

## NORTH ISLAND DAIRY-FACTORY MANAGERS.—AWARD

[Filed in the Office of the Clerk of Awards, Auckland]

In the Court of Arbitration of New Zealand, Northern, Taranaki, and Wellington Industrial Districts.—In the matter of the Industrial Conciliation and Arbitration Act, 1925; and in the matter of an industrial dispute between the North Island Dairy-factory Managers' Industrial Union of Workers (hereinafter called "the union") and the under-mentioned persons, firms, and companies (hereinafter called "the employers") :—

## NORTHERN INDUSTRIAL DISTRICT

Albertland Co-operative Dairy Co., Ltd., P.O. Box 16, Wellsford.  
 Bay of Islands Co-operative Dairy Co., Ltd., Moerewa.  
 Bay of Plenty Co-operative Dairy Co., Ltd., Te Puke.  
 Bruntwood Co-operative Dairy Co., Ltd., Bruntwood, Cambridge.  
 Cambridge Co-operative Dairy Co., Ltd., Cambridge.  
 East Tamaki Co-operative Dairy Co., Ltd., 61-62 Brunswick Building, Queen Street, Auckland.  
 Franklin Co-operative Dairy Co., Ltd., Tuakau.  
 Hauraki Plains Co-operative Dairy Co., Ltd., Turua.  
 Hikurangi Co-operative Dairy Co., Ltd., P.O. Box 5, Hikurangi.  
 Hinuera Co-operative Dairy Co., Ltd., Hinuera.  
 Hokianga Co-operative Dairy Co., Ltd., Motukaraka, Hokianga.  
 Kaipara Co-operative Dairy Co., P.O. Box 20, Helensville.  
 Kaitaia Co-operative Dairy Co., Ltd., P.O. Box 117, Kaitaia.  
 Kaitieke Co-operative Dairy Co., Ltd., P.O. Box 109, Taumarunui.  
 Katikati Co-operative Dairy Co., Ltd., Katikati.  
 Kia Ora Co-operative Dairy Co., Ltd., P.O. Box 180, Gisborne.  
 Matakana Co-operative Dairy Co., Ltd., Matakana.  
 Maungatapere Co-operative Dairy Co., Ltd., Maungatapere.  
 Maungaturoto Co-operative Dairy Co., Ltd., Maungaturoto.  
 Mercury Bay Co-operative Dairy Co., Ltd., Whitianga.  
 Morrinsville Co-operative Dairy Co., Ltd., P.O. Box 15, Morrinsville.  
 New Zealand Co-operative Dairy Co., Ltd., P.O. Box 459, Hamilton.  
 Ngatiporou Co-operative Dairy Co., Ltd., Ruatoria.  
 Norfolk Co-operative Dairy Co., Ltd., P.O. Box 13, Morrinsville.  
 Northern Wairoa Co-operative Dairy Co., Ltd., Mangawhare.  
 Nuhaka Co-operative Dairy Co., Ltd., Box 31, Nuhaka.  
 Ohura Valley Co-operative Dairy Co., Ltd., P.O. Box 31, Taumarunui.  
 Okitu Co-operative Dairy Co., Ltd., P.O. Box 541, Gisborne.  
 Opotiki Co-operative Dairy Co., Ltd., P.O. Box 15, Opotiki.  
 Opouriao Co-operative Dairy Co., Ltd., Taneatua.  
 Oruru-Fairburn Co-operative Dairy Co., Ltd., P.O. Box 7, Mangonui.  
 Piopio Co-operative Dairy Co., Ltd., P.O. Box 17, Piopio.  
 Rangitaiki Plains Co-operative Dairy Co., Ltd., Private Bag, Whakatane.  
 Rodney Co-operative Dairy Co., Ltd., Rural Delivery, Kaipara Flats.  
 Ruawai Co-operative Dairy Co., Ltd., Ruawai, North Auckland.  
 Sunny Park Co-operative Dairy Co., Ltd., P.O. Box 13, Morrinsville.  
 Tairua Co-operative Dairy Co., Ltd., Tairua.  
 Tatua Co-operative Dairy Co., Ltd., Tatanui.  
 Tauranga Co-operative Dairy Co., Ltd., P.O. Box 95, Tauranga.

