

**CANTERBURY CARDBOARD-BOX, CARTON, AND PAPER-BAG MAKERS.—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 New Zealand (except Otago and Southland Industrial District) Printing and Related Trades' Industrial Union of Workers (hereinafter called "the union") and the undermentioned firms and companies (hereinafter called "the employers") :—

Aulsebrook and Co., Ltd., 72 St. Asaph Street, Christchurch.

Cooper, C. W. (Trustees of), 551 Colombo Street, Christchurch.

Duckworth, Turner, and Co., Ltd., 108 Carlyle Street, Sydenham, Christchurch.

Paper Products (N.Z.), Ltd., 157 Madras Street, Christchurch.

Premier Box Co., 433 Colombo Street, Christchurch.

Tristan Manufacturing Co., 167 Durham Street, Christchurch.

Weeks Ltd., Tuam Street, Christchurch.

Whitcombe and Tombs, Ltd., Colombo Street, Christchurch.

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 31st day of October, 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 November, 1944.

[L.S.]

A. TYNDALL, Judge.

#### SCHEDULE

##### *Industry to which this Award applies*

1. The industry to which this award applies is that of cardboard-box, carton, cardboard-container, paper-bag (excluding envelopes), and waxed-paper-products making.

##### *Hours of Work*

2. The hours of work shall not exceed forty per week, to be worked on five days of the week, Monday to Friday inclusive, between the hours of 7.30 a.m. and 5.30 p.m.

##### *Classification and Wages*

3. Adult male workers:—

(a) Adult employees whose duty it is to set up for other employees the machines in the cardboard-box, carton, cardboard-container, and paper-bag making sections of the industry .. .. . Per Week.  
 £ s. d.  
 .. .. . 5 7 6

(b) Adult employees may be trained to become machinists at the following rates:—

First year .. .. .	4 17 6
Second year .. .. .	5 9 0
Thereafter .. .. .	5 7 6

				Per Week.		
				£	s.	d.
(c)	Cutters, creasers, carton machinists, laminating machinists, paper-bag machinists, and machinists working other machines, excluding employees engaged on machines used for boxmaking	..	..	5	7	6
(d)	Guillotine-machine operators:—					
	First year	..	..	3	16	0
	Second year	..	..	4	2	6
	Third year	..	..	4	10	0
	Fourth year	..	..	4	17	6
	Thereafter	..	..	5	7	6
(e)	All other adult male workers	..	..	4	13	4
(f)	Juniors:—					
	First six months	..	..	1	0	0
	Second six months	..	..	1	4	0
	Third six months	..	..	1	8	0
	Fourth six months	..	..	1	12	0
	Fifth six months	..	..	1	16	0
	Sixth six months	..	..	2	0	0
	Fourth year	..	..	2	7	6
	Fifth year	..	..	2	15	0
	Thereafter, adult rates:					

Provided that no worker of eighteen years shall be paid less than £1 12s. per week.

(g)	Females:—					
	First six months	..	..	0	18	6
	Second six months	..	..	1	2	6
	Third six months	..	..	1	6	6
	Fourth six months	..	..	1	11	0
	Fifth six months	..	..	1	15	0
	Sixth six months	..	..	1	19	0
	Seventh six months	..	..	2	3	0
	Eighth six months	..	..	2	7	6
	Thereafter	..	..	2	12	6

Provided that no worker of eighteen years shall be paid less than £1 11s. per week.

(h) Provided that, under subclauses (f) and (g) hereof, a worker of the age of twenty-one or upwards shall be paid not less than the basic wage for the time being prevailing.

(i) Feeders: Male and female feeders employed on the classes of work provided for in subclauses (a) to (c) of clause 3 shall not alter the adjustments of the machines except such as are necessary in washing up and starting and stopping the machine. They shall not do any make-ready.

### *Casual Workers*

4. (a) A casual is a worker employed for less than one week. A casual shall be paid 10 per cent. above the appropriate *pro rata* rate for the time worked, with a minimum of one day's pay.

(b) A worker who by agreement is employed for more than a week but whose ordinary hours of work are less than thirty-eight per week shall be paid the *pro rata* rate calculated on the ordinary weekly wage. This subclause shall not extend beyond the duration of the war and six months thereafter. The employer shall give written notice to the union of engagement of such workers monthly.

### *Piecework*

5. Piecework may be worked, but the rate for such work shall be such as to enable the worker to earn not less than 10 per cent. above the minimum rate of wages herein provided.

### *Deductions*

6. (a) Employers shall be entitled to make a rateable deduction from the wages of workers for time lost by default, sickness, or voluntary absence from work with the consent of the employer, or from any accident, whether or not arising out of and in the course of the employment, but subject to the Workers' Compensation Act, 1922.

