

NORTHERN, WELLINGTON, CANTERBURY, AND OTAGO AND
SOUTHLAND WOOLLEN-MILLS AND HOSIERY-FACTORIES'
EMPLOYEES.—AWARD

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

In the Court of Arbitration of New Zealand, Northern, 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 an industrial dispute between the New Zealand Federated Woollen-mills and Hosiery-factories' Employees' Industrial Association of Workers (hereinafter called "the union") and the undermentioned firms and companies (hereinafter called "the employers") :—

Akaroa Home Spun Tweeds, Ltd., 96 Hereford Street, Christchurch.

Bruce Woollen Manufacturing Co., Ltd., Milton.

Grant, John, and Co., Bell Road, Lower Hutt.

Kaiapoi Woollen Manufacturing Co., Ltd., Manchester Street, Christchurch.

Lane, Walker, and Rudkin, Ltd., 32 Montreal Street, Christchurch; and Alford Forest Road, Ashburton.

Mosgiel Woollen Factory Co., Ltd., Mosgiel.

Napier Woollen Mills, Ltd., 32 Main Street, Onopoto Valley, Napier.

Oamaru Worsted and Woollen Mills, Ltd., Oamaru.
 Onehunga Woollen Mills, Ltd., Onehunga, Auckland.
 Rosedale Woollen Mills, Ltd., Invercargill.
 Ross and Glendining, Ltd., High Street, Dunedin.
 Timaru Worsted and Woollen Co., Ltd., Bank Street,
 Timaru.
 Tattersfield Ltd., Richmond Avenue, Auckland.
 Wanganui Woollen Mills, Ltd., Wanganui.
 Waterproofing Industries, Ltd., 108 Taranaki Street,
 Wellington.
 Wellington Woollen Manufacturing Co., Ltd., 56 Jervois
 Quay, Wellington.

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 December, 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 18th day of June, 1945.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to which Award applicable

1. This award shall apply to the manufacture of all woven and machine-knitted fabrics and hosiery produced from wool, silk, rayon, cotton, or mixtures of these, and jute or hemp (other than rope).

Hours of Work

2. (a) The ordinary hours of work shall be forty in each week, to be worked from Monday to Friday, both days inclusive, between the hours of 8 a.m. and 5 p.m., with an interval of not less than forty-five minutes between 12 noon and 1 p.m.

(b) Adult male workers employed in making the necessary preparations for the work of the whole factory or mill may be required to commence work not earlier than 7 a.m.: Provided that the daily or weekly hours herein prescribed shall not be exceeded without payment of overtime rates for any such excess.

(c) Subject to the provisions of the Factories Act, 1921-22, and its amendments, shifts may be worked outside the ordinary hours as required by the employer.

(d) No worker shall be employed for more than four and a quarter hours continuously without an interval of at least three-quarters of an hour for a meal: Provided that where two shifts are worked the meal interval shall be not less than half an hour, and where continuous shifts are worked a crib-time of not less than twenty minutes shall be allowed without deduction from pay.

(e) Where regular shifts are worked they shall, wherever practicable, rotate so that workers are employed alternately in four-weekly periods on day or night shifts respectively.

(f) Where there is no member of the staff in charge of four or more workers, the leading hand on shift-work shall be paid not less than 5s. per shift in addition to his usual rate of pay.

(g) Where workers are on shift-work the substantial part of which falls outside the normal hours prescribed in sub-clause (a) of this clause, they shall be paid 2s. per shift in addition to the ordinary rates of pay: Provided that those

workers already in receipt of a payment under the provisions of any Woollen-mills Labour Legislation Suspension and Modification Order shall not be entitled to the extra payment under this clause.

(h) Unless by arrangement with the union secretary, no shift-work shall be done by any person under the age of eighteen years.

Overtime

3. (a) Overtime shall be paid for at the following rates: time and a half for the first three hours and double time thereafter until the recognized starting-time next day. Workers normally working the hours prescribed in clause 2 (a) who are required to work overtime for more than one hour and a quarter shall receive an allowance of 1s. 9d. for a meal. If the shift-workers are required to work more than one hour and a quarter beyond the regular finishing-time for shift-workers they shall receive an allowance of 1s. 9d. for a meal. Any worker having worked overtime shall not be required to recommence work until after an interval of eight hours.

(b) Any work done before or after the recognized starting or finishing time shall be paid for at overtime rates. Subject to the provisions of clause 2 (a), the recognized hour for starting work in each mill shall be the hour when the majority of the workers commence. Unless otherwise arranged between the mill-manager and the union, the recognized hour for starting work in each mill for night-shift workers shall be the hour when the majority of the particular shift commences.