- Te Aroha - Thames Valley Co-operative Dairy Co., Ltd., P.O. Box 41,  
Te Aroha.  
Te Awamutu Co-operative Dairy Co., Ltd., P.O. Box 40, Te Awamutu.  
Tokoroa Co-operative Dairy Co., Ltd., P.O. Box 51, Putaruru.  
Tolaga Bay Co-operative Dairy Co., Ltd., Tolaga Bay.  
Waimamaku Co-operative Dairy Co., Ltd., Waimamaku, Hokianga.  
Waimana Co-operative Dairy Co., Ltd., Waimana.  
Waipu Co-operative Dairy Co., Ltd., P.O. Box 31, Waipu.  
Whangarei Co-operative Dairy Co., Ltd., P.O. Box 63, Whangarei.  
Whangaroa Co-operative Dairy Co., Ltd., Kaeo, North Auckland.

## TARANAKI INDUSTRIAL DISTRICT

- Alton Co-operative Dairy Co., Ltd., Alton.  
Ararata Co-operative Dairy Co., Ltd., Hawera.  
Awatuna Co-operative Dairy Co., Ltd., Awatuna.  
Bell Block Co-operative Dairy Co., Ltd., New Plymouth.  
Brooklands Co-operative Dairy Co., Ltd., New Plymouth.  
Cape Egmont Co-operative Dairy Co., Ltd., Opunake.  
Cardiff Co-operative Dairy Co., Ltd., Stratford.  
Eltham Co-operative Dairy Co., Ltd., Eltham.  
Frankley Road Co-operative Dairy Co., Ltd., New Plymouth.  
Hawera Co-operative Dairy Co., Ltd., Hawera.  
Ihia Road Co-operative Dairy Co., Ltd., Opunake.  
Joll Co-operative Dairy Co., Ltd., Okaiawa.  
Kahui Co-operative Dairy Co., Ltd., Opunake.  
Kaimata Co-operative Dairy Co., Ltd., Inglewood.  
Kakaramea Co-operative Dairy Co., Ltd., Patea.  
Kaponga Co-operative Dairy Co., Ltd., Kaponga.  
Kaupokonui Co-operative Dairy Co., Ltd., Kaupokonui, Manaia.  
Lepperton Co-operative Dairy Co., Ltd., Lepperton.  
Lowgarth Co-operative Dairy Co., Ltd., Stratford.  
Maketawa Co-operative Dairy Co., Ltd., Inglewood.  
Mangorei Co-operative Dairy Co., Ltd., New Plymouth.  
Mangatoki Co-operative Dairy Co., Ltd., Mangatoki.  
Manutahi Co-operative Dairy Co., Ltd., Patea.  
Mells Co-operative Dairy Co., Ltd., Hawera.  
Melrose Co-operative Dairy Co., Ltd., Hawera.  
Mere Mere Co-operative Dairy Co., Ltd., Hawera.  
Midhirst Co-operative Dairy Co., Ltd., Midhirst.  
Moa Farmers' Co-operative Dairy Co., Ltd., Inglewood.  
Mokau Co-operative Dairy Co., Ltd., New Plymouth.  
Newall Road Co-operative Dairy Co., Ltd., New Plymouth.  
Ngaire Co-operative Dairy Co., Ltd., Stratford.  
Normanby Co-operative Dairy Co., Ltd., Hawera.  
North Taranaki Co-operative Dairy Co., Ltd., Waitara.  
Oanui Co-operative Dairy Co., Ltd., Opunake.  
Okato-Puniho Co-operative Dairy Co., Ltd., New Plymouth.  
Okau Co-operative Dairy Co., Ltd., New Plymouth.  
Omata Co-operative Dairy Co., Ltd., New Plymouth.  
Opua Road Co-operative Dairy Co., Ltd., Opunake.  
Opunake Co-operative Dairy Co., Ltd., Opunake.  
Oxford Road Co-operative Dairy Co., Ltd., New Plymouth.  
Patua Co-operative Dairy Co., Ltd., New Plymouth.  
Pembroke Road Co-operative Dairy Co., Ltd., Stratford.  
Pihama Co-operative Dairy Co., Ltd., Opunake.  
Rahotu Co-operative Dairy Co., Ltd., New Plymouth.  
Riverdale Co-operative Dairy Co., Ltd., Manaia.

