

**TARANAKI, WELLINGTON, MARLBOROUGH, CANTERBURY,  
AND SOUTHLAND PLACES OF AMUSEMENT (OTHER THAN  
THEATRES) AND SPORTS BODIES' EMPLOYEES.—AWARD**

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

In the Court of Arbitration of New Zealand, Taranaki, Wellington, Marlborough, 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 (except Northern, Nelson, and Westland) Theatrical and Places of Amusement and Related Employees' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, companies, societies, and associations (hereinafter called "the employers") :—

**TARANAKI INDUSTRIAL DISTRICT**

South Taranaki Winter Show Co., Ltd., 36 Princes Street, Hawera.  
Taranaki Agricultural Society (W. F. Okey, Secretary), New Plymouth.

**WELLINGTON INDUSTRIAL DISTRICT**

Hilton, F., 3 Moxham Avenue, Wellington.  
Luna Park, Ltd., Skating Rink, Wakefield Street, Wellington.  
McDonald, J., St. George Billiard Room, Willis Street, Wellington.  
New Zealand Amateur Athletic Association (H. McCormick, Secretary), Brandon Street, Wellington.  
New Zealand Attractions, Ltd., Majestic Buildings, Willis Street, Wellington.  
New Zealand Football Association (A. Williams, Secretary), 4 Guthrie Avenue, Lower Hutt.  
Walker and Duncan, Sportsland, 98 Courtenay Place; and Amusement Park, Dixon Street, Wellington.  
Wellington City Council, Town Hall, Wellington.  
Wellington Football Association, P.O. Box 691, Wellington.  
Wellington Horticultural Society (H. H. Miller, Secretary), Brandon Street, Wellington.  
Wellington Wrestling Association (A. G. Washer), Huddart Parker Building, Wellington.

**MARLBOROUGH INDUSTRIAL DISTRICT**

Blenheim Borough Council, Town Hall, Blenheim.  
Marlborough Boxing Association, Market Street, Blenheim.  
Marlborough Rugby Football Association, Market Street, Blenheim.  
Stockdale, E. G., Amusement Parlour, 5 Market Street, Blenheim.

**CANTERBURY INDUSTRIAL DISTRICT**

Caledonian Society, Caledonian Hall, Dilmore Street, Christchurch.  
Canterbury Lawn Tennis Association, 213 Manchester Street, Christchurch.  
De Luxe Skating Rink, 132 Kilmore Street, Christchurch.  
Sporrow, W., Majestic Billiard Room, Manchester Street, Christchurch.  
Timaru Agricultural Association, George Street, Timaru.  
Winter Garden Dance Hall, Armagh Street, Christchurch.

## SOUTHLAND PROVINCIAL DISTRICT

- Elmwood Gardens (Miss D. Paterson, Proprietress), Esk Street, Invercargill.  
 Holloway, J., Billiard Parlour, Don Street, Invercargill.  
 Invercargill Musical Union, Inc. (G. Skipworth, Secretary), P.O. Box 323, Invercargill.  
 North Invercargill Public Hall, Inc. (Mrs. J. Hannam, Secretary), George Street, North Invercargill.  
 St. Mary's Hall Committee (V. Shirley, Hon. Secretary), Eye Street, Invercargill.  
 Southland Agricultural and Pastoral Association (A. Adamson, Secretary), Invercargill.  
 Southland Boxing Association (F. A. Hughes, Secretary), Invercargill.  
 Southland Rugby Football Union (W. A. H. Oliver, Secretary), Crescent, Invercargill.  
 Southland Wrestling Association (P. Hughes, Secretary), Dee Street, Invercargill.

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 1st day of October, 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 26th day of October, 1945.

[L.S.]

A. TYNDALL, Judge.

### SCHEDULE

#### PART I.—INDOOR AMUSEMENTS

##### *Definition*

1. Indoor places of amusement shall include all cabarets, dance-halls, skating-rinks, boxing and wrestling contests, billiard-rooms, and all other indoor places of amusement where a charge is made for admission, or any other place where any mechanical device is in operation for the amusement of the public and for the use of which a charge is made.

##### *Hours of Work*

2. Except as otherwise provided in this Part of this award, the ordinary hours of work for weekly workers shall be forty per week, to be worked to suit the exigencies of the particular establishment.