(c) Nothing herein contained as to hours of work, overtime, and holidays shall be deemed to apply to watchmen, provided they are not employed at other work about the mill.

Control of Factory

4. (a) Every employer shall have full control over the management of his own factory, and shall be entitled to make such regulations, not inconsistent with the provisions of the Factories Act, 1921-22, and its amendments, or of this award, as he shall deem necessary for time-keeping and good order.

(b) It shall be the employer's right to introduce whatever machinery his business may require, and to divide or subdivide labour in any way he may deem necessary, subject to the payment of wages as hereinafter set forth: Provided that should any new process be introduced requiring the employment of workers not provided for in the classification set out in clause 5 hereof, the classification of such workers shall be fixed in accordance with the provisions of clause 21 of this award.

Wages

5. (a) The minimum rates of wages for the undermentioned classes of workers shall be as follows:—

Adult Males—

		Per Hour.	
		s.	d.
(i) In woollen-mills—			
Tuners	3	0½
Hosiery mechanic	3	0½
Wool-sorter	2	10½
Hand-loom weaver	2	10½
Warpers	2	10½
Spinners, woollen	2	10½
Assistant carders	2	10½
Assistant comber	2	10½
Head pressers	2	9
Wool-scourers	2	9
Blanket-raisers	2	9
Fettlers	2	9
Hosiery-scourers	2	9
Yarn storemen	2	9
Drawers and twistors-in	2	9
Croppers	2	9
Chain-minders	2	9
Wool-blenders	2	7½
Yarn-store assistants	2	7½
Finishing-room workers	2	7½
Dye-house workers	2	7½
Milling-room workers	2	7½
Piece-rollers	2	7½
Tenterers	2	7½
Wool-dryers	2	7½
Comb-minders	2	7½
Carding-machine men	2	7½
Other adult males	2	7½
(ii) In hosiery factories other than woollen-mills—			
Hosiery mechanics	3	0½
Hosiery foot operators	2	9
Leg operators	2	9
Hosiery-pressers	2	7½
Hosiery-oilers	2	7½
Hosiery-cleaners	2	7½
Hosiery-needle straighteners	2	7½
Hosiery-vat polers	2	7½
Other adult males	2	7½

(b) Flue-cleaning and filter-cleaning shall be paid for at the rate of 4s. per hour or by contract.

(c) The wage in every case shall be an hourly one, and a worker shall be entitled to be paid only for the time actually worked.

(d) *Senior Females.*—Except where otherwise provided, the minimum wage for females who have served four years and upwards shall be 1s. 7½d. per hour.

(e) *Junior Males.*—Boys under the age of eighteen years may be employed at not less than the following rates:—

	Per Week.		
	£	s.	d.
Under 16 years of age	1	6	6
16 to 16½ years of age	1	11	6
16½ to 17 years of age	1	16	6
17 to 17½ years of age	2	1	6
17½ to 18 years of age	2	6	6

	Per Hour.		
	s.	d.	
18 to 19 years of age	1	6	
19 to 20 years of age	1	8	
20 to 21 years of age	1	10½	

(f) *Junior Females.*—Subject to subclause (d) hereof, the minimum weekly rates of wages for junior females shall be as follows:—

Age commencing.	First Six Months.	Second Six Months.	Third Six Months.	Fourth Six Months.	Fifth Six Months.	Sixth Six Months.	Fourth Year.
Under 16 years ..	24/6	28/6	32/6	37/6	43/6	49/-	55/6
16 to 17 ..	32/-	36/-	40/-	45/-	51/-	56/6	63/-
17 to 18 ..	34/6	38/6	42/6	47/6	53/6	59/-	..
18 or over ..	37/6	41/-	45/-	50/-	56/-	61/-	..

Thereafter, the rate for senior females: Provided that female workers over twenty-one years of age shall be paid not less than £3 per week.

(g) Workers substantially employed operating hand knitting-machines shall be paid 1s. per day in addition to the wages prescribed in this award.

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.

Piecework

7. (a) Piecework logs shall set out clearly the rates payable for all classes of work, and such rates shall be so fixed that an ordinary pieceworker should be able to earn not less than 15 per cent. above the time rates prescribed in this award. Present piecework logs shall be increased by 10 per cent. under the stabilization pronouncement.

(b) An ordinary pieceworker shall be deemed to be a worker who, in the case of adult males, has reached the age of eighteen years; a junior male, one who has served the respective periods for junior males; in the case of senior females, one who has served four years and upwards; and in the case of junior females, one who has served the respective periods for junior females.

