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NORTHERN INDUSTRIAL DISTRICT **FELLMONGERS.**—AWARD

In the Court of Arbitration of New Zealand, Northern Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925; and in the matter of an industrial dispute between the Auckland Fellmongers, Tanners, Soap-workers, and General Tannery Employees'

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

Auckland Meat Co., Ltd., Butchers, Wakefield Street, Auckland.

Austin, Norman, Boiling-down Works, Te Papapa, Auckland.

Churches, E. B. and M., Panmure, Auckland.

Donald, A., and Sons, Fellmongers, Livingstone Street, Grey Lynn, Auckland.

Donald, Alex, Ltd., Fellmongers, 703 Dilworth Buildings, Customs Street, Auckland.

Lichtenstein, E., and Co., Ltd., Fellmongers, Onehunga, Auckland.

Sutherland, W., and Co., Ltd., Tanners, 8 Cook Street, Auckland.

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 on the 1st day of November, 1943, and shall continue in force until the 1st day of November, 1945, 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 29th day of October, 1943.

[L.S.]

A. TYNDALL, Judge.

#### SCHEDULE

##### *Industry to which Award applicable*

1. This award shall apply throughout the Northern Industrial District to the industry of fellmongery and boiling down carried on outside of and apart from the freezing industry.

##### *Hours of Work*

2. (a) A week's work shall not exceed forty-four hours, to be regulated by the employer according to the special requirements and circumstances of his business, but so that the ordinary hours of work shall be eight per day on five days of the week between 7.45 a.m. and 5 p.m., and four on Saturday between 7.45 a.m. and noon. Not less than three-quarters of an hour shall be allowed for a meal, unless otherwise agreed upon.

(b) (i) Shifts of eight hours may be worked if necessary on five days of the week. Workers employed on shift-work shall not work more than forty-four hours in any one week without payment of overtime, and shall during each shift be allowed thirty minutes for a meal without deduction from wages.

(ii) No worker under the age of twenty-one years shall be employed on the morning or evening shifts.

(iii) Where it is practicable, shifts shall be worked on a regular rotation.

(iv) A worker employed on shift-work between the hours of 4 p.m. and 8 a.m. shall be paid 1s. 6d. per shift in addition to the wage specified in clause 3 hereof.

*Wages*

3. The following shall be the minimum rates of wages for the several classes of workers hereinafter specified:—

	Per Hour.	
	s.	d.
Pullers .. .. .	2	9
Pelt classers and curers ..	2	8½
Machine and hand scudders on pelts ..	2	6
Machine pelt-fleshers .. .. .	2	6
Manure and tallow departments ..	2	5½
Painters .. .. .	2	5
Wool-scourers .. .. .	2	4
Wool-driers .. .. .	2	4
All other workers .. .. .	2	4

*Youths*

4. (a) Youths may be employed at the following minimum rates of pay:—

	Per Week.		
	£	s.	d.
Under 16 years of age .. .. .	1	2	6
From 16 to 16½ years of age ..	1	7	6
From 16½ to 17 years of age ..	1	12	6
From 17 to 17½ years of age ..	1	17	6
From 17½ to 18 years of age ..	2	2	6
From 18 to 18½ years of age ..	2	7	6
From 18½ to 19 years of age ..	2	15	0
From 19 to 20 years of age ..	3	5	0
From 20 to 21 years of age ..	3	15	0

(b) No deduction shall be made from the weekly wages mentioned in this clause except for time lost by the worker through his own default or sickness.

*Increase in Rates of Remuneration*

5. All rates of remuneration (which term includes time and piecework rates, overtime, and other special payments) provided for in this award shall be subject to the provisions of the general orders dated the 9th August, 1940, and the 31st March, 1942, under the Rates of Wages Emergency Regulations 1940 increasing rates of remuneration as follows:—

(a) The order dated the 9th August, 1940, increases all rates of remuneration by an amount equal to 5 per cent. thereof:

(b) The order dated the 31st March, 1942, increases all rates of remuneration (inclusive of the August, 1940, bonus) by an amount equal to 5 per cent., but this increase is payable—

(i) In the case of males twenty-one years of age and over, on earnings up to £5 per week only;

(ii) In the case of females twenty-one years of age and over, on earnings up to £2 10s. per week only; and

(iii) In the case of males or females under twenty-one years of age, and apprentices, on earnings up to £1 10s. per week only.

