
NORTH CANTERBURY LOCAL BODIES' LINESMEN, INSPECTORS, AND SERVICEMEN.—APPLICATION FOR AWARD

In the Court of Arbitration of New Zealand, Canterbury Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925, and the Economic Stabilization Emergency Regulations 1942; and in the matter of the North Canterbury Local Bodies' Linesmen, Inspectors, and Servicemen's industrial dispute.

MEMORANDUM OF THE COURT, DELIVERED BY TYNDALL, J.

THIS dispute was filed on 7th May, 1943, and a complete settlement was arrived at in Conciliation Council. The terms of settlement were reduced to writing and forwarded directly to the Court pursuant to section 3 of the Industrial Conciliation and Arbitration Amendment Act (No. 2), 1939.

As the dispute was filed subsequent to 15th December, 1942, the date of coming into operation of the Economic Stabilization Emergency Regulations 1942, the Court in making an award is bound to comply with the provisions of clause 38 of those regulations, which clause requires that no variation shall be made in the minimum rates of remuneration or the principal conditions of employment for the time being applying to the industry covered by the award, except such adjustments of anomalies as the Court thinks fit, having regard to the general purpose of the regulations.

The terms of settlement provide for the following variations:—

- (1) An increase of 2s. 6d. per week in the wage of servicemen (clause 3 (a)).
- (2) An increase of $\frac{1}{2}$ d. per hour in the hourly wage of linesmen (clause 3 (b)).
- (3) An increase of £6 10s. per annum in the salary of Inspectors (clause 3 (c)).
- (4) An increase in the annual holiday for linesmen from one week to two weeks (clause 8 (a)).
- (5) A provision for the supply of one set of overalls each year to linesmen (clause 10 (b)).

In view of the proposed variations the Court decided that a hearing was necessary. We were informed at the hearing that the employers in October, 1942, had made an offer to the workers' union incorporating the above variations. This offer was rejected by the workers' union prior to the commencement of the Stabilization Regulations. After the dispute was filed in May, 1943, the original offer was renewed by the employers and its terms were accepted by the workers' assessors in Conciliation Council.

The main ground given in support of the proposed variations is that the minimum rates of wages and conditions of employment for similar classes of workers employed by the Municipal Electricity Department, Christchurch, are more attractive, with the result that the local authorities concerned have difficulty in getting adequate labour.

Unfortunately, we cannot accept such a submission as conclusive proof that the variations are necessary for the purpose of adjusting existing anomalies. We have, however, carefully

compared the minimum rates and conditions prescribed in the present award with those prevailing in the same industry in other parts of the Dominion and, while legitimate comparisons are somewhat difficult to make, we find that in the case of most of the proposed variations there appear to be reasonable grounds upon which they can be supported.

In the case of Inspectors, however, the minimum rate in most districts, including the City of Christchurch, is £6 per week, or £312 per annum. We note that in the terms of settlement under consideration Inspectors are exempted from the hours and overtime clauses, whereas such is not the case in most other districts. Nevertheless, we are not satisfied that the proposed increase from the present rate of £312 to £318 10s. per annum is an adjustment of an anomaly within the meaning of clause 38 of the regulations.

The terms of settlement are therefore referred back to the parties so that they may either supply additional information, accompanied by further submissions, or reconsider the terms of settlement with a view to adopting modifications which do not conflict with the regulations.

Dated this 11th day of October, 1943.

[L.S.]

A. TYNDALL, Judge.