(c) Any pieceworker who does not earn in any week the minimum time rate specified in this award shall have his or her wages made up to that amount.

(d) In the case of weavers, the length of the warp and price per cut shall be clearly stated when the work is put on the loom. Dockets shall be supplied to each pieceworker for the purpose of checking the quantities of work, and where clocks are not used workers shall be paid for the actual yardage woven.

(e) Pieceworkers, including weavers, required to wait five minutes or longer for any reason other than power failure shall be paid for all time so waiting at the rate prescribed in this award. Time-sheets shall be supplied for the purpose of entering such waiting-time.

(f) In the event of any change occurring in the conditions of working, by the introduction of new machinery or additional power, necessitating an alteration in any piecework rates, then such rates shall be settled and fixed in accordance with clause 21 of this award. The employer shall notify the union of all such changes.

(g) Pieceworkers employed overtime shall be paid, in addition to their earnings, a sum equal to one-half of the amount of the said earnings for the first three hours, and a sum equal to their earnings thereafter, being not less in any case than 1s. 6d. per hour.

(h) A copy of the piecework log shall be exhibited in a place in each department accessible to all pieceworkers.

(i) Pieceworkers shall be paid the same rate as time-workers when employed at cleaning or doing work other than piecework, such cleaning and other work being not included in ordinary work. Such other work shall be entered by the worker concerned and initialed by the foreman, subject to the right of appeal in the event of the foreman refusing to sign.

(j) Where any pieceworker is teaching a beginner, such pieceworker shall be paid 4s. per day additional to the amount of earnings during the day or part thereof while so teaching, with a minimum payment of £1.

(k) Where one weaver attends to two looms, 15 per cent. shall be deducted from the piecework rates.

Foremen and Forewomen

8. Where foremen or forewomen are employed they shall be paid such sum additional to the prescribed minimum rate as they are at present receiving. Nothing in this award shall apply to foremen or forewomen who are respectively in receipt of a salary of £350 or over or £200 or over.

Carpet-weavers

9. Carpet-weavers, if not employed on piecework, shall be paid a time wage of not less than 10 per cent. in excess of the time rates provided herein. If employed on piecework, the piecework rates shall be calculated as for weavers under sub-clause (a) of clause 7 hereof.

Tuners

10. The number of tuners employed in any woollen-mill shall be according to the number of looms in use in such mill in proportion of one tuner to each twelve box looms in use; if tappet looms are in use, the number of looms in use per tuner shall be such number as is equivalent to twelve box looms. Twelve tappet looms equal eight box looms.

Termination of Employment

11. In the case of hourly workers, twenty-four hours' notice, to include eight working-hours, of the termination of the employment shall be given by either party. In the case of weekly workers, one week's notice, consisting of forty working-hours, shall be given.

Deduction from Wages

12. No deduction shall be made from wages of any worker for whom a weekly wage is prescribed by this award other than for time lost through the sickness or default of the worker or through accident not arising out of and in the course of the employment.

Holidays

13. (a) The following shall be recognized as holidays: New Year's Day and the day following, Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day, Boxing Day, and Anniversary Day. Should any of the foregoing holidays (except Anzac Day) fall on a Sunday, it shall be observed on the following Monday. When Christmas Day and New Year's Day fall on a Sunday, then Boxing Day and the day following New Year's Day shall be observed on the following Tuesday.

(b) Payment for the said holidays shall be made at the same rate as for an ordinary working-day when any of the said holidays falls or is observed upon an ordinary working-day—*i.e.*, Monday to Friday, both days inclusive.

(c) The payment for the said holidays 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.

(d) Any work done on any Sunday, Saturday afternoon, or on any of the holidays mentioned in subclause (a) hereof shall be paid at the rate of double time in addition to the payment prescribed in subclause (b) hereof.

Annual Holidays

14. Holidays shall be allowed in accordance with the provisions of the Annual Holidays Act, 1944.

General

15. (a) The weaving of patterns by female workers shall be at a time rate of 20 per cent. additional to the senior female time rate.

(b) In time of slackness or overtime, work shall, where practicable, be evenly divided between the workers in their own departments.

(c) An employer shall not require any worker to do any work whatsoever off the working premises, and no worker shall consent to do any such work.

(d) Where overtime is worked in any department, the allotted number of machines per worker shall not be more than the number worked during the hours of from 8 a.m. to 5 p.m. except with an appropriate adjustment of wages.

(e) Tea shall be supplied to the workers in their respective departments twice during each working period of eight hours, provided there is no cessation of work.

