

NORTHERN INDUSTRIAL DISTRICT (EXCEPT GISBORNE JUDICIAL DISTRICT) FURNITURE TRADE.—AMENDMENT OF APPRENTICESHIP ORDER

In the Court of Arbitration of New Zealand, Northern Industrial District.—In the matter of the Apprentices Act, 1923, and the Economic Stabilization Emergency Regulations 1942; and in the matter of the Northern Industrial District (except Gisborne Judicial District) Furniture Trade apprenticeship order, dated the 31st day of October, 1938, and recorded in 38 Book of Awards 3195.

IN pursuance and exercise of the powers vested in it by the Economic Stabilization Emergency Regulations 1942, and upon application made in that behalf for amendment of the Northern Industrial District (except Gisborne Judicial District) Furniture Trade apprenticeship order, dated the 31st day of October, 1938, and recorded in 38 Book of Awards 3195, this Court doth hereby order as follows:—

1. That the said apprenticeship order shall be amended by deleting clause 10, and substituting therefor the following clause:—

“ 10. (a) The minimum weekly rates of wages payable to apprentices, other than those provided for in subclause (b) hereof, shall be the undermentioned percentages of an amount equal to forty times the nominal hourly wage rate for journeymen in the branch of the industry to which the apprentice is apprenticed, as prescribed by the award or agreement relating to the employment of journeymen in force from time to time in the locality:—

“ For apprentices commencing their apprenticeship when under eighteen years of age—

	Per Cent.
“ First six months ..	23
“ Second six months ..	29
“ Third six months ..	35
“ Fourth six months ..	41
“ Fifth six months ..	47
“ Sixth six months ..	53
“ Seventh six months ..	59
“ Eighth six months ..	65
“ Ninth six months ..	71
“ Tenth six months ..	77

“ For apprentices commencing their apprenticeship when eighteen years of age or over—

	Per Cent.
“ First six months ..	35
“ Second six months ..	41
“ Third six months ..	47
“ Fourth six months ..	53
“ Fifth six months ..	59
“ Sixth six months ..	65
“ Seventh six months ..	71
“ Eighth six months ..	77
“ Ninth six months ..	83
“ Tenth six months ..	89

“(b) The minimum weekly rates of wages payable to apprentices in branches of the industry for which a three-year term of apprenticeship is provided shall be the undermentioned percentages of an amount equal to forty times the nominal hourly wage rate for journeymen in the branch of the industry to which the apprentice is apprenticed, as prescribed by the award or agreement relating to the employment of journeymen in force from time to time in the locality:—

	Per Cent.
“ For the first six months	47
“ For the second six months	53
“ For the third six months	59
“ For the fourth six months	65
“ For the fifth six months	71
“ For the sixth six months	77 ”

2. That, for the purpose of removing doubts as to the operation of 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, it is hereby declared that the amended rates of remuneration provided by this order shall be increased to the extent and in the manner set forth in the said two general orders of the Court.

3. That this order shall, on and from the date on which it takes effect, be deemed to apply according to its tenor to all contracts of apprenticeship in force on that date and entered into subject either to the provisions of the said apprenticeship order or to the provisions of an apprenticeship order that has before that date been superseded, directly or indirectly, by the said apprenticeship order.

4. That this order shall be deemed to have taken effect on the 1st day of July, 1945.

Dated this 19th day of October, 1945.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

Mr. Anderson, on behalf of the employers, did not oppose the amendments asked for in the application of the workers' union, but objected to a request that the order making the amendments should operate retrospectively from 1st April, 1945.

The Court has given careful consideration to the general question of the dates from which any future amendments to apprenticeship orders made pursuant to Regulation 39A of the

Economic Stabilization Emergency Regulations shall be deemed to have effect. The following matters have been taken into account:—

As a result of Amendment No. 5 to the aforementioned regulations, and the pronouncement of 17th March, 1945, the Court has been inundated with many hundreds of applications for amendments to awards, industrial agreements, and apprenticeship orders.

In connection with awards and industrial agreements, the Court in its pronouncement of 17th March, 1945, stated that all amendments made pursuant to Regulation 39A (1) in respect of applications submitted within a reasonable time would be directed to have effect as from 1st April, 1945. No such general announcement has been made in relation to amendments to apprenticeship orders. It is a fact, however, that there has in some cases been undue and unreasonable delay on the part of a number of workers' organizations in the submission of applications for amendment of apprenticeship orders. It should be pointed out that up to the present it has been physically impossible for the Court to deal with amendments to apprenticeship orders contemporaneously with hundreds of amendments to awards and agreements, as well as with its normal work.

To give some lead to the interested parties, and to assist future negotiations, the Court agreed earlier in the year to hear an application for amendment of the Northern Industrial District (except Gisborne Judicial District) Carpenters and Joiners' apprenticeship order. The case was argued by representatives of the Federation of Labour and the employers. The decision of the Court on this application was issued on 29th June, 1945 (45 Book of Awards 769). Up till 29th June, therefore, interested parties had no indication of the policy the Court was likely to adopt in amending apprenticeship orders, and consequently employers were not in the position to make reasonable preparation for meeting any financial obligations that might accrue under such retroactive amendments as the Court might think fit to make.

Having regard to the above facts, as well as to the delay which has taken place in the submission of applications and in their consideration by the Court, it has been decided that where the Court is called upon in future to determine the date of coming into operation of an amendment to the rates of remuneration in an apprenticeship order it will order that the

amendment shall take effect on and from the 1st day of July, 1945, subject, however, to the condition that the application for amendment shall have been filed with the Clerk of Awards on or before 5th November, 1945.

In cases where the date of coming into operation of an amendment has been agreed upon by the interested parties, the Court will make an order in accordance with such agreement.

It has come to the notice of the Court that a number of amendments to the provisions of apprenticeship orders other than those relating to rates of remuneration are being considered. It should be made clear that the Court has no power to deal with such amendments under Regulation 39A. It would be of assistance to the Court, therefore, if interested parties would confine their applications for amendment in the meantime to rates of remuneration, so that all necessary amending orders can be issued as early as possible.

A. TYNDALL, Judge.
