

NORTHERN, WELLINGTON, CANTERBURY, AND OTAGO AND
SOUTHLAND **BRUSH AND BROOM TRADE 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 Brush and Broom Trade Employees' Industrial Association of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

Auckland Brush Co., Ltd., 347 Queen Street, Auckland.
Brown, J. F., and Sons, Portage Road, Auckland.
Bunting and Co., Ltd., Fyfe Street, Christchurch.
Disabled Soldiers' Products, Auckland.
Dominion Brush Co., Ltd., Wanganui.
Fears Brush Co., Ltd., The Strand, Parnell, Auckland.
Heath's Utility Mops (New Zealand), Ltd., Kings
Buildings, Emily Place, Auckland.
Jolly, C. S., Wanganui.
Kapai Corn Broom Co., Ltd., Kitchener Street, Auckland.
National Brush Co. (New Zealand), Ltd., Federal Street,
Auckland.
Otago Brush Co., Ltd., 135 King Street, Dunedin.
Ringamops (New Zealand), 272 Parnell Road, Auckland.
Trevithick, C., Lower Hutt.
United Brush Co., Ltd., 180 Durham Street, Christchurch.

THE Court of Arbitration of New Zealand (hereinafter called "the Court"), having taken into consideration the terms of settlement arrived at in the above-mentioned dispute and forwarded directly to the Court pursuant to the provisions of section 3 of the Industrial Conciliation and Arbitration Amendment Act (No. 2), 1939, 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 16th day of August, 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 18th day of September, 1945.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to which Award applies

1. This award shall apply to the brush and broom industry, which industry, for the purposes of this award, comprises the making by hand or by machine of all brooms, household, sanitary, toilet, and other brushes, whether made of bass, straw, hair, wool, bristles, wire, or other material of a like substance; all paint-brushes and other trade brushes, the making of mops, dusters, and articles of a similar nature in which the material is fixed to a solid base by glue, thread, or wire; and hairlock workers.

Hours of Work

2. The ordinary hours of work shall be forty per week, and not more than eight hours shall be worked on each of five days of the week from 8 a.m. to 5 p.m., with not more than one hour for lunch, from Monday to Friday, both days inclusive.

Overtime

3. Work done before the ordinary time for commencing work or after the ordinary time for ceasing work shall be paid for as follows: time and a half for the first three hours, and thereafter double time: Provided that one adult worker may be permitted to commence not earlier than 7 a.m. to do necessary preparatory work, such extra time to be paid for at ordinary rates.

Holidays

4. (a) The following shall be the recognized holidays which, if they fall on an ordinary working-day, shall be paid for: Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Monday, Anzac Day, Labour Day, Anniversary Day or another day in lieu thereof, and the birthday of the reigning Sovereign.

(b) All work performed on any of the days prescribed in subclause (a) hereof shall be paid for at the rate of double time in addition to the ordinary day's pay.

(c) Should any of the foregoing holidays, except Anzac Day, fall on a Sunday, it shall be observed on the following day.

(d) An annual holiday shall be allowed to all workers in accordance with the provisions of the Annual Holidays Act, 1944. Such holiday shall be given and taken in conjunction with the Christmas - New Year holidays.

Wages

5. (a) The following shall be the minimum rates of wages payable to adult male workers:—

	Per Hour.
	s. d.
(i) Paint-brush maker, sawyer operating circular saws, shaper (hand), wood-turner (hand), borer, pan hand, and duco sprayer ..	3 0½
(ii) Corn-broom maker and/or sorter, other sawyers, wood-turner (automatic), bass-broom worker (who sets up his own machine), twisted-wire-brush maker, duco workers other than sprayers, and first trimmer (who supervises other trimmers)	2 10
(iii) All other workers	2 7½
(iv) Dry-hair drafter—	
First year	2 7½
Second year	2 8½
Third year	2 9½
Fourth year	2 10½
Thereafter	3 0½

(b) The following shall be the minimum rates of wages payable to junior male workers:—

	Per Week.		
	£	s.	d.
First six months	1	1	0
Second six months	1	5	0
Third six months	1	9	0
Fourth six months	1	13	0
Fifth six months	1	19	0
Sixth six months	2	3	0
Seventh six months	2	7	0
Eighth six months	2	13	6
Ninth six months	3	2	6
Tenth six months	3	15	0

Thereafter, the rates prescribed for adult male workers.