Royal Oak Co-operative Dairy Co., Ltd., New Plymouth.  
 Stratford Farmers' Co-operative Dairy Co., Ltd., Stratford.  
 Tariki Co-operative Dairy Co., Ltd., Inglewood.  
 Tarurutangi Co-operative Dairy Co., Ltd., New Plymouth.  
 Tikorangi Co-operative Dairy Co., Ltd., Waitara.  
 Uruti Co-operative Dairy Co., Ltd., New Plymouth.  
 Waitara-Taranaki Co-operative Dairy Co., Ltd., Waitara.  
 Waitoitoi Co-operative Dairy Co., Ltd., New Plymouth.  
 Warea Co-operative Dairy Co., Ltd., New Plymouth.  
 Whakamara Co-operative Dairy Co., Ltd., Hawera.  
 Whenuakura Co-operative Dairy Co., Ltd., Whenuakura.

WELLINGTON INDUSTRIAL DISTRICT

Ahiaruhe Co-operative Dairy Co., Ltd., Carterton.  
 Apiti Co-operative Dairy Co., Ltd., Apiti.  
 Awahuri Co-operative Dairy Co., Ltd., Palmerston North.  
 Bairesse Co-operative Dairy Co., Ltd., Bainesse.  
 Belvedere Co-operative Dairy Co., Ltd., Carterton.  
 Bidwell Co-operative Dairy Co., Ltd., Carterton.  
 Carrington Co-operative Dairy Co., Ltd., Carterton.  
 Cheltenham Co-operative Dairy Co., Ltd., Feilding.  
 Dalefield Co-operative Dairy Co., Ltd., Carterton.  
 Dannevirke Co-operative Dairy Co., Ltd., Dannevirke.  
 Eketahuna Co-operative Dairy Co., Ltd., Eketahuna.  
 Elmdale Co-operative Dairy Co., Ltd., Martinborough.  
 Featherston Co-operative Dairy Co., Ltd., Featherston.  
 Glaxo Co. (N.Z.), Ltd., Bunnythorpe.  
 Greytown-Wairarapa Co-operative Dairy Co., Ltd., Greytown.  
 Hamua Co-operative Dairy Co., Ltd., Mangamaire.  
 Heretaunga Co-operative Dairy Co., Ltd., Hastings.  
 Hopelands Co-operative Dairy Co., Ltd., Pahiatua.  
 Hukanui Co-operative Dairy Co., Ltd., Hukanui.  
 Kai Iwi Co-operative Dairy Co., Ltd., Wanganui.  
 Kairanga Co-operative Dairy Co., Ltd., Palmerston North.  
 Kaiparoro Co-operative Dairy Co., Ltd., Hamua.  
 Kokotau Co-operative Dairy Co., Ltd., Carterton.  
 Konini Co-operative Dairy Co., Ltd., Pahiatua.  
 Kiritaki Co-operative Dairy Co., Ltd., Dannevirke.  
 Kuku-Manakau Co-operative Dairy Co., Ltd., Levin.  
 Loch Moigh Dairy Co., Linton.  
 Lower Valley Dairy Co., Ltd., Martinborough.  
 Maharahara Co-operative Dairy Co., Ltd., Dannevirke.  
 Manawatu-Reliance Co-operative Dairy Co., Ltd., Palmerston North.  
 Mangahao Co-operative Dairy Co., Ltd., Pahiatua.  
 Mangatainoko Co-operative Dairy Co., Ltd., Mangatainoko.  
 Mangawhata Co-operative Dairy Co., Ltd., Palmerston North.  
 Matamau Co-operative Dairy Co., Ltd., Dannevirke.  
 Masterton Co-operative Dairy Co., Ltd., Masterton.  
 Mauriceville Co-operative Dairy Co., Ltd., Mauriceville.  
 Newbury Co-operative Dairy Co., Ltd., Palmerston North.  
 Newman Co-operative Dairy Co., Ltd., Hamua.  
 New Zealand Farmers' Dairy Union, Palmerston North.  
 Nireaha Co-operative Dairy Co., Ltd., Eketahuna.  
 Norsewood Co-operative Dairy Co., Ltd., Norsewood.  
 North Tiraumea Co-operative Dairy Co., Ltd., Pahiatua.  
 Ohakune Co-operative Dairy Co., Ltd., Ohakune.  
 Okoa Co-operative Dairy Co., Ltd., Wanganui.

