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OTAGO AND SOUTHLAND LAUNDRY WORKERS, DYERS, AND  
DRY-CLEANERS.—AWARD

In the Court of Arbitration of New Zealand, Otago and Southland 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 Dunedin Laundry Employees' Industrial Union of Workers (hereinafter called "the union") and the under-mentioned persons, firms, and companies (hereinafter called "the employers") :—

City Dye Works, 252 George Street, Dunedin.

Chin Fooi and Co., 64 St. Andrew Street, Dunedin.

Jenkinson's City Dye Works, 130 Esk Street,  
Invercargill.

Martin, C. G., 48 Thames Street, Oamaru.

Moon, Charlie, 122A Thames Street, Oamaru.

Preens Ltd., 14 George Street, Dunedin.

Snowwhite Laundries, Ltd., 149 Main Road, North-east Valley, Dunedin.  
Southland Laundry and Dye Works, 110 Bowmont Street, Invercargill.  
Wah Cheong and Co., 50 Ribble Street, Oamaru.

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 30th day of October, 1944, and shall continue in force until the 30th 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 25th day of October, 1944.

[L.S.]

A. TYNDALL, Judge.

## SCHEDULE

*Industry to which Award applies*

1. This award shall apply to the laundering, dry-cleaning, and dyeing industry.

*Hours of Work*

2. (a) The ordinary hours of work for workers other than depot hands, shall be forty per week, eight hours to be worked each day from Monday to Friday, both days inclusive, between 8 a.m. and 5.30 p.m. The work shall be continuous except for a meal-time of not more than one hour.

(b) The ordinary hours of work for depot hands shall be forty-four per week, to be worked on five and a half days.

*Overtime*

3. Any time worked outside or in excess of the hours set out in clause 2 hereof shall be calculated daily and shall be paid for at the rate of time and a half for the first three hours and double time thereafter, with a minimum payment of 1s. 6d. per hour. All overtime work done up to half an hour shall be deemed to be half an hour for the purpose of computing overtime payable, and all work exceeding half an hour and up to one hour shall count as one hour in the computation of overtime.

*Holidays*

4. (a) The following shall be recognized as paid holidays: New Year's Day, the day following New Year's Day, Good Friday, Easter Monday, Labour Day, Christmas Day, Boxing Day, Anzac Day, and the birthday of the reigning Sovereign: Provided that, in the case of dry-cleaning establishments, Anniversary Day may be substituted for the day following New Year's Day.

(b) Work performed on any of the holidays herein specified shall be paid for at double rates in addition to the ordinary day's pay.

(c) Annual holidays shall be allowed to each worker in accordance with the provisions of the Annual Holidays Act, 1944.

## Wages

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

(a) *Male Workers:*—

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.
Under 16 ..	21/-	26/-	31/-	36/6	41/6	46/6	51/6	56/6	62/-	72/-
16 to 17 ..	23/6	28/6	33/6	39/-	44/-	49/-	56/6	61/6	67/-	72/-
17 to 18 ..	28/6	33/6	38/6	44/-	51/6	59/-	66/6	72/-	..	..
18 to 19 ..	33/6	38/6	43/6	49/-	56/6	64/-	..	..	..	..
19 to 20 ..	43/6	48/6	53/6	64/-	..	..	..	..	..	..
20 to 21 ..	53/6	63/6	..	..	..	..	..	..	..	..

Thereafter, the following rates:—	Per Week.		
	£	s.	d.
Laundry workers .. ..	4	15	0
Dry-cleaners and carpet-cleaners ..	5	0	0
Foreman dyer .. ..	6	5	0
Dyers .. ..	5	0	0

(b) *Female Workers:*—

Age commencing.	First Six Months.	Second Six Months.	Third Six Months.	Fourth Six Months.	Fifth Six Months.	Sixth Six Months.	Seventh Six Months.	Eight 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 15s. per week.

(c) A depot hand shall be paid 5s. 3d. per week in addition to the wage to which she is entitled under subclause (b) of this clause.

