

NORTHERN INDUSTRIAL DISTRICT MALE HAIRDRESSERS AND HAIRWORKERS.—AWARD

In the Court of Arbitration of New Zealand, Northern 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 Auckland Hairdressers' Assistants Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

Cann, W., Victoria Street, Hamilton.
 Coleman, T., 9 Queen Street, Auckland.
 Findlay, D., 23 Customs Street West, Auckland.
 Fulljames, R., Whangarei.
 Hall and Knopwood, Gladstone Road, Gisborne.
 Hogan, M. J., Dargaville.
 McClure, W., 10 Victoria Street West, Auckland.
 Milne and Choyce, Ltd., Queen Street, Auckland.
 Pollard, R., 108 Queen Street, Auckland.
 Shaw, R., 57 Customs Street East, Auckland.
 Walker, C. E., 8 Customs Street West, Auckland.
 Ward, L., 8 Cameron Street, Whangarei.
 Winter, C., 10 Queen Street, Auckland.

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 on the 17th day of June, 1946, and shall continue in force until the 17th day of June, 1947, 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 12th day of June, 1946.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to which Award applicable

1. This award shall apply to the hairdressing and hair-working industry.

Hours of Work

2. (a) The hours of work for assistants shall be forty per week, exclusive of meal intervals, to be worked between the hours of 8 a.m. and 5.30 p.m. on four days, and between 8.30 a.m. and 8.30 p.m. or between 9 a.m. and 9 p.m. on the late night

(b) When the usual late night falls on one day of the holidays mentioned in clause 10 hereof, the late night shall be observed on the day preceding the holiday. It shall be permissible to observe the late night on Christmas Eve or New Year's Eve in their respective weeks, but two late nights shall not be observed in any one week.

(c) Each meal interval shall be one hour and shall be taken between noon and 2 p.m., and on the late night between 5 p.m. and 7 p.m. This subclause shall not apply in the case of casual workers who are working for less than a complete day or in the case where only one assistant is employed.

Closing Hours of Saloons

3. In exercise of the powers vested in the Court by the Shops and Offices Act, 1921-22, it is hereby ordered—

- (i) That, subject to the provisions of paragraph (ii) hereof, all hairdressing saloons in the Northern Industrial District shall be closed at 6 p.m. on four working-days of the week and at 9 p.m. on one working-day of the week. The said saloons shall not be open for business on Saturday in each week.
- (ii) That all hairdressing saloons in the Northern Industrial District shall be closed from the hour of 11 a.m. on Boxing Day, Easter Monday, and the day following New Year's Day, and the said saloons shall not be open for business on New Year's Day, Anniversary Day, Good Friday, Anzac Day, Labour Day, the birthday of the reigning Sovereign, and Christmas Day.

Work in Hand

4. No customer shall be taken into a chair later than five minutes before the worker is due to cease work, and the worker shall not be kept more than ten minutes after the time stipulated in subclause (a) of clause 2 hereof.

Qualification for Journeymen

5. A "journeyman" or journeywoman" shall mean one who has served five years at the trade.

Wages

6. (a) The minimum wage for journeymen or journeywomen employed on men's work shall be £5 16s. per week.

(b) The wages provided for above shall be weekly wages and shall be subject to no deduction except for time lost on account of the worker's own default or sickness.

(c) All wages shall be paid weekly not later than Thursday and punctually at the time for ceasing work.

Casual Workers

7. (a) When an assistant is engaged on the understanding that the engagement will not exceed four days, such employment shall be deemed to be casual, and the hourly rate of pay specified below shall be payable. If it is intended that a full week's work shall be done, the weekly wage shall apply. After two complete consecutive weeks have been served by a worker

engaged casually without notice of intention to terminate the employment, the engagement shall be deemed permanent and shall thereafter be subject to notice as provided in clause 13 hereof.

(b) Casual work shall be paid for at the rate of not less than 3s. 2d. per hour. A casual worker shall not be engaged for less than four hours continuously.

Increase in Rates of Remuneration

8. All rates of remuneration, including time and piece wages and overtime and any other special payments, provided for in this award shall be increased to the extent and in the manner prescribed by 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.

EXPLANATORY NOTE.—(1) The general order of the 9th August, 1940, increased *rates of remuneration* determined by awards and industrial agreements and apprenticeship orders by an amount equal to 5 per cent, thereof.

(2) (a) The general order of the 31st March, 1942, further increased *rates of remuneration* determined by awards and industrial agreements and apprenticeship orders (inclusive of the 5 per cent. increase provided by the general order of the 9th August, 1940) by an amount equal to 5 per cent. thereof, but excluded from the increase such portion of the *remuneration* of each worker as exceeded—

- (i) The amount of £5 a week in the case of male workers twenty-one years of age and over;
- (ii) The amount of £2 10s. a week in the case of female workers twenty-one years of age and over;
- (iii) The amount of £1 10s. a week in the case of male and female workers under twenty-one years of age; and
- (iv) The amount of £1 10s. a week in the case of apprentices under apprenticeship orders.

(b) The increase in *rates of remuneration* provided by the order referred to in (a) hereof applied to the unexcluded portion of the *remuneration* of each worker, irrespective of his or her total weekly *remuneration*.

(3) The term "*rates of remuneration*" includes time and piece wages and overtime and any other special payments. The term "*remuneration*" means actual earnings, including time and piece wages and overtime and any other special payments.

Overtime

9. No overtime shall be worked in saloons where gents' work is done.

Holidays

10. (a) The following days shall be observed as full holidays for workers: New Year's Day and the day following, Anniversary Day, Good Friday, Easter Monday, Anzac Day, Labour Day, the birthday of the reigning Sovereign, Christmas Day, and Boxing Day.

(b) When any of the above holidays falls on a Sunday, it shall (except in the case of Anzac Day) be observed on the Monday following.

(c) Annual holidays shall be granted in accordance with the provisions of the Annual Holidays Act, 1944.

Classification

11. The following workers only may be employed at the trade—viz., journeymen (which shall include journeywomen), apprentices, and under-rate workers.

Working-conditions

12. (a) Board and Lodging: It shall not be permissible for an employer to provide board and lodging for any worker other than a member of his own family or a youth or girl from an orphan home, except by agreement between the union and the employer concerned.

(b) Sub-letting of chairs shall not be allowed.

(c) If an employer requires a worker to wear a uniform or white coat needing laundry-work, such employer shall pay all laundry expenses connected therewith.

Termination of Employment

13. Except in the case of casual workers, the engagement shall be deemed to be a weekly one, and one week's notice of the termination thereof shall be given by either employer or worker, failing which one week's wages shall be paid or forfeited, as the case may be; but this shall not prevent an employer from dismissing a worker for good cause.

Workers to be Members of Union

14. (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

15. (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.

Application of Award

16. This award shall apply to the original parties named herein, and shall extend to and bind as subsequent party hereto every trade-union, industrial union, industrial association, or employer who, not being an original party hereto, is, when this award comes into force or at any time whilst this award is in force, connected with or engaged in the industry to which this award applies within the industrial district to which this award relates.

Scope of Award

17. This award shall operate throughout the Northern Industrial District.

Term of Award

18. This award shall come into force on the 17th day of June, 1946, and shall continue in force until the 17th day of June, 1947.

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 12th day of June, 1946.

[L.S.]

A. TYNDALL, Judge.
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MEMORANDUM

The only matter referred to the Court was the term of the award. In other respects the award, apart from minor adjustments to the closing-hours clause, embodies the terms of settlement arrived at by the assessors in Conciliation Council.

A. TYNDALL, Judge.