

OTAGO AND SOUTHLAND WATCHMAKERS, JEWELLERS, AND  
RELATED TRADES—AWARD

In the Court of Arbitration of New Zealand, Otago and Southland 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 Dunedin Watchmakers, Jewellers, and Related Trades' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

Holloway, A. J., Ltd., 45 Moray Place, Dunedin.

Kernohan, J. J., 33 Princes Street, Dunedin.

Moller, C., and Sons, 358 Moray Place, Dunedin.

Rein, N. J. M., Ltd., 44-46 Dee Street, Invercargill.

Swan, J., and Co., 23 Bath Street, Dunedin.

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 day of the date hereof and shall continue in force until the 9th day of December, 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 9th day of December, 1948.

[L.S.]

D. J. DALGLISH, Deputy Judge,  
Acting as Judge of the Court.

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#### SCHEDULE

##### *Hours of Work*

1. The ordinary hours of work shall not exceed forty per week nor eight per day on the five days of the week, Monday to Friday, and shall be worked between the hours of 8 a.m. and 5.30 p.m. Ten minutes shall be allowed morning and afternoon as "smoke-oh" without deduction of pay.

##### *Wages*

2. (a) The minimum rate of pay for all journeymen working at any branch of the trade shall be £7 10s. per week. "Journemen" shall include jewellers, watchmakers, engravers, die-sinkers, diamond-setters, enamellers, and silversmiths.

(b) Workers employed for less than one week shall be deemed to be casual workers and shall be paid 4½d. per hour in addition to the rate prescribed in subclause (a) hereof, computed on an hourly basis. Casual workers shall receive a minimum of four hours' work per day.

(c) A worker shall not be required to provide any tools or materials.

##### *Overtime*

3. All time worked outside or in excess of the hours mentioned in clause 1 hereof shall be counted as overtime and shall be paid for at the following rates: time and a half for the

first three hours, thereafter double time. Workers required to work overtime after 6 p.m. shall be allowed tea-money at the rate of 2s. 3d. unless the worker has been notified the day previous that overtime would have to be worked.

#### *Holidays*

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

(b) Work done on any of the foregoing days shall be paid for at the rate of double time.

(c) Should any of the above holidays (except Anzac Day) fall on a Saturday or on a Sunday, the holiday shall be observed on the next succeeding working day or days.

(d) Holidays shall be observed in accordance with the provisions of the Annual Holidays Act, 1944.

#### *Payment of Wages*

5. All wages, including overtime, shall be paid weekly not later than Thursday in the employer's time.

#### *Terms of Engagement*

6. Except in the case of casual workers, the employment shall be deemed to be a weekly one and no deduction shall be made from the weekly wage except for lost time through the worker's sickness or default. One week's notice in writing shall be given on either side to terminate the engagement.

#### *Right of Entry*

7. With the intent to secure the effective operation of this award, the secretary of the union, or such other officer or representative of the union as may from time to time be appointed in that behalf, shall have the right to enter at all reasonable times upon the premises of any employer bound by this award and there to interview the workers, but not so as to interfere unreasonably with the employer's business.

#### *Matters Not Provided For*

8. Any dispute in connection with any matter not provided for in this award shall be settled between the particular employer concerned and the secretary or president of the union, and in default of any agreement being arrived at, then such matter shall be referred to the local Conciliation Commissioner, who shall decide the matter or refer same to the Court. Either

party, if dissatisfied with the ruling of the Commissioner, may appeal to the Court upon giving notice of such appeal to the other party within fourteen days after such decision shall have been communicated to the dissatisfied party.

*Workers to be Members of Union*

9. (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*

10. (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*

11. (a) 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.

(b) This award shall apply to jewellery-manufacturing, watchmaking, engraving, die-sinking, diamond-setting, enamelling, and silversmithing.

#### *Scope of Award*

12. This award shall operate throughout the Otago and Southland Industrial District.

#### *Term of Award*

13. This award shall come into force on the day of the date hereof, and shall continue in force until the 9th day of December, 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 9th day of December, 1948.

[L.S.]

D. J. DALGLISH, Deputy Judge,  
Acting as Judge of the Court.

#### MEMORANDUM

The only matters settled by the Court related to weekly rate of wages and the allowance of a morning and afternoon "smoke-oh." In other respects the award incorporates the terms of partial settlement arrived at in Conciliation Council.

D. J. DALGLISH, Deputy Judge.