Oroua Downs Co-operative Dairy Co., Ltd., Taikorea, Rongotea.  
 Pahiatua Co-operative Dairy Co., Ltd., Pahiatua.  
 Papatawa Co-operative Dairy Co., Ltd., Pahiatua.  
 Paraparaumu Co-operative Dairy Co., Ltd., Paraparaumu.  
 Parkvale Co-operative Dairy Co., Ltd., Carterton.  
 Pirinoa Co-operative Dairy Co., Ltd., Martinborough.  
 Raetihi Co-operative Dairy Co., Ltd., Raetihi.  
 Rahui (Municipal) Wellington City Corporation Milk Department,  
 Te Aro.  
 Rangitikei Co-operative Dairy Co., Ltd., Bulls.  
 Rangiwhia Co-operative Dairy Co., Ltd., Rangiwhia.  
 Rata Co-operative Dairy Co., Ltd., Rata.  
 Rangiotu Co-operative Dairy Co., Ltd., Palmerston North.  
 Raumati Co-operative Dairy Co., Ltd., Dannevirke.  
 Rawhiti Co-operative Dairy Co., Ltd., Dannevirke.  
 Rexdale Co-operative Dairy Co., Ltd., Pahiatua.  
 Riverbank Co-operative Dairy Co., Ltd., Woodville.  
 Rongokokaka Co-operative Dairy Co., Ltd., Eketahuna.  
 Rongotea Co-operative Dairy Co., Ltd., Rongotea.  
 Taikorea Co-operative Dairy Co., Ltd., Palmerston North.  
 Tamaki Co-operative Dairy Co., Ltd., Private Bag, Dannevirke.  
 Tararua Co-operative Dairy Co., Ltd., Pahiatua.  
 Tawaha Co-operative Dairy Co., Ltd., Martinborough.  
 Tataramoa Co-operative Dairy Co., Ltd., Dannevirke.  
 Taihape Co-operative Dairy Co., Ltd., Taihape.  
 Shannon Co-operative Dairy Co., Ltd., Shannon.  
 Te Horo Co-operative Dairy Co., Ltd., Otaki.  
 Tokomaru Co-operative Dairy Co., Ltd., Palmerston North.  
 Tiratu Co-operative Dairy Co., Ltd., Dannevirke.  
 Tui Co-operative Dairy Co., Ltd., Palmerston North.  
 United Co-operative Dairy Co., Ltd., Woodville.  
 Waiaruhe Co-operative Dairy Co., Ltd., Dannevirke.  
 Waiohiki Co-operative Dairy Co., Ltd., Private Bag, Napier.  
 Wairoa Co-operative Dairy Co., Ltd., Wairoa.  
 Waihakeke Co-operative Dairy Co., Ltd., Carterton.  
 Waverley Co-operative Dairy Co., Ltd., Waverley.  
 Wangaehu Co-operative Dairy Co., Ltd., Wanganui.  
 Westmere Co-operative Dairy Co., Ltd., Wanganui.  
 Wellington Dairy Farmers' Co-operative, P.O. Box 642, Wellington.  
 Woodville Co-operative Dairy Co., Ltd., Woodville.

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 27th day of December, 1943, and shall continue in force until the 27th day of December, 1944, 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 21st day of December, 1943.

[L.S.]

A. TYNDALL, Judge.

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SCHEDULE

*Wages*

1. (a) *Butter-factories*.—In respect of butter-factory managers the scale shall be as follows:—

Under 100 tons	..	£290 per annum.
From 100 to 400 tons	..	5s. for every additional ton.
From 401 to 600 tons	..	6s. for every additional ton.
From 601 to 1,000 tons		4s. for every additional ton.
From 1,001 to 2,000 tons		2s. for every additional ton.
From 2,001 to 3,000 tons		6d. for every additional ton.
Thereafter by mutual arrangement.		

(b) *Cheese-factories.*—In respect of cheese-factory managers the scale shall be as follows:—

Under 40 tons	..	£244 10s. per annum.
From 40 to 300 tons	..	8s. 6d. for every additional ton.
From 301 to 400 tons	..	10s. for every additional ton.
From 401 to 500 tons	..	9s. for every additional ton.
From 501 to 600 tons	..	8s. for every additional ton.
From 601 to 800 tons	..	5s. for every additional ton.
From 801 to 1,000 tons	..	4s. for every additional ton.
Thereafter by mutual arrangement.		

(c) *Branch Managers.*—Branch managers in cheese-factories and milk-powder factories shall be paid in accordance with the above scale, less 10 per cent., provided the deduction does not bring their salaries below £319 10s. per annum, and the maximum salary shall not be above £425 per annum.

This subclause shall not apply to any manager in the Auckland Province who hitherto has not been classed as a branch manager, and the salary paid to such branch manager shall not be lower than is provided for in Schedule C of the agreement dated the 7th July, 1936, during the currency of this award.