#### *Overtime*

6. (a) Time worked in any day outside of or in excess of the hours specified in clause 2 hereof shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

(b) In the case of shift-workers, overtime at the above-mentioned rates shall be paid in excess of the specified shift hours.

(c) Subject to the provisions of the Factories Act, a meal allowance of 1s. 9d. shall be paid to all workers required to work overtime.

#### *Holidays*

7. (a) All workers shall receive the following holidays in each year: New Year's Day, Good Friday, Easter Monday, Anzac Day, Labour Day, Christmas Day, Boxing Day, and the birthday of the reigning Sovereign.

(b) Each of the holidays mentioned in subclause (a) of this clause shall be subject to the provisions of the Factories Amendment Act, 1936, as amended by section 17 of the Statutes Amendment Act, 1938, and shall be paid in accordance therewith as an ordinary working-day. Pieceworkers shall in such case be paid the rates specified herein for time-workers.

(c) All work done on any of the holidays mentioned in subclause (a) of this clause shall be paid for at double rates in addition to the ordinary rates payable under subclause (b) of this clause.

(d) All work done on Sunday shall be paid for at double rates.

(e) The 2nd January and Anniversary Day shall be allowed as holidays, but a worker shall not be entitled to pay for such days unless he works, in which case he shall be paid for time worked at the rate of time and a half.

(f) In the event of a holiday, other than Anzac Day, falling on a Sunday, such holiday shall be observed on the succeeding Monday, and in the event of another holiday falling on such Monday, such other holiday shall be observed on the succeeding Tuesday.

#### *General*

8. (a) The employer shall provide all tools and equipment necessary to carry on the work.

(b) Where necessary, workers shall be supplied with waterproof aprons, leggings, vamps, and gloves, and either clogs, gum boots, or water-tight boots, at the employer's option.

(c) Dining-rooms and dressing-rooms and facilities for drying wet clothes shall be provided and kept clean by the employer: Provided that one room of sufficient size may be provided for both dining and dressing.

(d) Suitable washing-accommodation with both hot and cold water shall be provided.

(e) Hot and cold showers shall be provided for manure-workers.

(f) An interval of ten minutes for "smoke-oh" shall be allowed each morning.

(g) A first-aid outfit shall be kept in a convenient place accessible to workers.

(h) The award shall not operate so as to reduce the wages of any worker during his present employment.

#### *Payment of Wages*

9. Wages shall be paid weekly not later than Thursday of each week.

#### *Termination of Employment*

10. Three days' notice shall be given on either side of the termination of employment.

#### *Right of Entry*

11. Every employer bound by this award shall permit the secretary or other authorized officer of the union of workers to enter at all reasonable times (to be mutually arranged between the employer and the union) upon the premises or works and there interview any workers, but not so as to interfere unreasonably with the employer's business.

#### *Workers to be Members of Union*

12. (a) Subject to the provisions of section 18 (5) of the Industrial Conciliation and Arbitration Amendment Act, 1936, 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.

(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 the industrial district to which this award relates.

*Scope of Award*

15. This award shall operate throughout the Northern Industrial District.

*Term of Award*

16. This award shall come into force on the 1st day of November, 1943, and shall continue in force until the 1st day of November, 1945.

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 29th day of October, 1943.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The principal matters referred to and settled by the Court related to wages, holidays and annual holiday, meal allowance, rotation of shifts, "smoke-oh," and other general conditions.

The dispute was filed with the Clerk of Awards on the 4th June, 1943; consequently, in making the award the Court is bound to comply with the provisions of Regulation 38 of the Economic Stabilization Emergency Regulations 1942.

The wages and principal conditions of employment have been adjusted within the limits of the Economic Stabilization Emergency Regulations to bring them into line with the provisions of the Canterbury and Otago and Southland Fell-mongers' award recently made by the Court.

A. TYNDALL, Judge.