(b) Employers shall also be entitled to make a rateable deduction from the wages of workers for time lost through slackness of work or for any stoppage of work over which the employer has no control.

### *Termination of Employment*

7. (a) The period of notice of termination of employment in the case of workers employed for less than two consecutive months shall be twenty-four hours on either side.

(b) Any worker employed for two consecutive months shall be entitled to one week's notice that his services are dispensed with, and any such worker leaving his employment shall likewise give one week's notice: Provided that nothing herein contained is to affect the right of any employer to dismiss without notice any worker guilty of such misconduct as would at common law justify the immediate dismissal of such worker.

### *Overtime*

8. Work performed on any one day in excess of the hours specified in clause 2 hereof shall be paid at the rate of time and a half for the first three hours and double time thereafter.

*Holidays*

9. (a) The following shall be observed as holidays without deduction from pay: New Year's Day, Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Show Day or another day in lieu thereof, Christmas Day, and Boxing Day.

(b) Payment of wages for the said holidays when such holidays fall on an ordinary working-day shall be made to all persons who have been employed in the factory at any time during the fortnight ending on the day on which the holiday occurs.

(c) For work done on any of the holidays specified in subclause (a) hereof or on Sundays, double rates shall be paid in addition to the weekly wage in accordance with the Factories Amendment Act, 1936.

(d) Should any of the above holidays, except Anzac Day, fall on a Sunday, such holiday shall be observed on the following working day or days.

(e) An annual holiday shall be granted in accordance with the provisions of the Annual Holidays Act, 1944.

*Meal-hours*

10. (a) No more than four and a quarter hours shall be worked without an interval of three-quarters of an hour.

(b) Twenty-four hours' notice shall be given to any worker called upon to work overtime after the ordinary time for ceasing work, but where such notice is impracticable the worker shall be paid 1s. 9d. tea-money, providing such worker cannot get home for a meal in the time allowed.

*First-aid Chest*

11. A first-aid ambulance chest shall be provided in all establishments, equipped to the satisfaction of the Inspector of Factories with all the usual necessary furnishings, and shall be placed in a position readily accessible.

*Payment of Wages*

12. Payment of wages and overtime shall be made not later than Friday of each week.

*Workers to be Members of Union*

13. (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*

14. (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.

### *Increase in Rates of Remuneration*

15. All rates of remuneration, including time and piece wages and overtime and any other special payments, provided for in this award shall be increased to the extent and in the manner prescribed by the two general orders of the Court made under the Rates of Wages Emergency Regulations 1940, and dated the 9th August, 1940, and the 31st March, 1942, respectively.

EXPLANATORY NOTE.—(1) The general order of the 9th August, 1940, increased *rates of remuneration* determined by awards and industrial agreements and apprenticeship orders by an amount equal to 5 per cent. thereof.

(2) (a) The general order of the 31st March, 1942, further increased *rates of remuneration* determined by awards and industrial agreements and apprenticeship orders (inclusive of the 5 per cent. increase provided by the general order of the 9th August, 1940) by an amount equal to 5 per cent. thereof, but excluded from the increase such portion of the *remuneration* of each worker as exceeded—

- (i) The amount of £5 a week in the case of male workers twenty-one years of age and over;
- (ii) The amount of £2 10s. a week in the case of female workers twenty-one years of age and over;
- (iii) The amount of £1 10s. a week in the case of male and female workers under twenty-one years of age; and
- (iv) The amount of £1 10s. a week in the case of apprentices under apprenticeship orders.

(b) The increase in *rates of remuneration* provided by the order referred to in (a) hereof applied to the unexcluded portion of the *remuneration* of each worker, irrespective of his or her total weekly *remuneration*.

(3) The term "*rates of remuneration*" includes time and piece wages and overtime and any other special payments. The term "*remuneration*" means actual earnings, including time and piece wages and overtime and any other special payments.

### *Right of Entry*

16. The secretary of the union shall be entitled to enter at all reasonable times upon the premises of any employer bound by this award for the purpose of interviewing any workers (with the consent of the employer, such consent not to be unreasonably withheld), but not so as to interfere unreasonably with the employer's business.

### *Application of Award*

17. 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 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*

18. This award shall operate throughout the Canterbury Industrial District.

*Term of Award*

19. This award, in so far as it relates to wages, shall be deemed to have come into force on the 1st day of November, 1944, 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 31st day of October, 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 November, 1944.

[L.S.]

A. TYNDALL, Judge.

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**MEMORANDUM**

The award embodies the terms of settlement arrived at by the assessors in Conciliation Council. In making the award the Court has had regard to the provisions of the Economic Stabilization Emergency Regulations 1942.

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

A. TYNDALL, Judge.

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