

NELSON INDUSTRIAL DISTRICT **FURNITURE TRADE.**—
APPRENTICESHIP ORDER

In the Court of Arbitration of New Zealand, Nelson Industrial District.—In the matter of the Apprentices Act, 1923, and its amendments; and in the matter of the conditions of apprenticeship in the Furniture Trade within the Nelson Industrial District.

Tuesday, the 13th day of August, 1946

WHEREAS pursuant to section 4 (1) of the Apprentices Act, 1923, an Apprenticeship Committee has been set up within the Nelson Industrial District in connection with the furniture trade: And whereas the Court has heard the employers, workers, and other persons concerned, and has considered the recommendations made to it by the said committee: And whereas the Court has deemed it expedient to make an order under section 5 of the said Act prescribing the wages, hours, and other conditions of employment to be incorporated in contracts of apprenticeship in the said industry in the said

district, and prescribing such other matters and things as the Court is required and authorized by the said section to prescribe: Now, therefore, the Court doth hereby order and prescribe as follows:—

1. The locality in which this order shall have effect is the Nelson Industrial District.

2. The trade or industry to which this order shall apply is cabinetmaking; upholstery (upholstering work shall include all kinds of bedding, measuring, planning, and laying of carpets, linoleums, and floor-coverings of all descriptions; also measuring and fixing drapings and blinds), chair and frame making, machining; wood-carving, turning, pianoforte-making (other than mechanism), polishing; mattress-making (in all branches); picture-frame making and mounting. The provisions of this order shall apply to all employers of apprentices in the industry in the district (whether bound by an award or industrial agreement relating to the said industry or not) and to all apprentices employed by such employers in such industry, and to all contracts of apprenticeship between such employers and apprentices.

3. Every employer shall within three days after engaging any person as an apprentice give notice of such engagement to the District Registrar of Apprentices for the locality concerned.

4. Contracts of apprenticeship, and every alteration or amendment thereof, shall be registered with the District Registrar for the district within a period of fourteen days after the commencement of the employment of the apprentice, or the expiration of any period of probation served by him pursuant to the Apprentices Act (in the case of an original contract), or within fourteen days after making the alteration. If the contract or alteration is not presented for registration as aforesaid, the parties thereto are severally liable to a fine of £10 under the Apprentices Act, 1923.

5. Every employer desiring to employ an apprentice in any branch or branches of the trade shall, before engaging the proposed apprentice, make application in writing to the Apprenticeship Committee, and the Committee shall either grant or refuse the application, after inquiring into the facilities within the scope of the proposed employer's business for teaching the proposed apprentice.

6. The minimum age at which a person may commence to serve as an apprentice shall be fifteen years.

7. The term of apprenticeship shall be five years in all cases, except in wire-mattress making and picture-frame making branches, where the term of apprenticeship shall be three years.

8. (a) The proportion of apprentices to journeymen shall not exceed one to every two journeymen or fraction of two employed in the branch of the trade in which the apprentice is apprenticed.

(b) For the purpose of determining the number of apprentices each employer may employ, the number shall be computed upon the total journeymen employed for two-thirds full time for six months prior to taking on of an apprentice in each of the following branches of the trade: cabinetmaking, upholstering, chair and frame making, machining, wood-carving, turning, pianoforte-making (other than mechanism), polishing, wire-mattress making (in all branches), picture-frame making and mounting.

(c) It shall not be competent for an employer to employ a youth as an apprentice until he has been established in business for at least one year, or unless he is able to satisfy the Committee that he is in a position to continue as an employer.

9. The powers and discretions provided for in section 13 of the Apprentices Act, 1923, may be exercised by the District Registrar of Apprentices and the Apprenticeship Committee, notwithstanding that the employer to whom it is proposed to transfer an apprentice is already employing the full quota of apprentices as determined by the apprenticeship order.

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.
For the first six months	23
For the second six months	29
For the third six months	35
For the fourth six months	41
For the fifth six months	47
For the sixth six months	53
For the seventh six months	59
For the eighth six months	65
For the ninth six months	71
For the tenth six months	77

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

	Per Cent.
For the first six months	35
For the second six months	41
For the third six months	47
For the fourth six months	53
For the fifth six months	59
For the sixth six months	65
For the seventh six months	71
For the eighth six months	77
For the ninth six months	83
For the 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

11. All rates of remuneration, including wages and over-time and any other special payments, provided for in this order shall be increased to the extent and in the manner prescribed by the two general orders made under the Rates of Wages Emergency Regulations 1940, and dated 9th August, 1940, and 31st March, 1942, respectively.

12. The period of probation to be prescribed in any contract of apprenticeship shall not exceed three months.

13. Whether ordered to do so by the Court or a Committee or not, if any apprentice attends a technical college or other approved institution during the first three years of his apprenticeship, or until he shall have obtained the certificate hereinafter mentioned, the employer shall refund the apprentice the amount of his fees for each term in which his attendance is not less than 70 per cent. of the maximum possible.