A proportion of one junior to three journeymen or fraction of three journeymen in classes (i), (ii), and (iv) only shall be allowed.

(c) The following shall be the minimum rates of wages payable to 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.
Under 16 years ..	20/-	24/-	28/-	34/-	38/-	42/-	50/-
16 to 17 years ..	24/-	28/-	34/-	38/-	42/-	50/-	..
17 to 18 years ..	28/-	34/-	38/-	42/-	50/-	..	..
18 to 19 years ..	34/-	38/-	42/-	50/-	..	..	..
19 to 20 years ..	38/-	42/-	50/-	..	..	..	..
20 to 21 years ..	42/-	50/-	..	..	..	..	..
Thereafter £3 2s. 6d. per week.							

(d) Any worker who is at present receiving more than the minimum wage herein prescribed shall not have his or her wages reduced.

(e) No worker of the age of twenty-one years and upwards shall be paid less than the basic wage for the time being prevailing.

Increase in Rates of Remuneration

6. Except where otherwise provided, 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.

Certificate of Service

7. The employer shall furnish all workers with a certificate upon the termination of the service from any cause showing the time served.

Termination of Employment

8. In the case of hourly workers, twenty-four hours' notice of the termination of service of the worker shall be given by the employer to the worker or by the worker to the employer. In the case of weekly workers, one week's notice shall be given. Nothing in this clause shall prevent the summary dismissal of a worker for wilful misconduct.

Matters not provided for

9. 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 Inspector of Awards, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision

of the Inspector of Awards, 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.

Right of Entry on Premises

10. The secretary or other authorized officer of the union 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.

Workers to be Members of Union

11. (a) Subject to the provisions of subsection (5) of section 18 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.

(c) Every person who, being obliged to become a member of any union by the operation of the foregoing provisions, fails to become a member of that union when requested so to do by his employer or any officer or representative of the union commits a breach of this award, and shall be liable accordingly.

(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

12. (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.

General Conditions

13. (a) Employers shall allow meal-money at the rate of 2s. per meal when workers are called upon to work overtime after 6 p.m., provided that such workers have not been notified on the previous day of the intention to work overtime and cannot reasonably get home for their meals. This payment shall not be subject to the provisions of clause 6 hereof increasing rates of remuneration.

(b) Work may be done by piecework or on the premium-bonus system, but in either case at such rates as shall secure to a worker of average ability at least 10 per cent. more than the minimum rate provided in this award: Provided that all bonus rates shall be agreed upon between the union and the particular employer concerned.

(c) A first-aid compressed kit, suitably equipped and maintained, shall be kept in a convenient and accessible place in every factory.

(d) Workers employed at duco dipping and spraying shall, at their request, be supplied with respirators.

(e) Females shall not be employed at or on pan-work or at freehand boring; or at boring brushes, brooms, stocks, or boards when the size of the bit or drill is $\frac{3}{8}$ of an inch or over unless a fully automatic machine is operated.

(f) Workers whose work requires the use of clogs or gum boots shall receive 1s. 6d. per day allowance, and wet hacklers shall be provided with waterproof aprons and clogs.

Application of Award

14. 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

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

Term of Award

16. This award, in so far as it relates to wages, shall be deemed to have come into force on the 16th day of August, 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 16th day of August, 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 18th day of September, 1945.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

In making the award, which embodies the terms of settlement arrived at by the assessors in Conciliation Council, the Court has had regard to the provisions of the Economic Stabilization Emergency Regulations 1942. Wages have been made payable retrospectively, in accordance with the agreement of the parties.

A. TYNDALL, Judge.