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NORTHERN, TARANAKI, WELLINGTON, CANTERBURY, AND  
OTAGO AND SOUTHLAND **SOAP-WORKERS**.—AWARD

*[Filed in the Office of the Clerk of Awards, Wellington]*

In the Court of Arbitration of New Zealand, Northern, Taranaki, Wellington, Canterbury, and Otago and Southland Industrial Districts.—In the matter of the Industrial Conciliation and Arbitration Act, 1925, and its amendments; and in the matter of industrial disputes between—

- The Auckland Fellmongers, Tanners, Soap-workers, and General Tannery Employees' Industrial Union of Workers;
- The Wellington and Taranaki Soap, Candle, Tannery, and Related Trades' Employees' Industrial Union of Workers;
- The Canterbury Freezing-works and Related Trades' Employees' Industrial Union of Workers; and
- The Otago and Southland Freezing-works and Related Trades' Employees' Industrial Union of Workers

(hereinafter called "the union") and the undermentioned association, person, firms, and companies (hereinafter called "the employers") :—

New Zealand Soap Manufacturers' Industrial Association of Employers, 8-12 The Terrace, Wellington.

NORTHERN INDUSTRIAL DISTRICT

Farley, E. O., Ltd., King Edward Avenue, Epsom, Auckland.  
 "Moa" Soaps and Polishes, 277 Victoria Street West, Auckland.  
 Pearson Soap Co., Ltd., Great South Road, Penrose, Auckland.  
 Pure Soap Products, Ltd., Roxburgh Street, Newmarket, Auckland.  
 Warnock Bros., Ltd., 7 Kingston Street, Auckland.  
 Union Oil, Soap, and Candle Co., Ltd., Albert Street, Auckland.

TARANAKI INDUSTRIAL DISTRICT

Black and Gold Products, 43 Glover Street, Hawera.  
 Burch and Co., Gill Street, New Plymouth.  
 Pickering and Co., Purity Products, Ltd., 614 Devon Street, New Plymouth.

WELLINGTON INDUSTRIAL DISTRICT

Colgate-Palmolive, Ltd., Hutt Road, Petone.  
 Gilbert and Sons, Ltd., Wanganui.  
 Hawke's Bay Soap and Tannery, Ltd., Napier.  
 John Newton and Sons, Ltd., Kaiwarra, Wellington.  
 Lever Bros. (N.Z.), Ltd., Petone.  
 Supreme Soap, Ltd., Napier.  
 The Manawatu Soap Co., Ltd., A.M.P. Building, Palmerston North.

CANTERBURY INDUSTRIAL DISTRICT

O.K. Packing Co., Ltd., 122 Bamford Street, Christchurch.  
 Patrick, E., and Co., Sockburn.  
 Rawlings, P. J., Milton Street, Spreydon, Christchurch.  
 Zealandia Soap and Candle Co., Ltd., Belfast (registered office: 202 Hereford Street, Christchurch).

OTAGO AND SOUTHLAND INDUSTRIAL DISTRICT

McLeod Bros., Ltd., 336 Cumberland Street, Dunedin.

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 3rd day of April, 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 3rd day of July, 1944.

[L.S.]

A. TYNDALL, Judge.

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#### SCHEDULE

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

1. (a) This award shall apply to all workers employed in or about soap manufacturing factories, wherein soap products of any kind, including sand-soap, common soap, washing or toilet soap, shaving soaps and creams, shampoos, liquid soap, soft soap, soap-powders, and the like are manufactured, and shall include workers in soap-factories engaged in the making of toilet powders, ointment, perfumes, dental soap and creams, starch, soda cystalis, candles, vegetable and animal oils and lotions, &c., irrespective of the purpose for which they may be required.

(b) For the purpose of the foregoing provision, wrapping and packing of such goods shall be deemed to be a part of the manufacture thereof, where such wrapping and packing is done in an establishment covered by the definition as set out in subclause (a) hereof.

### *Hours of Work*

2. (a) The ordinary hours of work shall not exceed forty per week or eight per day, and shall be worked as follows: from Mondays to Fridays inclusive between the hours of 7.45 a.m. and 5 p.m., with three-quarters of an hour allowed on each day for lunch: Provided, however, that the present practice as to Saturday work by workers in the starch department shall be allowed to continue; but any work performed on Saturday shall be paid for at the overtime rates prescribed in clause 7 hereof.

