

NORTHERN, WELLINGTON, NELSON, CANTERBURY, AND
OTAGO AND SOUTHLAND **WICKER AND PERAMBULATOR
WORKERS.—AWARD**

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

In the Court of Arbitration of New Zealand, Northern, Wellington, Nelson, 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 an industrial dispute between the New Zealand Federated Furniture and Related Trades' Industrial Association of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

- Brittannia Pram Co., 180 St. Andrew Street, Dunedin.
Bryant, C., Wicker-worker, Wellington Street, Feilding.
Burson, Henry, and Sons, corner of Barbadoes and St. Asaph Streets, Christchurch.
Cane Furniture Co., 86 Kilmore Street, Christchurch.
Cowman, C. H., Wicker-worker, &c., Bridge Street, Nelson.
Douglas, H. A., Seagrass-worker, West Coast Road, Glen Eden, Auckland.
Freeth, W., Wicker-worker, Collingwood Street, Nelson.
Grover and Whitehead, Wicker-workers, Cuba Street, Palmerston North.
Hewson, B., Wicker-worker, The Square, Palmerston North.
Hoare, T., and Sons, Basket and Seagrass-furniture Manufacturers, 49 Atkinson Street, Dunedin.
Hyde Park Prams (A. J. Hessey), 328 Hereford Street, Christchurch.
Kearney, H., Seagrass-worker, 147A Symonds Street, Auckland.
Kelly, W. E., 121 Clyde Road, Christchurch.
Kench and Carr, Wicker and Pram Makers, Victoria Avenue, Wanganui.
Kerler, G., and Co., Wicker-workers, 477 Karangahape Road, Auckland.

Larsen, N. J., Seagrass-worker, Queen's Road, Lower Hutt.
 Longdon, F. E., Wicker-worker, &c., 586 Colombo Street, Christchurch.
 Mann, A. E., Wicker-worker, Melbourne Road, Invercargill.
 Nicholls, J. A., and Co., Wicker-workers, 193 Elles Road, Invercargill.
 New Zealand Missionary College, Seagrass-workers, Longburn.
 Oxley Prams (Christchurch), 592 Colombo Street, Christchurch.
 Oxley Seagrass Co., 563 Princes Street, Dunedin.
 Perkins and Co., Perambulator-makers, Vivian Street, Wellington.
 Pram Service, The (W. Peck), 157 High Street, Christchurch.
 Reed Loom Co., Ltd., 19 Rautangi Road, Auckland.
 Scott, H., Perambulator-manufacturer, Terrace Street, Palmerston North.
 Simplex Pram Co., Ltd., 82 St. Andrew Street, Dunedin.
 Stewart Prams Ltd., Victoria Street, Petone.
 Sykes, R., Pram-maker, Main Street, Palmerston North.
 Thompson, W. A., and Co., Wickerware and Perambulator Manufacturer, Wakefield Street, Auckland.
 Weine, F. O., Wicker-worker, 107 Constable Street, Wellington.
 Wiley, F., Wicker-worker, 250 Brougham Street, Christchurch.
 Williamson, C. J., Ltd., 626 Colombo Street, Christchurch.
 White, W., Wicker-worker, Dickens Street, Napier.

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 2nd day of July, 1945, and shall continue in force until the 2nd day of July, 1946, 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 22nd day of June, 1945.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to which Award applies

1. This award shall apply to workers employed on wicker, willow, seagrass, supplejack, cane, composition fibre, basketware of every description, making of perambulators, invalid carriages, and push-chairs (other than metal bodies), auxiliary seats, shopping-trundels, fitting up of perambulators and invalid carriages, spraying, polishing, or painting of any of the above-mentioned articles, and upholsteresses of perambulators and invalid carriages.

Hours of Work

2. (a) Forty hours shall constitute a week's work, to be worked between the hours of 7.45 a.m. and 5 p.m. on Monday to Friday, both days inclusive.

(b) Not less than forty-five minutes shall be allowed for lunch.

Wages

3. (a) (i) The minimum wage to be paid to adult male workers employed on wicker, willow, seagrass, cane, supplejack, composition fibre, basketware of every description, and wood-working machinists shall be 3s. 0½d. per hour.

(ii) The minimum wage to be paid to all other adult male workers shall be 2s. 11d. per hour.

(b) Adult female workers employed on perambulator or invalid carriage upholstery shall be paid not less than £3 7s. 6d. per week.

Female Learners

4. (a) The minimum wages for female learners on perambulator or invalid carriage upholstery shall be:—

| | Per Week. | | |
|----------------------------|-----------|----|----|
| | £ | s. | d. |
| First six months | 1 | 1 | 0 |
| Second six months | 1 | 5 | 9 |
| Third six months | 1 | 10 | 0 |
| Fourth six months | 1 | 15 | 0 |
| Fifth six months | 2 | 1 | 6 |
| Sixth six months | 2 | 7 | 0 |
| Seventh six months | 2 | 12 | 0 |
| Eighth six months | 2 | 18 | 0 |

Thereafter, adult female rate:

Provided that no female worker over the age of twenty-one years shall be paid less than £2 17s. per week.