##### *Wages*

3. (a) Except as otherwise provided in this Part of the award, workers shall be paid not less than the following rates of wages:—

	Per Week.		
	£	s.	d.
Adult males .. .. .	5	5	0
Males under twenty years of age and females .. .. .	3	0	0

(b) Casuals may be employed at the following minimum rates:—

	Per Hour.	
	s.	d.
Adult males .. .. .	2	9½
Males under twenty years of age and females .. .. .	2	1½

A casual worker is a worker who is employed for not more than three consecutive days.

*Boxing and Wrestling Contests*

4. (a) The minimum rate of wages for attendants at boxing and wrestling contests shall be 8s. 9d. per performance.

(b) The hours for all performance workers shall not exceed three and a half hours without payment of overtime.

*Skating Rinks*

5. For the purposes of this award a "floor manager" is one who is competent to maintain the floor surface and supervise and control the conduct of patrons.

Floor-manager: £5 10s. per week not exceeding forty hours.

Adult skate-room attendant who is competent and whose duty it is to adjust or repair skates: £4 17s. 6d. per week not exceeding forty hours.

Doorkeeper and general assistants: 7s. 6d. per performance, or £2 15s. per week not exceeding twenty hours, or £5 5s. per week not exceeding forty hours.

Instructors: 7s. 6d. per performance.

Ticket-sellers: 7s. 6d. per performance, or £2 16s. per week not exceeding thirty-six hours.

Nothing in this award shall apply to skate-boys under the age of eighteen years.

Female cloak-room and stall attendants: 6s. 6d. per performance, or £2 16s. per week not exceeding forty hours.

Floor-managers, adult skate-room attendants, and female cloak-room and stall attendants shall be paid ordinary time in addition to the weekly wage for time worked over forty hours but not exceeding forty-four hours in any week.

*Billiard-rooms*

6. (i) The ordinary hours of work shall be worked on not more than six days per week as follows:—

(a) *Full-time Workers.*—Not more than forty hours per week, nor more than eight hours per day. The daily hours shall be worked with not more than one break in a span of twelve hours, unless otherwise agreed between the union and the employer concerned.

(b) *Night Workers.*—Not more than thirty hours per week, nor more than five hours per day, except on Saturdays, when seven hours thirty minutes may be worked between 1 p.m. and 11 p.m., with not more than one break.

(ii) The following shall be the minimum rates of wages:—

			Per Week.		
			£	s.	d.
Full-time workers	..	..	5	2	6
Night workers	..	..	3	15	0

Full-time workers shall be paid ordinary time in addition to the weekly wage for time worked over forty hours but not exceeding forty-four hours in any week.

The rate of pay for casuals shall be not less than 15 per cent. in addition to the computed hourly wage. Any worker who is employed for less than one week shall be deemed to be a casual worker.

(iii) Nothing in this award, other than clauses 11, 13, and 26, shall apply to managers of billiard-rooms in receipt of not less than £325 per annum.

#### *Dance-halls and Cabarets*

7. (a) The minimum rates of wages for attendants at dance-halls and cabarets shall be:—

			Per Performance.		
			£	s.	d.
Master of ceremonies	..	..	1	2	6
Other attendants	..	..	0	15	0

(b) The ordinary hours for all performance workers shall not exceed five hours, to be worked continuously and to finish not later than midnight.

(c) For all work done between the hours of 12 midnight and 2 a.m., 2s. 6d. per hour or part thereof shall be paid in addition to the above rates; thereafter, double time rates. This subclause shall not apply to performances commencing between the hours of 12 midnight and 6 a.m.

#### PART II.—OUTDOOR AMUSEMENTS

##### *Definition*

8. Subject to the provisions of clause 25 hereof, this Part of the award shall apply to agricultural and pastoral associations, to speedways, shows, and/or exhibitions; and to workers other than score-board attendants and ball-boys employed at grounds where cricket or Rugby, association, or league football is played; athletic and sports meetings; but shall not apply to any other outdoor amusements until specifically brought within the scope of this award.

*Hours of Work*

9. The ordinary hours of work for weekly workers shall be forty per week, to be worked to suit the exigencies of the particular establishment.

*Wages*

10. Workers covered by this Part of this award shall be paid not less than the following rates of wages:—

				Per Week.		
				£.	s.	d.
(a)	Adult males	..	..	5	5	0
	Males under twenty years of age and females	..	..	3	0	0

Casuals may be employed on sideshows, games, or riding-devices at the following minimum rates:—

				Per Hour.	
				s.	d.
	Adult males	..	..	2	9½
	Males under twenty years of age and females	..	..	2	1½

A casual worker is a worker who is employed for not more than three consecutive days.

