

NORTHERN, WELLINGTON, CANTERBURY, AND OTAGO AND
SOUTHLAND **CANVAS-WORKERS (SHIP WORK).**—AWARD

[Filed in the Office of the Clerk of Awards, Wellington.]

In the Court of Arbitration of New Zealand, Northern, Wellington, 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 an industrial dispute between the New Zealand Federated Saddlers, Canvas-workers, Riggers, and Related Trades' Industrial Association of Workers (hereinafter called "the union") and the undermentioned companies (hereinafter called "the employers") :—

NORTHERN INDUSTRIAL DISTRICT

Auckland Stevedoring Co., Ltd., Quay Street, Auckland.

Devonport Steam Ferry Co., Ltd., Quay Street, Auckland.

Leonard and Dingley, Ltd., Quay Street, Auckland.

Northern Steamship Co., Ltd., Quay Street, Auckland.

Union Steam Ship Co. of New Zealand, Ltd., Quay Street, Auckland.

WELLINGTON INDUSTRIAL DISTRICT

Union Steam Ship Co. of New Zealand, Ltd., 36 Customhouse Quay,
Wellington.

Wellington Patent Slip Co., Ltd., Wellington.

CANTERBURY INDUSTRIAL DISTRICT

Union Steam Ship Co. of New Zealand, Ltd., Christchurch.

OTAGO AND SOUTHLAND INDUSTRIAL DISTRICT

Union Steam Ship Co. of New Zealand, Ltd., Dunedin.

THE Court of Arbitration of New Zealand (hereinafter called "the Court"), having taken into consideration the terms of settlement arrived at in the above-mentioned dispute and forwarded directly to the Court pursuant to the provisions of section 3 of the Industrial Conciliation and Arbitration Amendment Act (No. 2), 1939, 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 29th day of November, 1948, and shall continue in force until the 29th day of November, 1949, 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 24th day of November, 1948.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to which Award is Applicable

1. This award shall apply to all persons employed by shipping companies in the manufacturing or repairing of sails, tents, canvas covers, tarpaulins, and all canvas-work, and any other class of worker recognized and related to the aforementioned trades.

Classification of Workers

2. The classification of workers shall be journeymen, apprentices, and any other class the trade may require.

Hours of Work

3. Forty hours shall constitute a week's work, to be worked between 8 a.m. and 5 p.m. on five days of the week and from Monday to Friday inclusive.

Wages

4. The minimum rate of wages for journeymen shall be 3s. 7d. per hour.

Overtime

5. All time worked in any day beyond the hours mentioned in clause 3 hereof shall be deemed to be overtime and shall be paid for at the rate of time and half for the first three hours and double time thereafter.

Meal-money

6. A worker working overtime after 6 p.m. shall be paid not less than 2s. 3d. meal-money unless notified the day previously that he should be required to work.

Holidays

7. (a) The following holidays shall be allowed without deduction from wages: a whole day on every Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Monday, Anniversary Day, Anzac Day, Labour Day, and the birthday of the reigning Sovereign.

(b) Time worked on any of the above-named holidays or on Sundays or on 2nd January shall be paid for at twice the ordinary rate.

(c) Payment of wages for the holidays named in sub-clause (a) hereof shall be made to all persons who have been employed in the factory at any time during the fortnight ending on the day on which the holiday occurs.

(d) Should any of the aforementioned holidays (except Anzac Day) fall on a Saturday or on a Sunday, the next succeeding Monday shall be observed as the holiday, and in the event of another holiday falling on such Monday, such other holiday shall be observed on the succeeding Tuesday.

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

Workers to be Members of Union

8. (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

9. (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.

Disputes

10. The essence of this award being that the work of the employers 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 whatever arising out of or connected therewith and not specifically dealt with in this award, every such dispute or difference as the same shall arise shall be referred to a committee to be composed of two representatives of the union and two representatives of the employers for their decision. The decision of the majority of the committee shall be binding, and if no decision is arrived at, either party may appeal to the Court upon giving written notice of such appeal to the other party within fourteen days after the failure of the disputes committee to arrive at a decision, or the disputes committee may itself refer the matter to the Court for decision.

Right of Entry Upon Premises

11. The secretary or other authorized officer of the union of workers 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.

General Conditions and Special Payments

12. (a) This award shall not operate so as to reduce the wage of any worker during his present employment.

(b) A worker working in a compartment wherein the temperature exceeds 110 degrees shall be paid 2s. 9d. per hour in addition to his ordinary rate during the time he is so employed.

(c) A worker working aloft above the main rigging shall be paid 1s. 6d. per day in addition to his ordinary rate for each day or part thereof he is so employed.

(d) Workers employed by the Wellington Patent Slip Co., Ltd., shall be paid their travelling-expenses to and from their place of employment at the rate of 8d. per day for every day they attend work.

(e) Dirt-money shall be paid at the rate of 1s. 6d. for each day or part thereof to workers employed on repair work on board ship.

(f) Journeymen employed on ship-repair work on board a ship and/or ships shall be paid 1d. per hour extra whilst so employed.

(g) Ten minutes' rest period shall be allowed in the morning and afternoon to all workers coming within the scope of this award, and, where practicable, facilities for boiling water shall be provided for making tea in the morning and afternoon rest period and for the midday meal.

Scope and Application of Award

13. This award shall operate throughout the Northern, Wellington, Canterbury, and Otago and Southland Industrial Districts, and shall apply to the parties named herein and to such other employers as may from time to time be added as parties by order of the Court.

Term of Award

14. This award shall come into force on the 29th day of November, 1948, and shall continue in force until the 29th day of November, 1949.

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 24th day of November, 1948.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The award embodies the terms of settlement arrived at by the assessors in Conciliation Council.

A. TYNDALL, Judge.