(d) *Dual-plant Factories.*—In a dual-plant factory the tonnage shall be computed on the total tonnage of cheese and butter added together, and the cheese schedule shall be the basis on which the combined total is calculated for payment.

(e) *Change from Cheese to Butter.*—In the event of any factory ceasing to manufacture cheese during the season and then separating for the balance of the season, the manager's salary shall be based on the weight of cheese made plus 80 per cent. of the butterfat resulting from the period when separating was being done, calculated on a cheese basis at the rate of 2½ lb. of cheese to each 1 lb. of butterfat.

(f) *Change from Cheese to Casein.*—Where factories change from the manufacture of cheese to casein during the season the manager shall be paid on the scale rate of cheese manufactured plus the weight of butterfat received for the manufacture of casein, calculated on a cheese basis at the rate of 2½ lb. of cheese to each 1 lb. of butterfat.

(g) *Butter and Casein.*—Butter-factory managers in control of factories where butter is made and casein is precipitated shall receive extra payment at the rate of 9s. 9d. per ton of dried casein in addition to their ordinary scale rate.

(h) *Whey Butter*.—Where factories collect whey cream for the manufacture of whey butter the tonnage of such whey butter manufactured shall be added to the creamery-butter tonnage as a basis of computing the manager's salary.

(i) *Supervising Managers*.—A supervising manager who is engaged as the working manager in charge of a main factory with supervision over one or more branches shall be paid on the output of the largest unit of the group plus 5 per cent.

(j) Managers using their cars on the employer's business shall be given a car allowance of 4d. a mile.

(k) *General Managers*.—General manager's salaries shall be not less than that provided for the largest one-roofed cheese-factory manager as provided for in this award.

*General Orders under Rates of Wages Emergency Regulations  
1940*

2. The two general orders made under the Rates of Wages Emergency Regulations 1940, and dated 9th August, 1940, and 31st March, 1942, respectively, shall be deemed to be incorporated in this award and shall have effect according to their tenor.

*Accommodation and Perquisites*

3. General managers, supervising managers, dual-plant managers, factory-managers, and branch managers shall be provided with a free suitable residence or allowance therefor, and perquisites consisting of cheese, milk, and fuel (and butter when such is sold to suppliers) in respect of cheese-factories, and butter, milk, and fuel in respect of butter-factories, with a maximum of 4 lb. of butter weekly in both cases for the manager's own household requirements. The residence shall include washhouse, built-in boiler and tubs, bathroom, hot-water service, and patent W.C.

*Computation of Output*

4. For the purpose of defining the output the factory weights shall apply and the scale paid accordingly.

*Holidays*

5. Managers shall be allowed three weeks' holiday on full pay each year at a time suitable to the board of directors. The employer shall, if possible, allow one week of such holiday during the summer months.

### *Payment of Salaries*

6. The manager shall receive his monthly salary during the first week of each month, and any final adjustment within fourteen days after the close of the employer's financial year.

### *Term of Engagement*

7. One month's notice in writing shall be given on either side of the intention to terminate the engagement; but this shall not interfere with the right of any employer to dismiss a manager summarily for misconduct, insubordination, or incompetency.

### *Assistants*

8. The manager shall have the power to engage or discharge assistants, and shall keep their time, and furnish a correct statement of such time to the directors or secretary of the company. Should any question arise between the manager and the company as to the staffing of the factory it shall be referred to and dealt with by the committee set up for the purpose of such disputes as provided for in clause 9 hereof.

### *Matters not provided for*

9. The essence of this award being that the work of the employer shall not on any account whatsoever be impeded but shall always proceed as if no dispute had arisen, it is provided that if any dispute or difference shall arise between the parties bound by this award, or any of them, as to any matter whatsoever arising out of or connected therewith and not dealt with therein, every such dispute or difference shall be referred to a committee to be composed of three representatives of the union and three representatives of the Dominion Dairy Awards Committee, together with an independent chairman to be mutually agreed upon. In the event of such committee being unable to settle the dispute it may refer the matter to the Court of Arbitration. Either side shall have the right to appeal to the Court against any decision of such committee upon giving to the other side written notice of such appeal within fourteen days after such decision has been made known to the party desirous of appealing.

