

**WELLINGTON INDUSTRIAL DISTRICT SHIPBUILDING AND
BOATBUILDING TRADES.—APPRENTICESHIP ORDER**

In the Court of Arbitration of New Zealand, Wellington Industrial District.—In the matter of the Apprentices Act, 1923, and its amendments; and in the matter of the conditions of apprenticeship in the Shipbuilding and Boatbuilding trades in the Wellington Industrial District.

Monday, the 19th day of August, 1946

WHEREAS, pursuant to section 4 (1) of the Apprentices Act, 1923, an Apprenticeship Committee has been set up within the Wellington Industrial District in connection with the shipbuilding and boatbuilding trades: And whereas the Court 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 trades in the Wellington Industrial 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 Wellington Industrial District.

2. The trades or industries to which this order shall apply are shipwrighting and boatbuilding.

3. 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.

4. Every employer shall within three days after engaging any person as an apprentice give notice of such engagement to the District Registrar.

5. 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 of the making of 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, and its amendments.

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.

8. The proportion of the total number of apprentices to the total number of journeymen employed by any employer shall be one to two or fraction of two.

9. The minimum weekly rates of wages payable to apprentices shall be the undermentioned percentages of the nominal weekly rate of wages for journeymen, or of an amount equal to forty times the nominal hourly rate of wages for journeymen, as the case may be, in the branch of the industry to

which the apprentice is apprenticed, as prescribed by the award or agreement relating to the employment of such 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

10. All rates of remuneration, including wages and overtime 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.

11. Any apprentice residing within a radius of twelve miles from a technical college or other approved institution shall, during the first three years of his apprenticeship or until he shall have obtained a certificate hereinafter mentioned, attend the classes in such college or institution in such subjects suitable to the branch of the trade followed by the apprentice, and in such cases the employer shall refund to the apprentice the amount of the fees for each term in which his attendance is not less than 75 per cent. of the maximum possible.

12. Every apprentice who, whether he has been ordered to attend such classes or not, shall have obtained from the Principal of the college or institution in which he has attended classes as before mentioned a certificate that he has passed an examination in mathematics and drawing, or an equivalent certificate, shall, upon production of such certificate to his employer, be paid during the remaining year or years of his apprenticeship at the rate of not less than 5s. per week in excess of the minimum rate provided in clause 9 hereof, payment to be made from the date of examination.

13. The period of probation to be prescribed in any contract of apprenticeship to enable the employer of an apprentice to determine his fitness shall not exceed four months in the case of a first apprenticeship to the trade, and shall not exceed one month in any other case.

14. A person under twenty-one years of age who has served part of his apprenticeship to the trade outside of New Zealand may complete the term of apprenticeship herein provided for with an employer in the district on furnishing to the District Registrar a certificate from his former employer and/or such other evidence (if any) as the District Registrar may require in order to show the time served by such person as an apprentice outside of New Zealand. The District Registrar may refuse to register any contract of apprenticeship entered into under the provisions of this clause until such evidence has been furnished to him. Any party aggrieved by the decision of the District Registrar may, within fourteen days, appeal to the Court, whose decision shall be final and conclusive. The period of probation in cases coming within the scope of this clause shall not exceed three months.

15. An apprentice shall make up all time lost by him in any period of six months through his own default or sickness, or for any cause not directly connected with the business of the employer, before he shall be considered to have entered upon the next succeeding six months period of his apprenticeship or, if in the final six months period, to have completed his apprenticeship. Any overtime worked during the six months period shall be set off against time lost through default or sickness during the six months period, such time to be calculated on the clock hours worked.

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 fourteen days in any year or through his own default.

17. The hours worked by an apprentice shall, subject to 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: Provided that where the hours worked by journeymen in accordance with any such aforesaid provisions are in excess of forty per week, the wages of the apprentices shall be increased by one-fortieth for each hour worked in excess of forty: Provided, further, that when a holiday occurs in any week the number of hours which would ordinarily be worked on such day shall be counted as time worked for the purpose of computing weekly hours.

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

19. The minimum rates of overtime for apprentices shall be those relating to the award or industrial agreement ruling in the district with a minimum payment of 1s. 6d. per hour.

20. 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 (except in regard to deductions for holidays), travelling-time, suburban work, country work, meal-money, and other matters relating generally to the employment of journeymen and not in conflict with this order, shall be applicable to apprentices.

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

22. 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 branch or branches of the shipwrighting or boatbuilding trades agreed upon in accordance with the provisions of the Apprentices Act, 1923, and its amendments, and of this order, and any amendment 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 specified branch or branches of the shipwrighting and boatbuilding trades, 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 such branch or branches of the shipwrighting or boatbuilding trades.

23. 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 same.

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

25. 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.

26. 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 industry in the area lying within a radius of twenty miles from the chief post-office in the City of Wellington, but reserving, nevertheless, power to the Court at any time and from time to time to withdraw all or any of such powers.

27. 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 recommendations which have been made by the Apprenticeship Committee and 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.]