

SOUTH CANTERBURY **MALE HAIRDRESSERS' ASSISTANTS.**—
AWARD.

In the Court of Arbitration of New Zealand, Canterbury 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 Christchurch Hairdressers' and Tobacconists' Assistants' Industrial Union of Workers (hereinafter called "the union") and the undermentioned union, persons, and firms (hereinafter called "the employers") :—

South Canterbury Hairdressers' and Tobacconists'
Industrial Union of Employers.

City Saloon (G. Langridge), 157 Stafford Street,
Timaru.

Dineen, Jas., Stafford Street, Timaru.

Gibson, E. S., 8 Church Street, Timaru.

O'Rouke, T. B., 128 Stafford Street, Timaru.

Pratt, E., and Son, 214 Stafford Street, Timaru.

Watson, Rowland, 328 Stafford Street, Timaru.

Whitehouse, Geo., 280 Stafford Street, Timaru.

Betten, L. A., High Street, Waimate.

Coveery, P. J., Queen Street, Waimate.

Gibson, T., Queen Street, Waimate.

Beck, A. R., King Street, Temuka.

Cornwell and Son, King Street, Temuka.

Martin, F. W., King Street, Temuka.

Davies, C. S., Talbot Street, Geraldine.

Stringer, C. L., Talbot Street, Geraldine.

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 from the 3rd day of March, 1941, and shall continue in force until the 3rd day of March, 1942, 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 24th day of February, 1941.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE.

Industry to which Award applies.

1. This award shall apply to the hairdressing industry and to workers employed in the saloons who are engaged in the work of the industry, which work shall include the care and attention to the premises and equipment; but shall not include charing or laundry work in connection with the business.

Hours of Work.

2. (a) The hours of work shall be forty-four per week, exclusive of meal-hours. The recognized hours of work shall be fixed by the employer according to the circumstances of his business, but shall not commence before 8.30 a.m. on each day of the week and shall cease not later than 5.30 p.m. on Monday, Tuesday, Wednesday, Thursday, and 9 p.m. on Fridays, and 12 noon on Saturdays. The hours at which work shall cease are subject to the provisions of clause 3 hereof. The meal-hour shall be taken at an hour not earlier than 11.45 a.m.

(b) The working-hours on Christmas Eve and New Year's Eve shall end not later than 9.30 p.m.

(c) In the event of a full holiday falling on a Friday, the working-hours of the preceding Thursday shall end not later than 9 p.m., except when such holiday falls on Christmas Day or New Year's Day, when the hours specified in sub-clause (b) shall apply.

Work in Hand.

3. (a) Work in hand shall be finished before the workmen leave their work.

(b) "Work in hand" shall be deemed to mean work in the chair at the hour of ceasing work as fixed in clause 2.

Classification of Labour.

4. (a) For the purposes of this award there shall be two classes of labour—viz., journeymen and apprentices.

(b) A journeyman shall be deemed to be one who has been employed in the trade for a total period of five years.

Wages.

5. (a) The minimum wage for a journeyman shall be £5 5s. per week.

(b) Wages shall be paid not later than Wednesday in each week before the hour for ceasing work.

Casual Workers.

6. (a) Casuals may be employed at 2s. 9d. per hour, with a minimum payment of 8s. 3d.

(b) A "casual" is a worker engaged to be employed for less than the normal working-hours in any weekly period.

Increase in Rates of Remuneration.

7. 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.

Weekly Employment.

8. Except in the case of casuals, the employment shall be deemed to be a weekly one, and no deduction shall be made

from the weekly wages except for time lost through the workers' own sickness, default, or accident, or for any cause outside the control of the employer.

Holidays.

9. (a) Full holidays shall be observed on New Year's Day, Christmas Day, Good Friday, Easter Monday, Anzac Day, Labour Day, Sovereign's Birthday, and Boxing Day.

(b) A partial holiday from noon shall be observed on the day following that on which New Year's Day is observed.

(c) Should any of the above holidays, other than Anzac Day, fall on a Sunday, then for the purposes of this award it shall be observed on the following Monday. In the event of Christmas Day being observed on a Monday in pursuance of the foregoing, Boxing Day shall be observed on the Tuesday following.

(d) One week's holiday on full pay shall be given to each worker on completion of each year of service, such holiday to be given at the convenience of the employer, but not later than two months after the expiration of the year's service. For the purpose of this clause the year of service shall, in the case of workers employed continuously since the 1st December, 1937, be deemed to have commenced on that date, and in the case of workers whose employment has been entered into since that date, then the year of service shall commence with the date of employment.

Uniforms.

10. An employer who requires a worker to wear a special uniform (other than black alpaca or white or grey coats) shall pay one-half the cost of such uniform.

Disputes Committee.

11. 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 for the district, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Conciliation Commissioner, may appeal to the Court upon giving written notice of such appeal to the other party within fourteen days after such decision shall have been communicated to the party desiring to appeal.

Workers to be Members of Union.

12. (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.)

Under-rate Workers.

13. (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.

14. 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 that part of the industrial district to which this award relates.

Closing-hours of Shops.

15. (a) In exercise of the powers vested in the Court by section 69 of the Shops and Offices Act, 1921-22, as amended by section 17 of the Shops and Offices Act, 1927, it is hereby ordered that all shops carrying on any of the businesses enumerated in this award, within the Borough of Timaru, shall be closed on four days of the week at 6 p.m., on one day of the week at 12.30 p.m., and on one day of the week at 9.30 p.m., except that on Christmas Eve and New Year's Eve the closing-hour shall be not later than 10 p.m.

(b) All the said shops shall be closed from the hour of 7 a.m. on the days on which Labour Day and the Sovereign's Birthday are observed.

Scope of Award.

16. This award shall operate throughout that part of the Canterbury Industrial District lying south of the Rangitata River.

Term of Award.

17. This award shall come into force on the 3rd day of March, 1941, and shall continue in force until the 3rd day of March, 1942.

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 24th day of February, 1941.

[L.S.]

A. TYNDALL, 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.

A. TYNDALL, Judge.
