitted to work after 9 p.m., and no other apprentice shall be permitted to work after 10 p.m.

18. An employer shall not require or permit an apprentice to work overtime unless journeymen are employed at the same time, and the number of apprentices employed shall not exceed one apprentice to each two or fraction of two journeymen employed.

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

20. The conditions of the award or industrial agreement referred to in clause 15 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 membership of union) relating generally to the employment and not in conflict with this order, shall be applicable to apprentices.

21. 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 provision being made in any such contract is 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.

22. 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 his property, nor conceal any such hurt or damage if known to him, but will do everything in his power to prevent the same.

23. 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 as carried on by the employer, 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 a journeyman 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 the 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.

24. 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.

25. The provisions of this order shall not necessarily apply in the case of a special contract of apprenticeship entered into under the provisions of section 7 of the Statutes Amendment Act, 1936.

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

27. The powers conferred on the Court by paragraphs (b) to (l) 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 portion of the Otago and Southland Industrial District lying within a radius of twenty miles from the Chief Post-office in the City of Dunedin, but reserving nevertheless power to the Court at any time and from time to time to withdraw all or any of such powers.

28. This order shall operate and take effect as from the day of the date hereof.

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

## MEMORANDUM.

This order embodies the recommendations of the Apprenticeship Committee.

J. A. GILMOUR, Stipendiary Magistrate.

## SUGGESTED FORM OF APPRENTICESHIP CONTRACT.

THIS DEED, made the            day of            , 19            , between [*Full name of employer*], of [*Address and occupation*], (hereinafter called "the master") of the first part [*Full name of apprentice's parent or guardian*], of [*Address and occupation*], (hereinafter called "the guardian") of the second part, and [*Full name and address of apprentice*], a minor born on the            day of            , 19            (hereinafter called "the apprentice"), of the third part, witnesseth as follows:—

1. The master hereby covenants with the apprentice, and also as a separate covenant with the guardian, that he will take the apprentice as his apprentice in the trade of a            (or that branch of the            trade known as            ), and the apprentice and the guardian hereby jointly and severally covenant with the master that the apprentice will serve the master as such apprentice for the term and upon and subject to the conditions hereinafter set forth.

2. The term of the apprenticeship shall be            years, commencing on the            day of            , 19            , and shall be served at [*State place*].

3. The master shall pay to the apprentice during the said term wages at the rates hereinafter specified, to wit: during the first year,            per week [*and so on for each period*].

4. The provisions of the Apprentices Act, 1923, and the regulations made thereunder, and the general order of the Court of Arbitration, dated the            day of            , 19            , governing the conditions of apprenticeship in the            trade, are, save as hereinafter expressly provided, deemed to be incorporated in these presents.

5. The period of probation referred to in section 12 of the said Act shall be            months.

6. The apprenticeship shall be subject to the minimum conditions provided in and by the said general order, except as follows [*Here state conditions agreed to in so far as they differ from those of the general order*].

7. [*If the employer does not carry on a business that comprises all the operations usually included in the training of an apprentice as a journeyman in the trade, state specifically the operations to be taught the apprentice.*]

In witness whereof these presents have been executed by the parties hereto the day and year first before written.

[Signed by the said            in the } [*Employer's signature.*]  
presence of—

[*Witness's signature, occupation, and address.*]

[*Continue similarly for guardian and apprentice.*]