(b) The minimum rates of wages for workers employed at agricultural and pastoral society shows shall be—

(i) Where a worker is employed for four hours and not more than eight hours in any one day:—

				Per Day.		
				£	s.	d.
	Ticket-sellers	..	..	1	5	0
	All other male workers	..	..	1	2	6
	Female workers	..	..	1	0	0

(ii) Where a worker is employed for less than four hours, 2s. 9d. per hour, with a minimum of two and a half hours.

**PART III.—GENERAL CONDITIONS APPLICABLE TO ALL WORKERS COVERED BY THIS AWARD**

*Annual Holiday*

11. Annual leave shall be granted to all workers in accordance with the provisions of the Annual Holidays Act, 1944, and its amendments.

*Holidays*

12. Payment in addition to the ordinary wage or rates shall be made for time worked on holidays as under:—

Christmas Day, Good Friday: Double ordinary rate.

New Year's Day and the day following, Anniversary Day or a day in lieu thereof, Easter Monday, the birthday of the reigning Sovereign, Labour Day, and Boxing Day: Ordinary rate.

For time worked on Sunday, payment shall be made at double ordinary rate.

Should any of the aforementioned holidays fall on a Sunday, the following Monday shall be observed as an award holiday.

This clause shall not apply to workers employed by agricultural and pastoral societies, but shall not exempt workers employed on side-shows and exhibitions.

*Overtime*

13. Except as otherwise provided, all time worked outside or in excess of the ordinary hours of work shall be paid for at the rate of time and a half for the first three hours and double time thereafter. Save as otherwise provided, all time worked between midnight and 7 a.m. shall be paid for at double ordinary rates.

*Termination of Employment*

14. (a) Weekly wage workers and performance workers employed on six days of the week shall be engaged by the week, unless longer periods are agreed upon. One week's notice of termination of engagement shall be given by either side.

(b) Twenty-four hours' notice shall be given by either party in the case of other performance workers.

(c) Notwithstanding the foregoing, an employer shall be entitled for good cause summarily to dismiss a worker without notice.

*Uniforms*

15. When an employer requires a worker to wear a uniform, such shall be supplied by the employer, who shall also arrange for its washing, laundering, and repairing. A uniform is a special dress other than a worker's ordinary clothing and the colour and/or style of which is dictated by the employer.

Where an employer requires an attendant to wear dress shirts, they shall be deemed to be part of a uniform.

*Meal Intervals*

16. No worker shall be called upon to work for a longer period than five hours without an interval or an opportunity for a meal. Where it is found impossible to give a worker time off for a meal, a meal shall be supplied by the employer.

*No Reduction in Wages*

17. Nothing in this award shall operate to reduce the wages paid for any job at the time of the making of this award.

*Commencement of Engagement*

18. Any worker directed by the employer to report for work shall be paid from the time he or she was directed to attend and did attend (whether work is ready to be commenced or not), with a minimum of two and a half hours.

*Payment of Wages*

19. Unless otherwise agreed, wages shall be paid during working-hours and, in the case of weekly workers, not later than Thursday.

Should any worker be discharged or compelled to leave before the end of the week he shall, unless otherwise agreed, be paid all moneys due to him up to the time of his leaving the employment prior to leaving the job.

*Travelling-time*

20. Where a worker is required by the employer to travel more than ten miles to the place of employment, the employer shall provide transport.

*Matters not provided for*

21. The essence of this award being that on no account whatsoever shall the work be impeded, 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 Conciliation Commissioner or other person mutually agreed upon, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Commissioner or such other person, 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.



*Interviewing Workers*

22. The secretary of the union shall be permitted from time to time to interview workers at a suitable time to be arranged between the employer and the secretary of the union.

*Workers to be Members of Union*

23. (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*

24. (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.

### *Exemptions*

25. (a) Nothing in this award shall apply to the Wellington City Council in respect of workers employed at the Town Hall or at the Council's reserves who are employed under the Local Body Officers' award.

(b) The provisions of clause 12 of this award shall not apply to agricultural and pastoral societies and associations; but this provision shall not be deemed to exempt side-shows and similar places of amusement operating on showgrounds.

### *Increase in Rates of Remuneration*

26. 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.

#### *Application of Award*

27. 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 the 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*

28. This award shall operate throughout the Taranaki, Wellington, Marlborough, and Canterbury Industrial Districts, and that portion of the Otago and Southland Industrial District comprised in the former Provincial District of Southland.

#### *Term of Award*

29. 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 1st day of October, 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 26th day of October, 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.