NEW ZEALAND (EXCEPT TARANAKI, MARLBOROUGH, AND NELSON) **FOOTWEAR-MANUFACTURING EMPLOYEES.**—AMENDMENT OF AWARD

In the Court of Arbitration of New Zealand, Northern, Wellington, Westland, 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 the New Zealand (except Taranaki, Marlborough, and Nelson) Footwear-manufacturing Employees' award, dated the 29th day of March, 1945, and recorded in 45 Book of Awards 175.

Wednesday, the 19th day of December, 1945

UPON reading the application made by the New Zealand Federated Footwear Trade Industrial Association of Workers for amendment of the New Zealand (except Taranaki, Marlborough, and Nelson) Footwear-manufacturing Employees' award, dated the 29th day of March, 1945, and recorded in 45 Book of Awards 175, and upon being satisfied that all the parties to the said award are desirous that it should be reviewed by the Court, and upon hearing the duly appointed representatives of the said association of workers and of the employers party to the said award, the Court, in pursuance and exercise of the powers vested in it by section 92 (1) (*c*) of the Industrial Conciliation and Arbitration Act, 1925, and of every other power in that behalf thereunto enabling it, doth hereby order as follows:—

1. That the said award shall be amended in the manner following:—

(i) By deleting clause 9, and substituting therefor the following clause:—

"*Wages of Adult Male Workers*

"9. Except where otherwise herein provided, the minimum rates of wages for adult male workers shall be not less than the following:—

"(*a*) Workers employed at clicking by hand or pulling over by hand: 3s. per hour.

"(*b*) Workers who do not fall within the scope of either subclause (*a*) or subclause (*c*) of this clause: 2s. 11d. per hour.

"(*c*) Workers employed on any of the operations set out in clause 10 (*a*) of this award: 2s. 10¼d. per hour.

"(*d*) There shall be complete interchangeability of workers from one operation to another operation within each of the foregoing three groups.

"The employer shall have the right to transfer a worker from one group to another group, provided, however, that the worker shall be paid not less than his usual rate if such be the higher, or not less than the rate prescribed for the group to which he is transferred in the event of the latter rate being higher than his usual rate."

(ii) By deleting the words and figure "Thereafter, the minimum wages prescribed in clause 9" in subclause (*c*) of clause 10, and substituting therefor the words and figure "Thereafter, the minimum rate of wages prescribed in subclause (*c*) of clause 9."

(iii) By deleting the word and figure "clause 9" in subclause (*d*) of clause 10, and substituting therefor the words and figure "subclause (*c*) of clause 9."

2. That this order shall come into force on the day of the date hereof.

[L.S.] A. TYNDALL, Judge.

MEMORANDUM

At the end of last January the Court heard the New Zealand Footwear-manufacturing Employees' dispute. Claims were made for increases in wage-rates on behalf of the workers, but no evidence whatever was called in support of the claims. The Court made the award on 29th March, 1945, and adjusted the wage-rates in line with the adjustments which have been made to most other awards and industrial agreements following the pronouncement of 17th March, 1945.

On 13th August, 1945, an application was filed with the Clerk of Awards asking that the Court should amend the award in such manner as it thought fit after hearing such evidence as might be brought concerning the degrees of skill exercised and other relevant argument concerning the work done by the various classes of workers employed within the

scope of the award. The application was made pursuant to sections 92 and 93 of the Industrial Conciliation and Arbitration Act, 1925.

Section 92 (1) (*c*) reads:—

> Power to amend the provisions of the award for such purpose and in such manner as the Court thinks fit in any case in which the Court is satisfied that all the parties to the award are desirous that it should be reviewed by the Court.

The Court subsequently received communications from representative organizations and a number of individual employers which satisfied it that all the parties to the award were desirous that it should be reviewed by the Court in so far as the rates of wages of adult male workers are concerned.

The application was heard on 5th November, 1945.

Awards have been in operation for the footwear-manufacturing trade for forty-five years, but on no occasion has a rate of wages for any adult male worker been fixed on as high a scale as the standard skilled rate prevailing at the time when each award was made. A large number of the awards were the result of complete agreements of the parties.

Provision has also been made for the training of apprentices in the industry for over thirty-five years, and the period of training has ranged from six years downwards. The evidence shows that at the present time there are a number of operatives in the industry who have served periods of apprenticeship from three years down to one year, while there are a considerable number who have served no apprenticeship at all.

It will be noted that under clauses 10 (*c*) and 10 (*d*) of the present award adult male workers are entitled to receive the same rate of wages after only six months' experience as workers who may have served an apprenticeship of five years.

In 1923 (24 Book of Awards 872, at 880) the memorandum of Frazer, J., to the male boot operatives' award contained the following statement:—

> The employers submitted a scheme of classification, but the workers' federation did not submit any counter-proposal on the subject. In view of the importance of having a scheme of classification thoroughly investigated, the Court has hesitated to adopt the system proposed by the employers, and for that reason has decided to renew, with a few amendments, the existing award. The Court is satisfied that the boot-manufacturing industry is one to which a classification can be applied, and for that reason has made the term of the award one year only. We have left it open to the parties to agree on a scheme of classification at any time during the term of the award. If the parties cannot agree on such a scheme before the matter comes again before the Court, the Court will probably embody an arbitrary scheme in the next award.

Despite the above references, no scheme of classification has up to the present been incorporated in any of the awards for the industry made since 1923. It is obvious that the question has been fraught with great difficulties.

The Court is satisfied from the evidence that there are varying degrees of dexterity in the operations carried on in footwear-factories, and has endeavoured to frame a simple classification, with the object of giving some recognition to that fact.

It should be mentioned that a scheme of classification is in operation in Australia, but it should also be stated that the highest rates prescribed thereunder are well below the rates fixed for carpenters, plumbers, painters, and similar trades, despite the fact that the operatives are required to serve terms of apprenticeship of from three to six years.

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

A. TYNDALL, Judge.

DISSENTING OPINION OF MR. MONTEITH

I strongly dissent.

These male workers serve an apprenticeship of the same period as carpenters and joiners, painters, and plasterers, and many other skilled-trades workers. This has been the position for many years.

When this case was before the Court about nine months ago, the employers stated they were going to move to reduce the apprenticeship period, but it is still the same to-day. It is correct that a number of these workers serve from one year to three years; but this is only an emergency measure for the duration of the war, and the evidence is that it is not generally used to-day and, legally, will cease when the war is officially terminated. Generally, however, these workers serve the same period as carpenters and joiners, painters, &c.

The majority of the Court on the 29th March, 1945, awarded a semi-skilled wage, and now, less than nine months later, admit by this amendment that the wage-rate awarded was unfair to a large number of workers. In other words, they were wrong.

After serving five years and accepting low rates to learn a skilled trade, to be awarded semi-skilled rates is unjust to the workers and a great benefit to the employers. They secure apprentices at low rates and then, after five years, pay out only semi-skilled wages—in other words, employers benefit both ways.

To-day in this industry we have boys apprenticed for a five-year term to learn a skilled trade, and when they come out of their time they will only get a semi-skilled wage. It is unjust to these lads. I am still of the same opinion as I was on the 29th March, 1945—that an apprenticeship such as this demands a skilled wage.

Also, to-day the females in respect of their wages have not the same margin over other female workers as they have enjoyed for some years past. Further, the weekly wage-rate for the first six months for women commencing when over twenty-one years of age is £2 10s., which, with the addition of the two bonuses, amounts to £2 15s. This will be 8s. a week less than the new statutory basic wage of £3 3s. for adult females.