

NORTHERN AND WELLINGTON INDUSTRIAL DISTRICTS
CARDBOARD-BOX, CARTON, AND PAPER-BAG MAKERS.—
 AMENDMENT OF AWARD

In the Court of Arbitration of New Zealand, Wellington Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925, and the Economic Stabilization Emergency Regulations 1942; and in the matter of an application for amendment of the Northern and Wellington Industrial Districts Cardboard-box, Carton, and Paper-bag Makers' award, dated the 31st day of October, 1944, and recorded in 44 Book of Awards 943.

In pursuance and exercise of the powers vested in it by the Economic Stabilization Emergency Regulations 1942, and upon application made by a party to the Northern and Wellington Industrial Districts Cardboard-box, Carton, and Paper-bag Makers' award, dated the 31st day of October, 1944, and recorded in 44 Book of Awards 943, this Court doth hereby order as follows:—

1. That the said award shall be amended by deleting clause 3, and substituting therefor the following clause:—

“ Classification and Wages ”

“ 3. Adult male workers:—

	Per Week.
	£ s. d.
“ (a) Adult employees whose duty it is to set up for other employees the machines in the cardboard-box, carton, cardboard-container, and paper-bag making sections of the industry	6 1 8
“ (b) Adult employees may be trained to become machinists or rule-benders at the following rates—	
“ First year	5 1 8
“ Second year	5 10 0
“ Thereafter	5-19 2
“ (c) Carton-rule bender	5 19 2
“ (d) Cutters, creasers, carton machinists, laminating machinists, paper-bag machinists, and machinists working other machines, excluding employees engaged on machines used for boxmaking ..	5 19 2

	Per Week.		
	£	s.	d.
"(e) Guillotine-machine operators—			
" First year	4	0	0
" Second year	4	7	6
" Third year	4	16	0
" Fourth year	5	4	6
" Thereafter	5	19	2
"(f) All other adult male workers	5	1	8
"(g) Juniors—			
" First six months	1	5	0
" Second six months	1	10	0
" Third six months	1	15	0
" Fourth six months	2	0	0
" Fifth six months	2	5	0
" Sixth six months	2	10	0
" Fourth year	2	17	6
" Fifth year	3	5	0
" Thereafter adult rates.			
" Provided that no worker of eighteen years shall be paid less than £2 per week.			
"(h) Females—			
" First six months	1	5	0
" Second six months	1	10	0
" Third six months	1	15	0
" Fourth six months	2	0	0
" Fifth six months	2	5	0
" Sixth six months	2	10	0
" Fourth year	2	15	0
" Fifth year	3	0	0
" Thereafter	3	5	0
" Provided that no worker of eighteen years shall be paid less than £2 per week.			
"(i) Provided that under subclauses (g) and (h) hereof a worker of the age of twenty-one years or upwards shall be paid not less than the basic wage for the time being prevailing.			
"(j) Feeders: Male and female feeders employed on the classes of work provided for in subclauses (a) to (d) of this clause shall not alter the adjustments of the machines except such as are necessary in washing up and starting and stopping the machine. They shall not do any make-ready."			

2. That this order shall be deemed to have come into force on the 1st day of April, 1945.

Dated this 18th day of July, 1945.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

With reference to the minimum weekly rates of wages for adult male workers under this award, in a number of amendments to awards under the Economic Stabilization Emergency Regulations the Court has granted an increase of 3½d. in the hourly rates for such workers and increases of 10s. or less per week in certain weekly rates. In those cases where increases of less than 10s. per week have been granted, the Court has taken into consideration increases granted to the particular weekly workers during recent years.

The general situation under the regulations, however, has recently undergone a change. On the 15th June, 1945, further important amendments were made to the regulations (Serial number 1945/75). Included in these amendments is a provision that, in making any future general order under the Rates of Wages Emergency Regulations 1940, the Court shall take into account, *inter alia*, any increase or reduction in rates of remuneration since the 15th day of December, 1942. The general orders of 1940 and 1942 provided for increases on a percentage basis, with special limitations in the case of the 1942 order. If any further general order is made in the future, it appears likely that such order will be of a character similar to the 1940 or the 1942 order.

So far as the percentage of increase is concerned, the general orders already made have recognized no differentiation between hourly and weekly workers. As, under recent amendments, the Court in making any general order in future is required to take into account any increases or reductions in rates of remuneration since 15th December, 1942, it now appears desirable that any adjustments in rates of general scope should possess some degree of uniformity so that, when considering a future order of general application, the Court will be faced with a minimum of confusion in complying with the direction to have regard to past increases. The situation, however, is complicated by the following factors:—

- (1) In making any *amendments* of awards or apprenticeship orders the Court was directed, and is still directed by Regulation 38, that it shall not have regard to any fluctuations in the cost of living.
- (2) In making any *general order* under the Rates of Wages Emergency Regulations in future the Court is required by Regulation 42 to take into account any rise or fall in the cost of living as indicated by the Wartime Price Index since the 15th day of December, 1942.

- (3) The general order of 1942 did not grant all workers a uniform percentage increase on the whole of their prescribed rates, and in making any such general order in future the Court is empowered by Regulation 43 to exclude from the scope of the order such portion of the remuneration in each week of the workers affected by the order as exceeds the amount determined by the Court, which amount may be varied as the Court thinks fit in the case of female workers, junior workers, and apprentices respectively.

So far as the hourly and weekly rates for adult male workers are concerned, in view of the recent amendments of the regulations and the above-mentioned complications, the Court now thinks that, except in cases where the relevant circumstances make it advisable or necessary to decide differently, it will be of advantage if the increases in these rates, when being determined in the light of the Court's recent pronouncement, are calculated on the basis of the same amount per hour.

Another weighty reason which has influenced the Court in coming to this conclusion is that since the Court made its standard-wage pronouncement on the 17th March, 1945, a number of groups of employers and workers, when agreeing to an increase of 3½d. per hour for adult male hourly workers, have at the same time agreed to an increase of 11s. 8d. per forty-hour week for the corresponding weekly workers (or more than 11s. 8d. in some cases as compared with the rates prevailing prior to the introduction of stabilization), while other groups of employers and workers, following certain decisions of the Court, have agreed to only 10s. per week increases to adult male weekly workers.

It is true that the Court, by virtue of its special powers and responsibilities under the Economic Stabilization Emergency Regulations, could have declined to make amendments providing for increases of 11s. 8d. per week where such have been agreed to, but it did not think that the economic stability of the Dominion would have been promoted to a greater extent by the refusal to incorporate such provisions than by the maintenance of existing industrial harmony in the industries concerned by the acceptance and putting into operation of the mutually agreed upon recommendations of the parties directly interested.

One result has been that in certain businesses some adult male weekly workers have received 11s. 8d. per week increase since the introduction of stabilization, while others working on the same premises have received only 10s. per week.

The Court has taken the above matters into consideration in making amendments to this award.

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

A. TYNDALL, Judge.

DISSENTING OPINION OF MR. PRIME

I do not agree that the last amendment to the Stabilization Regulations imposes any necessity to increase weekly wages by the same amount per hour as the hourly rates are increased. The Court has been given no fresh direction, express or implied, and it should preserve its right to deal with weekly rates as such without direct reference to the amount of hourly rates. Nor do I agree that the relatively few cases in which employers have agreed to increase weekly wages by 11s. 8d. a week constitute a sufficient precedent to justify the Court in following it. Those cases in which greater amounts than 11s. 8d. have been agreed upon constitute a separate class in which it is obvious that special considerations have been given weight, otherwise the Court should not have approved them for the purpose of the regulations.
