

**NEW ZEALAND ELECTRIC LAMP MANUFACTURERS, LIMITED,
EMPLOYEES.—AWARD**

In the Court of Arbitration of New Zealand, Wellington Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925, and its amendments; and in the matter of an industrial dispute between the undermentioned company (hereinafter called “the employer”):—

New Zealand Electric Lamp Manufacturers, Limited,
Tauhinu Road, Miramar, Wellington;
and the New Zealand Engineering, Coachbuilding, Aircraft,
and Related Trades’ Industrial Union of Workers (hereinafter called “the union”).

THE Court of Arbitration of New Zealand (hereinafter called “the Court”), having taken into consideration the matter of the above-mentioned dispute, and having heard the union by its representatives duly appointed, and having also heard such of the employers as were represented either in person or by their representatives duly appointed, and having also heard the witnesses called and examined and cross-examined by and on behalf of the said parties respectively, 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 April, 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 17th day of December, 1945.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Application of Award

1. This award shall apply to the workers employed by the New Zealand Electric Lamp Manufacturers, Ltd., Tauhinu Road, Miramar, in the manufacture of electric lamps, but shall not include fitters and turners, electrical workers, drivers, storemen and packers, or any workers covered by any other award of the Court of Arbitration.

Hours of Work

2. (a) Forty hours shall constitute a week's work and eight hours shall constitute a day's work, to be worked between the hours of 7.30 a.m. and 5 p.m. on five days of the week, Monday to Friday inclusive.

(b) Adult male workers required on preparatory work may commence their duties not earlier than 6 a.m., provided the eight hours are worked consecutively from the starting-time.

(c) One hour shall be allowed as a meal-hour, to be taken in the middle of the eight-hour period, except in the case of emergency, when the worker may be required to work up to four and a half hours before taking his meal.

By agreement with the union and the employer, not less than half an hour may be allowed as a meal interval.

Overtime

3. All work done on any day in excess of the hours prescribed in clause 2 hereof shall be deemed to be overtime and shall be paid for at the rate of time and a half for the first four hours and double time thereafter.

Meal-money

4. The employer shall allow meal-money at the rate of 1s. 9d. per meal when workers are called upon to work overtime after 6 p.m. on Monday, Tuesday, Wednesday, Thursday, or Friday, or after 1 p.m. on Saturday, unless such workers can reasonably get home for a meal and return to their work in one hour, in which case the meal allowance need not be paid.

Wages

5. (a) The following rates of wages shall be paid to male workers:—

	Per Week.		
	£	s.	d.
Youths—			
Under 16 years of age	1	10	0
16 to 16½ years of age	1	15	0
16½ to 17 years of age	2	0	0
17 to 17½ years of age	2	5	0
17½ to 18 years of age	2	10	0
18 to 18½ years of age	3	0	0
18½ to 19 years of age	3	10	0
19 to 19½ years of age	4	0	0
19½ to 20 years of age	4	10	0

(b) Male adult workers of the age of twenty-one years and over shall be paid not less than 2s. 10d. per hour.

(c) Men in charge of three or more workers shall be paid 2d. per hour extra.

(d) Female workers may be employed at not less than the following rates of wages:—

Under eighteen years of age: £1 17s. 6d. per week for the first six months; £2 2s. 6d. per week for the second six months; thereafter, £3 7s. 6d. per week.

Over eighteen years of age: First six months' employment with the firm, £2 10s. per week; second six months' employment with the firm, £2 17s. 6d. per week; thereafter, £3 7s. 6d. per week.

(e) Females in charge of three or more workers shall be paid 1s. 6d. per day extra.

Increase in Rates of Remuneration

6. The two general orders made under the Rates of Wages Emergency Regulations 1940, and dated the 9th August, 1940, and the 31st March, 1942, respectively, shall be deemed to be incorporated in this award and shall have effect according to their tenor.

Payment of Wages

7. (a) All wages shall be paid weekly not later than Thursday and within the employer's time.

(b) When a worker is dismissed, wages shall be paid before leaving the employment.

(c) When a worker leaves of his or her own accord, wages shall, on application, be paid immediately.

Deductions from Wages

8. (a) The employer shall be entitled to make deductions from the weekly wages of workers for time lost through sickness, accident, or default.

(b) The employer shall be entitled to make deductions from the wages of hourly workers for time lost through sickness, accident, default, or slackness of work.

Holidays

9. (a) The following shall be the recognized holidays: New Year's Day and the day following, Anniversary Day, Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day, and Boxing Day.

(b) All workers who have been employed in the factory any time during the fortnight ending on the day on which any of the above-named holidays occur shall be paid therefor.

(c) No payment over and above the ordinary week's wages shall be made to any worker for a holiday which falls on what is not ordinarily a working-day except for work actually performed on such day.

(d) Any worker employed on any of the aforesaid holidays shall be paid double time rates therefor, such wage to be in addition to the ordinary weekly wage.

Annual Holiday

10. The provisions of the Annual Holidays Act, 1944, shall apply to all workers covered by the provisions of this award.

Accommodation

11. The employer shall provide suitable accommodation wherein employees may keep their clothes and a suitable dining-room wherein they may partake of their meals. A sufficient supply of boiling water shall also be available at meal-times.

First-aid Outfit

12. First-aid outfits, in accordance with the requirements of the Inspector of Factories, shall be kept in the factory and be accessible in case of accidents.

Access to Workshop

13. 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.

Disputes

14. The essence of this award being that the work of the employer shall not on any account whatsoever be impeded but shall always proceed as if no dispute had arisen, it is provided that if any dispute or difference shall arise between the parties bound by this award, or any of them, as to any matter whatsoever arising out of or connected therewith and not dealt with in this award, every such dispute or difference shall be referred to a committee to be composed of two representatives of each side, together with an independent chairman to be mutually agreed upon or, in default of agreement, to be appointed by the Conciliation Commissioner for the district. Either side shall have the right to appeal to the Court of Arbitration against a decision of any such committee upon giving to the other side written notice of such appeal within fourteen days after such decision has been made known to the party desirous of appealing.

Workers to be Members of Union

15. (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

16. (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.

Scope of Award

17. This award shall apply only to the parties named herein.

Term of Award

18. 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 April, 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 17th day of December, 1945.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

Since the terms of the complete settlement in the New Zealand Electric Lamp Manufacturers' Employees' dispute were before the Court in August, 1945 (see memorandum recorded in 45 Book of Awards 2041), the parties have altered their recommendations and made certain reductions in the minimum rates prescribed. While the new recommendations might still be criticized in regard to the rates prescribed for females under eighteen years of age, the Court is assured that these rates are for all practical purposes inoperative.

Further, evidence called by the parties satisfied the Court that the work being performed by females is of a specialized nature and requires long periods of close concentration.

In these circumstances, the Court has made the award in accordance with the latest recommendations.

Mr. Monteith desires to say that he thought the hearing unnecessary, as the wage rates provided in the award are paid in several industries to-day; consequently, he considers the memorandum is unnecessary.

A. TYNDALL, Judge.
