

CANTERBURY GROCERS' SUNDRIES (GENERAL) EMPLOYEES.—
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 Wellington, Taranaki, Marlborough, Nelson, and Canterbury Grocers' Sundries, Chemical, and Related Products Factory Employees' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

All Blacks Manufacturing Co., 119 Kilmore Street, Christchurch.
Avon Products, Ltd., 272 Artigua Street, Christchurch.
Amalgamated Chemicals, Ltd., 111 Lichfield Street, Christchurch.
Austin Chalk Co., 85 Byron Street, Christchurch.
Baxters Ltd., 602 Colombo Street, Christchurch.
Bonnington, Geo., Ltd., 5 Olliviers Road, Christchurch.
Bettol Manufacturing Co., Ltd., 769 Colombo Street, Christchurch.
Brown and Heaton, Ltd., 89 Cashel Street, Christchurch.
Blackburn, Smith, and Co., Ltd., 146 Manchester Street, Christchurch.
Consolidated Packing Co., 100 Manchester Street, Christchurch.
Carbonic Ice, Ltd., 261 Moorhouse Avenue, Christchurch.
Cereal Foods (N.Z.), Ltd., 83 Byron Street, Christchurch.
Canterbury Chicory Works, Ltd., Lincoln Road, Christchurch.
Central Egg Floor, Ltd., 206 Tuam Street, Christchurch.
Edmonds, T. J., Ltd., 375 Ferry Road, Christchurch.
Fletcher, Humphreys, Ltd., 49 Cathedral Square, Christchurch.
Ford, J. B., and Co. (N.Z.), Ltd., 180 Durham Street, Christchurch.

Firmese Laboratories, Ltd., 90 Hereford Street, Christchurch.
 Gates, H., and Son, 13 Park Road, Christchurch.
 General Distributors (D. N. Russel), Cashel Arcade, Christchurch.
 Inca Ltd., 207 Manchester Street, Christchurch.
 Joy Products (Christchurch), Ltd., 273 Stanmore Road, Christchurch.
 Laws Scientific and Manufacturing Co., Ltd., 124 Lichfield Street, Christchurch.
 Melhuish, J. J., and Co., Ltd., 376 Wilsons Road, Christchurch.
 Macalister, T. A., Ltd., 104 Manchester Street, Christchurch.
 Malga Manufacturing Co., Newbury Street, Christchurch.
 Maling and Co., Ltd., 92 Gloucester Street, Christchurch.
 Maddren Bros., Ltd., 8 Coventry Street, Christchurch.
 Nottingham, A. C., and Son, Ltd., 146 Madras Street, Christchurch.
 New Zealand Coffee and Spice Co., Ltd., 321 Durham Street, Christchurch.
 Nugget Polish Co. of New Zealand, Ltd., 580 Ferry Road, Christchurch.
 National Distributors, Ltd., Carlyle Street, Christchurch.
 Owen, Wilfred, Ltd., 104 Victoria Street, Christchurch.
 Price, C. W., 32 Southwark Street, Christchurch.
 Primrose Pty., Ltd., 779 Colombo Street, Christchurch.
 Roskilly, H. E., and Co., 71 Queen Street, Christchurch.
 R.U.R. (New Zealand), Ltd., 141 Cashel Street, Christchurch.
 Rochdale Cider Co., Ltd., Byron Street, Christchurch.
 Restar (S.I.), Ltd., 14 Bedford Row, Christchurch.
 Stevens, H. F., Ltd., 103 Worcester Street, Christchurch.
 Sunola Laboratories, Ltd., 215 Waltham Road, Christchurch.
 Simms, Jones, Ltd., 221 Lichfield Street, Christchurch.
 Viavi Co., Cathedral Square, Christchurch.
 Wonder Distributors, Ltd., 285 St. Asaph Street, Christchurch.
 Woodol Distillation Co., 205 Durham 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 on the day of the date hereof and shall continue in force until the 27th day of September, 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 27th day of September, 1944.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to which Award relates

1. This award shall apply to the manufacture, processing, bottling, packaging, labelling, wrapping or tinning and handling raw materials, including canning, of emulsions, malt extracts, ink (other than printers' ink), eggs, polishes, harness dressings, cleansing preparations, condiments, honey, vinegar, salt, margarine, crystallized, dried, and/or drained fruit or peel, vegetable extracts, coffee and/or chicory (ground or essence), peanut butter, cereal foods, tea, jelly crystals, spices, essences, cider, unfermented fruit juices, syrups, baking-powder, icing-sugar, custard powder, preserved ginger, toilet preparations, disinfectants, insecticides, chemical products (including stock foods and stock licks) for veterinary, medicinal, manufacturing, processing, preserving, and/or for garden or orchard use, or for use as foods.