(f) Every worker who commences or reports for work at the required starting-time shall be paid an ordinary day's pay if there is no work available, unless notice to this effect has been given on the previous day.

(g) The employers shall, on written request at intervals of not less than three months, supply to the secretary of the union in the district the names of all workers employed under this award whom they have engaged during that period, and also the names of such workers as have attained the age of eighteen in that time.

Dressing, Dining, and Drying Rooms

16. (a) In all factories dressing-rooms shall be provided for both male and female workers in which sufficient locker accommodation is provided to hang the street clothing of all workers employed. There shall also be provided a room with suitable couch accommodation for rest in cases of temporary indisposition of females.

(b) Adequate clean and well-ventilated dining-rooms shall be provided with sufficient accommodation for all workers employed.

(c) Sufficient and proper ablution facilities shall be provided at which hot and cold water is available at any time. All wash-basins shall be kept in a state of cleanliness.

Pay Day

17. Wages shall be paid weekly or fortnightly, as may be mutually arranged between the employer and the union, and within working-hours.

Higher Duties

18. Any worker called upon to perform any work for which a higher rate is prescribed than his or her usual rate of pay shall be paid such higher rate for the time he or she is so employed.

Wet Work

19. Workers employed in the mill-house, dye-house, teasing department, scouring department, or other agreed wet place shall be supplied with suitable waterproof boots and waterproof clothing and woollen socks, which shall remain the property of the employer and shall not be removed from the employer's premises.

Factories Act

20. Subject to clause 23 hereof, all the provisions of the Factories Act, 1921-22, and its amendments relating to the employment of persons in factories and not herein specifically set forth shall be deemed to be incorporated in this award and shall be observed accordingly.

Disputes

21. Anything not provided for in this award shall be mutually arranged between two representatives of the union and the mill-manager. In the event of their being unable to agree, the matter shall be referred to the Conciliation Commissioner for the district for settlement. Either side, if dissatisfied with the decision of the Conciliation Commissioner, shall have the right to appeal to the Court of Arbitration.

Right of Entry

22. The secretary or other authorized officer of the union shall have power to enter at all reasonable times upon the premises of any employer bound by this award and there to interview any workers, but not so as to interfere unreasonably with the employer's business.

Extension of Hours under Factories Act

23. 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 in the manner and to the extent set forth in this award in respect of each occupier of a factory bound by the provisions of this award.

Workers to be Members of Union

24. (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

25. (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

26. 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

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

Term of Award

28. This award, in so far as it relates to wages, shall be deemed to have come into force on the 1st day of April, 1945, 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 December, 1945.

In witness whereof the seal of the Court of Arbitration hath herein been put and affixed, and the Judge of the Court hath hereunto set his hand, this 18th day of June, 1945.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The only matter referred to the Court related to shift-work pay. In other respects 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 wages have been made payable retrospectively in accordance with the agreement of the parties.

As regards shift-work, the expiring award does not make provision for any additional payment by way of shift allowance, but workers employed in certain woollen-mills and woollen-hosiery mills at present receive additional payments of this nature by virtue of the provisions of the Woollen-mills Labour Legislation Suspension and Modification Order.

Mr. Monteith is not in agreement, and his dissenting opinion follows.

A. TYNDALL, Judge.

DISSENTING OPINION OF MR. MONTEITH

I dissent from this decision awarding a shift rate of 2s. The position in this industry is that all shift-workers to-day get 3s. a shift except those who are employed by a few employers on silk hose. The following workers covered by awards receive a shift allowance of 2s. 6d. or 3s. a shift: Woollen-mills' Employees, 3s. (except Silk Hose); Wellington and Taranaki Grocers' Sundries' (Canning) Employees, 2s. 6d.; Taranaki, Wellington, Marlborough, and Nelson Grocers' Sundries' (General) Employees, 2s. 6d.; New Zealand Motor Trades' Employees, 3s.; New Zealand Metal Trades' Employees, 3s.; Wellington, Nelson, Westland, and Canterbury Coach-workers, 3s.; Marlborough Electric-power Board Employees (Diesel Plant), 3s.; Otago and Southland Preserved Foods, Jam, and Starch Factory Employees, 3s.; Northern, Wellington, Nelson, Canterbury, and Otago and Southland Biscuit and Confectionery Workers (by Suspension Order), 3s.; Otago and Southland Manufacturing Chemists, 3s.; New Zealand Freezing-works' Employees, 3s.; and there are many others I could name.

In view of the fact that the other workers under this award receive 3s. a shift and that to-day a very large number of workers are paid 2s. 6d. or 3s. a shift, I think that not less than 2s. 6d. should have been awarded.