(b) The proportion of learners to adult female workers shall not exceed one learner to every journeywoman who has been employed for at least two-thirds full time for the six months immediately preceding the taking-on of the learner.

(c) No learner shall be employed on any work other than that prescribed in subclause (a) of this clause.

Overtime

5. (a) All time worked in any one day outside or in excess of the hours provided in clause 2 hereof shall be deemed to be overtime, and shall be paid for at the rate of time and a half for the first three hours, and double time thereafter until the ordinary time for commencing work next morning: Provided that all work done after 10 p.m. shall be paid for at double time rates.

(b) Work done on Saturday morning shall be paid for at the rate of time and a half for the first four hours and double time thereafter: Provided that all work done after 12 noon on Saturday shall be paid for at double time rates.

(c) Workers shall be allowed meal-money at the rate of 2s. per meal when they are called upon to work overtime, provided they cannot reasonably get home for their meals, and provided, also, that they were not notified on the previous day.

The provisions of clause 6 of this award shall not apply to the meal-money payment provided for in this subclause.

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 not later than Thursday on the premises of the employer and during working-hours.

(b) All wages shall be paid on the dismissal of the worker, but when a worker leaves on his or her own accord his or her wages shall be collectable on a day to be agreed upon, but not later than the following pay-day.

Deductions

8. An employer shall be entitled to make a rateable deduction from the weekly wages of any worker for any time lost by her through sickness, accident, or default, or on account of the temporary closing of the factory for cleaning or repairing the machinery. Nothing in this clause shall be construed to conflict with the provisions of section 32 of the Factories Act, 1921-22.

Holidays

9. (a) The following holidays shall be allowed without deduction from wages: a whole holiday on every Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Monday, Anzac Day, Labour Day, the birthday of the reigning Sovereign, and Anniversary Day or some other day in lieu thereof.

(b) Time worked on any of the above-named holidays or on Sundays shall be paid for at twice the ordinary rate.

(c) Payment of wages for the said holidays shall be made to all persons who have been employed at any time during the fortnight ending on the day on which the holiday occurs.

(d) If any of the above-mentioned holidays, except Anzac Day, falls on a Sunday, then for the purposes of this award such holiday shall be observed on the following Monday.

Annual Holidays

10. Annual holidays shall be granted in accordance with the provisions of the Annual Holidays Act, 1944.

Termination of Employment

11. One week's notice of the termination of employment shall be given in the case of weekly workers, and two hours' notice in the case of other workers.

General Conditions

12. (a) All work coming within the scope of this award done by an employee shall be performed in the factory of the employer.

(b) Piecework shall be prohibited.

(c) A first-aid medical outfit, suitably equipped, shall be provided and maintained by the employer, and shall be kept in a convenient and accessible place for use in case of accident.

(d) Notice of closing down for the Christmas holidays shall be posted in a conspicuous place at least three days before the holidays.

(e) Employers shall provide and keep in order facilities for boiling water at meal-times.

Spray Work

13. Workers engaged in spray painting shall be paid 3d. per hour in addition to the rate prescribed in clause 3 of this award. Such workers shall be supplied by the employer with suitable overalls and head coverings, which shall be thoroughly washed and cleaned at the employer's expense.

If in constant use, the overalls and head coverings shall be washed and cleaned at intervals of not more than one week. When in spray painting any material is used which is detrimental to health, workers engaged in such spray painting shall be provided with satisfactory respirators, which shall be maintained in an efficient condition.

Access to Workshops

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.

Disputes

15. Any dispute in connection with any matter not provided for in this award shall be settled by the employer and a representative of the union, and in default of any agreement being arrived at, then such matter shall be referred to the local Conciliation Commissioner, who shall either decide the matter or refer the same to the Court within twenty-eight days. Either side, if dissatisfied with the decision of the Commissioner, may appeal to the Court upon giving notice 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

16. (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

17. (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 wages, to examine the permit or agreement by which such wage is fixed.

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 districts to which this award relates.

Scope of Award

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

Term of Award

20. This award shall come into force on the 2nd day of July, 1945, and shall continue in force until the 2nd day of July, 1946.

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 22nd day of June, 1945.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The principal matters referred to and settled by the Court related to industry to which award applies, classifications and wages, work on which females may be employed, junior males, proportion, deductions, overtime, holidays, and spray work.

In making the award the Court has had regard to the provisions of the Economic Stabilization Emergency Regulations 1942.

A. TYNDALL, Judge.