Hours of Work

2. (a) The ordinary hours of work shall not exceed forty per week or eight hours per day, to be worked between the hours of 8 a.m. and 5 p.m. from Monday to Friday, both days inclusive: Provided that any employer may, by agreement with the union, start his employees not more than half an hour earlier: Provided, also, that by agreement with the union workers may be employed on Saturday morning, but so that not more than forty hours are worked in any one week without payment of overtime.

(b) Notwithstanding anything elsewhere contained in this award, subsection (4) of section 3 of the Factories Amendment Act, 1936, relating to the employment of workers for the purpose of raising steam or in making preparations for the work of the factory shall be deemed to be incorporated herein.

(c) Unless otherwise mutually agreed upon between an employer and his workers, three-quarters of an hour shall be allowed for the midday meal; and no worker shall be employed continuously for more than four and a half hours without an interval for a meal. The employer shall notify the union of any agreement to vary the meal interval.

(d) Where it is required to work shifts, the terms and conditions relating to such work in the case of any employer shall be such as may be agreed upon by the secretary of the union and the secretary of the Canterbury Employers' Association.

Overtime

3. (a) All time worked in excess or outside of the hours prescribed in clause 2 hereof shall be paid for at the rate of time and a half for the first four hours in any one day and double time thereafter.

(b) The minimum rate of payment per hour shall be as provided in the Factories Act.

Meal-money

4. Twenty-four hours' notice shall be given to an employee who is required to work overtime after 6 p.m., or in lieu thereof 1s. 9d. tea-money shall be paid, or the employer shall provide a suitable meal. If a worker is notified that overtime shall be worked on the following day, and overtime is not worked, the employer shall pay the worker 1s. 9d. tea-money.

Wages

5. The following shall be the minimum rates of wages:—

(a) Adult male workers: £4 15s. 2d. per week.

(b) The following shall be the weekly rates of pay for youths:—

Age at commencing Employment.	First Year.		Second Year.		Third Year.		Fourth Year.	Fifth Year.
	First Half.	Second Half.	First Half.	Second Half.	First Half.	Second Half.		
Under 16	22/6	26/6	30/6	34/6	38/6	42/6	47/6	60/-
16 to 17	26/6	30/6	34/6	38/6	42/6	46/6	52/6	60/-
17 to 18	30/6	34/6	38/6	42/6	46/6	50/6	60/-	..
18 to 19	34/6	38/6	42/6	46/6	50/6	54/6	..	..
19 to 20	38/6	42/6	46/6	50/6	..	..	..	..
20 to 21	42/6	46/6	..	..	..	..	..	..

Thereafter, or on attaining the age of twenty-one years, not less than the minimum rate provided for general hands.

(c) Female workers shall be paid not less than the following weekly rates:—

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.
Under 16	18/6	22/6	26/6	31/-	35/-	39/-	43/-	47/6
16 to 17	21/6	25/6	29/6	34/-	38/-	42/-	46/-	..
17 to 18	24/6	28/6	32/6	37/-	41/-	45/-	..	..
18 to 19	27/6	31/6	35/6	40/-	44/-	..	..	..
19 to 20	30/6	34/6	38/6	43/-	..	..	..	..
20 to 21	33/6	37/6	..	..	..	..	..	..

Thereafter, or on attaining the age of twenty-one years, not less than £2 12s. 6d. per week.

(d) A leading hand is a worker employed regularly in charge of three or more workers, and shall be paid not less than 5s. per week extra.

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-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.

Conditions of Employment

7. (a) Not less than forty-eight hours' notice shall be given by either party of the termination of the engagement; and, further, nothing in this clause shall prevent an employer from summarily dismissing a worker for misconduct.

(b) An employer shall be entitled to make a rateable deduction from the wages of any worker for any time lost by such worker through sickness, accident, default, or voluntary absence from work.