14. Every apprentice who, whether he has been ordered to attend such classes or not, shall have obtained from the principal of the college, school, or institution in which he has attended classes as before mentioned a certificate that he has passed an examination of a standard to be arranged between the management of the college, school, or institution and the Committee, but at least equivalent to that required to be passed in order to obtain a certificate, in the branch of the trade to which he is apprenticed, in Grade 2 of the City and Guilds of London Institute shall, upon production of such certificate to his employer, be paid during the fourth year of his apprenticeship at the rate of not less than 5s. per week in excess of the minimum rate provided in clause 10 hereof, and during the fifth year of his apprenticeship at the rate of not less than 7s. 6d. in excess of the minimum.

15. An apprentice shall make up any time lost by him in any six-monthly period through his own default or sickness or through accident (unless arising out of and in the course of his employment), or for any cause not directly connected with the business of the employer, before he shall be considered to have entered on the next succeeding six-monthly period of his apprenticeship, or, if in the final six months, to have completed his apprenticeship. An apprentice working overtime shall have such time added to his ordinary time in calculating the respective years of his apprenticeship.

16. An employer shall be entitled to make a rateable deduction from the wages of an apprentice for any time lost by him through sickness in excess of two weeks in any year, or accident not arising out of or in the course of the employment or through his own default: Provided that if an apprentice is absent through sickness the employer may require the apprentice to furnish a medical certificate to the effect that sickness prevented him from attending at work, and if the apprentice fails to furnish such medical certificate the employer shall be entitled to make a rateable deduction from the wages of the apprentice for the time lost.

17. The hours worked by an apprentice shall, subject to the provisions of any statute, be those normally worked by journeymen in accordance with the provisions of the award or industrial agreement relating to the employment of journeymen for the time being in force in the district.

18. An employer shall not require or permit an apprentice under seventeen years of age to work more than six hours' overtime in any one week.

19. No apprentice under eighteen years of age shall be required or permitted to work after 9 p.m., and no other apprentice shall be permitted to work after 10 p.m.

20. An employer shall not require or permit an apprentice to work overtime unless journeymen are employed at the same time, and the number of apprentices employed shall not exceed one apprentice to each two or fraction of two journeymen employed.

21. The minimum rate of overtime for apprentices in any one day shall be time and a half for the first four hours and double time thereafter, or 1s. 6d. per hour, whichever is the greater.

22. The conditions of the award or industrial agreement referred to in clause 17 hereof, in so far as they relate to the method and time of payment of wages, holidays, travelling-time, suburban work, country work, meal-money, and other matters (other than membership of union) relating generally to the employment and not in conflict with this order, shall be applicable to apprentices.

23. Every contract of apprenticeship shall accord with the provisions of the Apprentices Act, 1923, and this order, and shall make provision, either expressly or by reference to the said Act or this order, for the several matters provided for therein, and shall not contravene the provisions of any Act relating to the employment of boys and youths. In default of such provision being made in any such contract of apprenticeship, or in so far as such provision being made in any such contract is defective or ambiguous, the contract shall be deemed to provide that the conditions of apprenticeship shall be not less favourable to the apprentice than the minimum requirements of this order.

24. It shall be an implied term in every contract of apprenticeship that the apprentice will diligently and faithfully obey and serve the employer as his apprentice for the prescribed term, and will not absent himself from the employer's service during the hours of work without the leave of the employer, or except as permitted by this order, and, further, will not commit or permit or be accessory to any hurt or damage to the employer or his property nor conceal any such hurt or damage if known to him, but will do everything in his power to prevent the same.

25. It shall be an implied term in every contract of apprenticeship that the employer will during the prescribed term, to the best of his power, skill, and knowledge, train and instruct the apprentice, or cause him to be trained and

instructed, as a competent journeyman in the trade or branch or branches of the trade to which he is apprenticed, as carried on by the employer, in accordance with the provisions of the Apprentices Act, 1923, and of this order, and any amendments thereof: Provided, however, that if the business carried on by the employer does not comprise all the operations usually included in the training of a journeyman in the trade or branch or branches of the trade to which the apprentice is apprenticed, the operations to be taught the apprentice shall be specifically set out in the contract of apprenticeship, and in default thereof the employer shall be deemed to have contracted to train and instruct the apprentice in all the operations usually included in the training of a journeyman in the trade or branch or branches of the trade to which the apprentice is apprenticed.

26. No premium in respect to the employment of any person as an apprentice shall be paid to or received by an employer, whether such premium is paid by the person employed or by any other person.

27. The provisions of this order shall not necessarily apply in the case of a special contract of apprenticeship entered into under the provisions of section 7 of the Statutes Amendment Act, 1936.

28. It shall be an implied term in every contract of apprenticeship that the provisions of the Master and Apprentice Act, 1908, shall not apply thereto.

29. The powers conferred on the Court by paragraphs (b) to (l) inclusive of section 5 (4) of the said Act are hereby delegated by the Court to the said Committee in so far as those powers relate to the said trade and locality, but reserving, nevertheless, power to the Court at any time and from time to time to withdraw all or any such powers.

30. This order shall operate and take effect as from the day of the date hereof.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The order embodies the Apprenticeship Committee's recommendations, which have the concurrence of the organizations of employers and workers for the trade in the locality concerned.

A. TYNDALL, Judge.

[For suggested form of apprenticeship contract see page 210.]