(d) Hand-ironers and press hands shall be paid 5s. for any week or part of a week so employed.

(e) *Sorters and Packers.*—Sorters and packers (male or female) shall receive 5s. per week above the foregoing rates.

(f) *Foremen and Forewomen.*—In addition to the rates of wages set out above, foremen and forewomen shall be paid a further sum of 10s. per week in excess of the rate received by the highest-paid worker.

(g) Females shall not be employed on washing-machines at less than the rates for adult male workers.

(h) Hand-washerwomen shall be paid not less than 5s. per week in addition to the wage to which they are entitled under subclause (b) of this clause.

(i) Casual workers employed for less than a week shall be paid one-third more than weekly rates.

(j) A worker employed as a shirt and collar machinist shall be paid 5s. per week in addition to the rates herein prescribed.

### *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.

### *Payment of Wages*

7. (a) Wages shall be paid weekly in the employer's time.

(b) No deduction shall be made from the wages of any worker except for time lost through the worker's sickness, accident, or default.

### *Termination of Engagement*

8. One week's notice of the termination of employment shall be given by the employer or the worker, but this shall not prevent the summary dismissal of the worker for misconduct.

### *Proportion of Juniors*

9. The proportion of female workers under eighteen years of age shall be not more than one to each three or fraction of the first three female workers over eighteen years of age.

Junior male workers—*i.e.*, a male worker receiving less than adult rates—shall be employed in the proportion of not more than one to every three or fraction of the first three adult male workers.

### *General Conditions*

10. (a) No person under the age of fifteen years shall be employed upon a machine.

(b) No worker shall be employed for more than four and a quarter hours without an interval for a meal.

(c) Workers required to work overtime after 5.30 p.m. shall be paid 1s. 9d. meal-money unless notice of intention to work overtime has been given on the previous working-day.

(d) If a worker is notified that overtime shall be worked on the following day and overtime is not worked, the employer shall pay 1s. 9d. meal-money.

(e) Where any worker is in receipt of a higher rate of wages than that prescribed by this award, such rates shall not be reduced so long as the worker continues in the same job.

(f) A "foreman" or "forewoman" is a worker who is responsible for the work of the department or is in charge of three or more hands.

(g) A rest-room shall be provided for female workers.

(h) Gum boots and aprons shall be provided where necessary.

(i) A satisfactory dining-room shall be provided.

(j) With regard to morning tea and "smoke-oh," the existing conditions in each establishment shall be continued.

(k) Hot work on laundry mangles shall be rotated as far as possible.

### *Matters not provided for*

11. Any dispute in connection with any matter not provided for in this award shall be settled between the particular employer concerned 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 local Conciliation Commissioner, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Commissioner, may appeal to the Court upon giving written 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*

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.

#### *Right of Entry*

14. The secretary or other authorized officer of the union of workers shall, with the consent of the employer (which consent shall not be unreasonably withheld), be entitled to enter at all reasonable times upon the premises or works and there interview any workers, but not so as to interfere unreasonably with the employer's business.

#### *Application of Award*

15. 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*

16. This award shall operate throughout the Otago and Southland Industrial District.

#### *Term of Award*

17. This award shall come into force on the 30th day of October, 1944, and shall continue in force until the 30th 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 25th day of October, 1944.

[L.S.]

A. TYNDALL, Judge.

## MEMORANDUM

The only matters referred to and settled by the Court related to wages and deductions. In other respects the award embodies the recommendations 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.

Mr. Prime is not in agreement on the question of wage-rates, and his dissenting opinion follows.

A. TYNDALL, Judge.

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## DISSENTING OPINION OF MR. PRIME

I see no justification for increasing rates beyond those fixed last year in the Wellington and Taranaki award and in the Auckland award. The course followed in this case, particularly in adopting rates fixed for another industry, after having regard to its special conditions, as has been done in the case of the junior scales, does not appear to me to be in harmony with the spirit of the Stabilization Regulations.

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