(b) By mutual arrangement the commencing hour may be altered to 7.30 a.m., provided that not more than eight hours are worked in any one day without payment of overtime.

(c) At soap works, workers engaged in casting a pan may be worked five hours continuously without an interval for a meal.

(d) *Shift-work.*—(i) Two or three shifts of eight hours may be worked if necessary on the first five days of the week. Workers employed on shift-work shall, during each shift, be allowed thirty minutes for a meal without deduction from wages. No worker under the age of twenty-one years shall be employed on the morning or evening shifts, unless such worker is paid adult rates.

(ii) A worker employed on shift-work between the hours of 5 p.m. and 7.45 a.m. shall be paid 1s. 6d. per shift in addition to the ordinary wage.

### *Wages*

3. (a) The minimum rate of pay for male workers over the age of twenty-one years shall be not less than £4 15s. 3d. per week, calculated at the rate of 2s. 4½d. per hour.

(b) Male workers in control of five or more men and male charge hands in charge of processes, 1s. per day extra.

(c) Casual workers employed for less than four and a half days in any week shall be paid 2s. 5d. per hour.

*Employment of Youths*

4. The following shall be the minimum weekly rates of wages payable to youths:—

Age commencing.	First Six Months.	Second Six Months.	Third Six Months.	Fourth Six Months.	Fifth Six Months.	Sixth Six Months.	Seventh Six Months.	Eighth Six Months.	Ninth Six Months.	Tenth Six Months.	Eleventh Six Months.
Under 16 ..	21/6	26/6	31/6	36/6	41/6	46/6	51/6	56/6	61/6	66/6	71/6
16 to 16½ ..	26/6	31/6	36/6	41/6	46/6	51/6	56/6	61/6	66/6	71/6	..
16½ to 17 ..	31/6	36/6	41/6	46/6	51/6	56/6	61/6	66/6	71/6	..	..
17 to 17½ ..	36/6	41/6	46/6	51/6	56/6	61/6	66/6	71/6	..	..	..
17½ to 18 ..	41/6	46/6	51/6	56/6	61/6	66/6	71/6	..	..	..	..
18 to 18½ ..	46/6	51/6	56/6	61/6	66/6	71/6	..	..	..	..	..
18½ to 19 ..	51/6	56/6	61/6	66/6	71/6	..	..	..	..	..	..
19 to 19½ ..	56/6	61/6	66/6	71/6	..	..	..	..	..	..	..
19½ to 20 ..	61/6	66/6	71/6	..	..	..	..	..	..	..	..
20 to 20½ ..	66/6	71/6	..	..	..	..	..	..	..	..	..
20½ to 21 ..	71/6	..	..	..	..	..	..	..	..	..	..

*Employment of Females*

5. Female workers may be employed at not less than the following weekly rates:—

Age commencing Employment.	First Year.		Second Year.		Third Year.		Fourth Year.	
	First Half.	Second Half.	First Half.	Second Half.	First Half.	Second Half.	First Half.	Second Half.
Under 16 years ..	19/-	23/-	27/-	31/-	35/-	39/-	43/-	47/-
16 to 17 years ..	22/-	26/-	30/-	34/-	38/-	42/-	46/-	..
17 to 18 years ..	25/-	29/-	33/-	37/-	41/-	45/-	..	..
18 to 19 years ..	28/-	32/-	36/-	40/-	44/-	..	..	..
19 to 20 years ..	31/-	35/-	39/-	43/-	..	..	..	..
20 to 21 years ..	34/-	38/-	..	..	..	..	..	..

Thereafter not less than £2 12s. 6d. per week.

This award shall not operate so as to reduce the wage of any female worker in the Northern Industrial District during her present employment.

*Increase in Rates of Remuneration*

6. 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.

### *Overtime*

7. (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 four hours and double time thereafter.

(b) When workers are required to work overtime on any day, the employer shall provide a meal, or pay such worker 1s. 9d. to enable him or her to purchase a meal, unless such worker has been notified on the day previous that he or she will be required to work overtime: Provided that when such notice has been given and the worker's services are not required, he or she shall still receive the meal allowance.

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

### *Terms of Employment*

8. (a) Deductions may be made from the wages of weekly workers for time lost through sickness, accident, or default.

