

OTAGO AND SOUTHLAND **TAILORS.**—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 an industrial dispute between the Otago and Southland Operative Tailors' and Shop Tailoresses'

Industrial Union of Workers (hereinafter called "the union") and the undermentioned union, persons, firms, and companies (hereinafter called "the employers") :—

Dunedin Master Tailors' Industrial Union of Employers
(Mr. Ken Jenkins, Secretary), Princes Street, Dunedin.

Adam Smith, Tailor, 39 Moray Place, Dunedin.

Hendry, J., and Son, Tailors, George Street, Dunedin.

Brown Ewing, Ltd., Tailors, Princes Street, Dunedin.

Geddes, J. H., and Sons, Tailors, Dee Street, Invercargill.

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 June, 1943, 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 23rd day of December, 1941.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE.

Industry to which Award applies.

1. This award shall apply to all workers and to all employers engaged in the retail tailoring trade, whether partially or wholly engaged in the manufacture of bespoke garments.

"Bespoke" in this award shall mean "made to order and/or fitted on."

Hours of Work.

2. (a) The hours of work shall be forty per week.

(b) The above-mentioned hours shall be regulated by the employer between the hours of 8 a.m. and 5.30 p.m. on five days of the week, Monday to Friday inclusive, with one hour for lunch.

The starting and finishing times on any day may be varied by the Disputes Committee.

Wages.

3. (a) The minimum wage for men employed on weekly wages, including pressers, shall be £5 per week.

(b) No deduction shall be made from the weekly wage save for time lost through the worker's sickness, default, or slackness of work: Provided that in the case of slackness of work the minimum amount payable to the worker for any time worked during any one week shall not be less than one-half of his weekly wage.

(c) All wages shall be paid weekly.

(d) Pieceworkers shall be paid in accordance with the time statement attached to the Otago and Southland Tailors' award, dated the 8th day of December, 1938, and recorded in Book

of Awards, Vol. XXXVIII, p. 3944, at p. 3951. The said time statement shall, for the purposes of this award, be calculated at the rate of 1s. 8d. per hour. Pieceworkers employed making ladies' garments and military work shall be paid at the rate of 2s. 6d. per hour by the clock.

Increase in Rates.

4. All rates of remuneration, including time and piece wages and overtime and other special payments provided for in this award, shall be subject to the provisions of the general order dated 9th August, 1940, under the Rates of Wages Emergency Regulations 1940, increasing rates of remuneration by an amount equal to 5 per cent. thereof.

Overtime.

5. (a) All work performed beyond the hours prescribed in clause 2 hereof shall be considered overtime, and shall be paid for in accordance with the following scale:—

Weekly hands: From 6 p.m. until 9 p.m., time and a half, and thereafter double time; from 6 a.m. to 8 a.m., time and a half.

Pieceworkers: From 6 p.m. until 9 p.m., 10d. per hour extra, and thereafter at 1s. 8d. per hour extra; from 6 a.m. until 8 a.m., 10d. per hour extra.

(b) All work done on Saturday between the hours of 8 a.m. and 12 noon shall be paid at the rate of time and a half.

Holidays.

6 (a) The following shall be the recognized holidays: Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Monday, Anzac Day, Sovereign's Birthday, and Labour Day.

(b) No deduction from the wages of weekly hands shall be made for these holidays. Weekly hands shall be paid double time for work required to be done on any of the holidays herein prescribed.

(c) Weekly workers upon completion of a year's service from the 1st January, 1941, or from the date of commencing the employment, if such date is later than the 1st January, 1941, shall receive and be paid for a week's holiday in addition to the holidays set out in clause (a) hereof.

(d) If, after three months' continuous service from the period before stated, the employment is terminated for any reason other than the misconduct of the worker, a proportionate holiday or payment in lieu thereof shall be allowed or paid for.

(e) The holiday shall be given and taken at a time to be mutually agreed between the union and the employer concerned.

General Conditions.

7. (a) There shall be fair distribution by the employer of work among all operatives in each workroom. Where there are several workrooms used by the employer, the same shall be considered and included as one workroom for the purposes of this clause. During the slack season a turnboard shall be kept by the employer and employees.

(b) There shall be no distribution of work known as the "team system": Provided no journeyman is displaced thereby, a journeyman on a weekly wage may have the assistance of two male apprentices or two female workers or such other proportion as may be agreed upon from time to time by the Disputes Committee set up under clause 8 hereof.

(c) All work shall be done in the shop of the employer for whom or by whom the order is taken and shall be paid for according to the time statement hereto attached.

(d) All pressers shall be *bona fide* tailors subject to the provisions of this award.

(e) Cutting, trimming, and pressing off of all garments shall be done by a male worker.

Detail Disputes.

8. In the case of a dispute as to the interpretation of any of the clauses or provisions hereof, or of anything in the time statement, such dispute shall be referred to a joint committee consisting of two representatives of the union and two of the employers, to be appointed as occasion requires. Such representatives shall elect a chairman, who shall have a casting vote, and in default of their agreeing upon a chairman, the chairman shall be the Conciliation Commissioner for the district. The interpretation adopted by such committee shall be deemed to be the proper interpretation of the award, subject to any ruling of the Court.

Workers to be Members of Union.

9. (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.)

Extension of Hours under Factories Act.

10. Pursuant to the provisions of section 3 of the Factories Amendment Act, 1936, the limits of hours fixed by subsection (1) of that section are hereby extended upon the terms of this award in respect of every occupier of a factory bound or to be bound by this award.

Application of Award.

11. 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.

12. This award shall operate throughout the Otago and Southland Industrial District.

Term of Award.

13. This award, in so far as it relates to wages, shall be deemed to have come into force on the 3rd day of November, 1941, 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 June, 1943.

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 23rd day of December, 1941.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM.

The award embodies the terms of settlement arrived at by the assessors in Conciliation Council.

Wages have been made payable retrospectively in accordance with the agreement of the parties.

A. TYNDALL, Judge.