### *Definitions*

10. For the purpose of this award a "manager" is the person appointed by a dairy company (or owner of a dairy factory) and who is held responsible for the manufacture of



butter and/or cheese, dried milk, or casein, is duly registered as a factory-manager under the Dairy-factory Managers' Regulations and their amendments, and is also the holder of a cream-grader's and/or milk-grader's certificate under the Dairy Regulations.

*Workers to be Members of Union*

11. (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 Act, 1936, which gives to workers the right to join the union.)

*Application of Award*

12. 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 while this award is in force, connected with or engaged in the industry to which this award applies within the industrial districts to which this award relates.

*Scope of Award*

13. This award shall operate throughout the Northern, Taranaki, and Wellington Industrial Districts.

*Term of Award*

14. This award shall come into force on the 27th day of December, 1943, and shall continue in force until the 27th day of December, 1944.

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 21st day of December, 1943.

[L.S.]

A. TYNDALL, Judge.

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MEMORANDUM

The only matters referred to and settled by the Court related to wage rates for managers of butter or cheese factories of moderate capacity, and the term of award.

The application for the hearing of the dispute by a Council of Conciliation was filed with the Clerk of Awards on the 24th August, 1943; consequently in making the award the Court is bound to comply with the requirements of Regulation 38 of the Economic Stabilization Emergency Regulations 1942.

The Court recently made a Dominion award for dairy-factory employees (43 Book of Awards 289). In making that award the Court was entirely untrammelled by the Economic Stabilization Emergency Regulations. The rates of wages were generally increased by 6s. 6d. per week. As a result of this increase the weekly emoluments of a first assistant in a dairy factory may in certain circumstances be greater than the assessed gross remuneration (including an allowance for free accommodation and free supplies) received by the manager of the same factory working the same hours. It is considered that such a state of affairs constitutes an anomaly.

The Court has therefore introduced variations in the scales of wages for managers which are designed to correct this position. Having regard to the general purpose of the Stabilization Regulations, we think these adjustments should be made.

The new scales may at first sight appear somewhat incongruous. This result has come about for the reason that the Court in making its alterations to the existing scales has acceded to the expressed wish of the representatives of both parties that whatever increases the Court might consider justified should be tapered off so as to have no effect on the remuneration payable to the managers of larger factories.

It should also be mentioned that at the hearing of the dispute the Court was informed that both parties had agreed that the South Island rates should not be brought up.

Mr. Monteith is not in agreement, and his dissenting opinion follows.

A. TYNDALL, Judge.

## DISSENTING OPINION OF MR. MONTEITH

I dissent from the rates of wages awarded.

In the recent Dairy-factories Employees' award the Court, by a majority, awarded all workers engaged in the manufacture of butter and cheese an increase of 6s. 6d. per week, which works out at £16 18s. a year. Butter-factory managers have by this award been given the following increases: On the basic rate £15 a year, on the second class £10 a year, and on the third class £5 a year. The new classification is also unfair, as it puts in the second class 300 tons at 5s. a ton, while in the third class it puts 199 tons at 6s. a ton. The base rate increase is £1 18s. a year less than that awarded under the Dairy-factories Employees' award and makes the managers' margin narrower. In my opinion, this is inconsistent. Butter-factory managers in the Marlborough, Nelson, Westland, and Canterbury districts have a base rate of £312 a year, and in the second class they get 7s. a ton up to 300 tons. Therefore these managers under this award on the base rate are £22 a year worse off; and where managers come into the second class they are £22 worse off plus 2s. (5s. a ton as against 7s. a ton) on each additional ton, as compared with managers with the same output in Marlborough, Nelson, Westland, and Canterbury.

The cheese-factory managers in the whole of the South Island are receiving a minimum base rate of £252 10s. a year, as against the North Island rate of £244 10s. fixed by this award—that is to say, £7 10s. a year less in the North Island. Also, in the second class the North Island managers are to receive 8s. 6d., as compared with 11s. in the South Island, for each additional ton. I have only dealt with the lower grades or classes, as these were the only rates in question. It is in my opinion an anomaly to have managers in cheese-factories, having the same output, on lower wages in the North Island than in the South Island. It has to be remembered that the South Island rates were agreed upon by the parties and have been in operation since 1938, and that a very large number of small factories operate in the South Island. It has to be remembered, also, that these South Island rates were renewed in 1940 by agreement of the parties and are in operation to-day. Surely it is an anomaly to have different rates where the price of the product is the same. If by agreement reached in 1938 and renewed in 1940 the companies can pay in one Island, surely the Court should make the rates for the same output uniform, particularly in the lower grades.