(b) Nothing in the foregoing subclause shall prevent an employer from summarily dismissing any worker for wilful misconduct.

*Holidays*

9. (a) The following shall be the recognized holidays:—
- (i) New Year's Day, Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day, and Boxing Day; and
  - (ii) In the Northern and Wellington Industrial Districts: 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; and
  - (iii) In the Taranaki, Canterbury, and Otago and Southland Industrial Districts: Two other days to be mutually agreed upon between the union and each individual employer, but a worker shall not be paid for such holidays unless he works.

(b) When any of the above holidays, other than Anzac Day, falls on a Sunday, such holiday shall be observed on the following Monday. When Christmas Day falls on a Sunday, Boxing Day shall be observed on the Tuesday following.

(c) Payment for the holidays provided in subclause (a) (i) hereof shall be made to all hourly workers in accordance with the provisions of the Factories Act, 1921-22, as amended, provided that no worker shall receive payment for any holiday or part of a holiday which falls outside of the ordinary working week.

(d) All work performed on the holidays mentioned in subclause (a) (i) shall be paid for at double rates in addition to any payment to which a worker is entitled under subclause (c) hereof, and all work performed on the holidays prescribed in subclause (a) (ii) and (iii) hereof shall be paid for at double time only.

(e) All work performed on Sundays shall be paid for at double rates.

*Annual Holiday*

10. (a) An annual holiday of five working-days on full pay shall be granted workers covered by this award; such holiday may be given in conjunction with the Christmas holidays, except that should any workers be required to work during the Christmas and New Year period they shall be granted equivalent days off at a time to be conveniently arranged.

(b) A worker having completed not less than three months' service shall, on leaving his or her employment, or being dismissed therefrom, be entitled to a proportionate holiday payment.

(c) The foregoing provisions are subject to any legislation that may be enacted granting greater privileges to workers covered by this clause.

(NOTE.—Attention is drawn to the provisions of the Annual Holidays Act, 1944, which will apply to workers covered by this award as from the 1st August, 1944.)

#### *Payment of Wages*

11. Wages shall be paid weekly and in cash, not later than Thursday, in the employer's time.

#### *General Provisions*

12. (a) Suitable washing accommodation with both hot and cold water shall be provided. Suitable dressing-rooms and dining-rooms shall be provided.

(b) Sufficient drinking-water of good quality shall be provided.

(c) Lavatory accommodation shall be provided and kept clean.

(d) A suitable covered bicycle-stand shall be provided by the employer.

(e) The employer shall supply aprons, leggings, gum boots, respirators, and all other materials necessary to carry on the work.

(f) An approved first-aid outfit shall be available at each works.

(g) In all cases where men are called out and there is no work, or less than two hours' work available, they shall receive a minimum of two hours' pay at the rate specified.

(h) No youth under the age of nineteen years shall be required to lift goods exceeding 75 lb. in weight, and no female worker shall be required to lift goods exceeding 30 lb. in weight.

(i) Workers actually employed in cleaning out "save-alls" and whose duties involve going down into "save-all" pits, shall be paid 1s. extra on each day or part of a day they are so employed.

#### *Disputes*

13. 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 specifically dealt with in this award, every such dispute or difference shall be referred to a committee to be composed of two representatives of each side, together with an independent chairman to be mutually agreed upon or, in default of agreement, to be



appointed by the Conciliation Commissioner for the district. Either side shall have the right to appeal to the Court against a decision of any 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.

*Extension of Hours under Factories Act*

14. Pursuant to the provisions of section 3 of the Factories Amendment Act, 1936, the limits of hours fixed by subsection (1) of that section are hereby extended upon the terms of this award in respect of every occupier of a factory bound or to be bound by such award.

*Workers to be Members of Union*

15. (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*

16. (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*

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 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 districts to which this award relates.

#### *Scope of Award*

18. This award shall operate throughout the Northern, Taranaki, Wellington, Canterbury, and Otago and Southland Industrial Districts.

#### *Term of Award*

19. This award, in so far as it relates to wages, shall be deemed to have come into force on the 3rd day of April, 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 3rd day of April, 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 3rd day of July, 1944.

[L.S.]

A. TYNDALL, Judge.

## 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 and, in particular, the amendment of the 14th June, 1944 (Statutory Regulations 1944, Serial number 1944/93).

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

A. TYNDALL, Judge.

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