(c) Wages shall be paid in cash in the employer's time and not later than Thursday. Such wages shall be paid weekly, but the existing practice may be continued where an employer has been paying fortnightly: Provided that any employer who now pays his workers on Fridays may continue the present practice until not later than 1st January, 1945.

Holidays

8. (a) The following shall be the recognized holidays: New Year's Day, Good Friday, Easter Monday, Anzac Day, Labour Day, the birthday of the reigning Sovereign, Christmas Day, Boxing Day, and Show Day or a day to be observed in lieu thereof.

(b) Payment for the said holidays shall be made at the same rate as for an ordinary working-day 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, provided that such holiday falls on an ordinary working-day. Where any such holiday falls on a Saturday, the payment required as aforesaid shall be the amount ordinarily paid for the time worked on Saturday.

(c) Any work done on Sundays or on any of the above-mentioned holidays shall be paid for at double time rates.

(d) Should any of the above holidays, except Anzac Day, fall on a Sunday, then for the purpose of this award it shall be observed on the following Monday.

Annual Holiday

9. An annual holiday shall be observed in accordance with the Annual Holidays Act, 1944.

General Conditions

10. (a) Boiling water shall be supplied for meals.

(b) Workers working in wet places shall be supplied with gum boots or clogs and, where necessary, with waterproof aprons.

(c) Female workers and boys under sixteen years of age shall not be required to lift more than 30 lb. or to move more than 42 lb. single-handed: Provided that, where rollers are employed, up to 84 lb. may be moved single-handed.

(d) A "smoke-oh" of ten minutes shall be allowed both morning and afternoon.

First-aid Outfit

11. A first-aid outfit shall be provided in all factories and shall be accessible to employees at all times. The employer shall be responsible for keeping supplies in clean containers and in charge of a responsible person.

Access to Factory

12. Every employer bound by this award shall permit the secretary or other authorized officer of the union 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.

Extension of Hours under Factories Act

13. 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 by this award.

Matters not provided for

14. Any dispute in connection with any matter not provided for in this award shall be settled between the employer's representative and the secretary or president of the union, and in default of any agreement being arrived at, then such dispute shall be referred to the Conciliation Commissioner for the district, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Conciliation Commissioner, may appeal to the Court upon giving notice of such appeal to the other party within fourteen days after such decision shall have been communicated to the party desiring to appeal.

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.

Workers other than Adults

17. If and so long as the rules of the union permit any worker employed in any position or employment subject to this award who is under the age of eighteen years to become a member of the union without ballot or other election and upon payment of not more than half the payments provided by the rules of the union for adult workers, such worker shall become a member of the union, and if such worker neglects to become a member of the union within two weeks from the date of employment the employer shall, if requested so to do by the union, dismiss such worker, provided there is then a member of the union equally qualified and of similar status and ready and willing to perform the particular work required to be done.

Application of Award

18. 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

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

Term of Award

20. This award, in so far as it relates to wages, shall be deemed to have come into force on the 18th day of August, 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 27th day of September, 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 27th day of September, 1944.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The only matters referred to and settled by the Court related to the wage rates for female workers and the additional payment for leading hands. In other respects the award embodies, with minor adjustments, the recommendations arrived at by the assessors in Conciliation Council. The Court in making the award has had regard to the provisions of the Economic Stabilization Emergency Regulations 1942.

An application by Cereal Foods (N.Z.), Ltd., 83 Byron Street, Christchurch, to be struck out from the list of parties has not been granted.

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

Mr. Monteith finds himself unable to agree with the wage rates fixed for junior and adult female workers, as both, in his opinion, are much too low.

A. TYNDALL, Judge.

CANTERBURY GROCERS' SUNDRIES (GENERAL) EMPLOYEES.
—ADDING PARTY TO 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 the Canterbury Grocers' Sundries (General) Employees' award, dated the 27th day of September, 1944, and recorded in 44 Book of Awards 694.

Thursday, the 14th day of December, 1944

UPON reading the application to add a party to the Canterbury Grocers' Sundries (General) Employees' award, dated the 27th day of September, 1944, and recorded in 44 Book of Awards 694, the Court, by consent, doth order as follows:—

1. That the Parisian Neckwear Co., Ltd., 19 Bedford Row, Christchurch, be and it is hereby added as a party to the said award.

2. That this order shall operate and take effect as from the day of the date hereof.

[L.S.]

A. TYNDALL, Judge.
