

OTAGO AND SOUTHLAND HAIRDRESSERS' AND TOBACCONISTS'
ASSISTANTS—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 Otago and Southland Hairdressers' and Tobacconists' Assistants' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

Dunedin

Adelphie Toilet Salon, 261 George Street, Dunedin.
Aileen Hairdressing Salon, 158 King Edward Street, Dunedin.
Anderson, Maison, Capitol Buildings, Dunedin.
Antoine Beauty Salon, Broadway, Dunedin.
Barclay, J. A., 70 Albany Street, Dunedin.
Bowman Salon, 160 Cargill Road, Dunedin.
Bryant and McKillop, 129 Princes Street, Dunedin.
Chave, C. V., 1 Filleul Street, Dunedin.
Dawkins, J., Stuart Street, Dunedin.
D.S.A. Ltd., Beauty Salon, George Street, Dunedin.
Dreavers Ltd., Beauty Salon, George Street, Dunedin.
Forster, J. G., Moray Place, Dunedin.
Hendy's Toilet Salon, 208 Princes Street, Dunedin.
Houston, J., 7 Princes Street, Dunedin.
Hes and Poole, 56 Princes Street, Dunedin.
Jacobs, S., Princes Street, Dunedin.
Johns of London, Princes Street, Dunedin.
Kerka Salon, 335 King Edward Street, Dunedin.
Lister, A., Roseberry Street, Dunedin.
McClatchy, J., Princes Street, Dunedin.
Maeder, The, George Street, Dunedin.
Mayfair Beauty Salon, 136 King Edward Street, Dunedin.
Moody, G., and Co., Princes Street, Dunedin.
Pollock, I., 72 Musselburgh Rise, Dunedin.
Potters Ltd., George Street, Dunedin.
Rialto, The, 136 Rattray Street, Dunedin.
Restieaux, F., Rattray Street, Dunedin.
St. Clair Stores, 40 Bedford Street, Dunedin.
Starr, J., 356 Princes Street, Dunedin.
Tainui Store, Tainui Road East, Dunedin.
Valdor Salon, 245 George Street, Dunedin.
Valpy, M. F., corner of Cumberland and Dundas Streets, Dunedin.
Weir's Cash Store, 125 Glen Avenue, Dunedin.
Withers, G., 138 Princes Street, Dunedin.

Invercargill

Betty Moir Beauty Salon, Empire Building, Dee Street, Invercargill.
 Beauty Nook, Hairdresser, Dee Street, Invercargill.
 Boyd, J., and Sons, Dee Street, Invercargill.
 Charm Beauty Salon, 71 Dee Street, Invercargill.
 Hart Beauty Salon, 78 Tay Street, Invercargill.
 Jan's Beauty Salon, A.M.P. Building, Esk Street, Invercargill.
 Lewis, Mrs., 15 Cambridge Place, Invercargill.
 Mills, E. V., Invercargill.
 Streathfield, G., 85 Dee Street, Invercargill.
 Yvonne Beauty Salon, Tay Street, Invercargill.

Oamaru

Browne, S., Thames Street, Oamaru.
 Christine Beauty Salon, Thames Street, Oamaru.
 Currie, W., Thames Street, Oamaru.
 Forbes, J. D., Thames Street, Oamaru.
 Jocelyn Toilet Rooms, H.B. Building, Thames Street, Oamaru.

Balclutha

Chalmers, R., Clyde Street, Balclutha.
 Howie, Miss A., Balclutha.

Mosgiel

Cooper, P. J., Mosgiel.
 McCloy, A.

Milton

Burn, L., Milton.

Queenstown

McKinney, J., Queenstown.

Waikouaiti

O'Connell, J. F., Waikouaiti.

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 20th day of December, 1948, and shall continue in force until the 20th 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 14th day of December, 1948.

[L.S.]

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

SCHEDULE

PART I—APPLICABLE TO MALE HAIRDRESSERS

1. This Part of the award shall apply to workers employed at one or more of the following classes of work—namely, hair-cutting, shaving, shampooing, singeing, razor-setting, and/or attending to the needs of a customer.

Hours of Work

2. The hours of work shall be forty per week, exclusive of meal-hours. The recognized hours of work shall be between the hours of 9 a.m. and 5.45 p.m. on Monday, Tuesday, Wednesday, and Thursday, and between the hours of 9 a.m. and 9 p.m. on Friday of each week. On Christmas Eve, New Year's Eve, and the night preceding Good Friday, 9 p.m. shall be the hour for ceasing work.

Work in Hand

3. No worker shall be allowed to take a customer into a chair after five minutes before the usual time for ceasing work as prescribed in clause 2 hereof, nor shall he be detained more than five minutes after the usual time for ceasing work.

Definition of Journeyman

4. (a) A "journeyman" (and in this Part a "journeywoman") shall mean one who has been at the trade for a period of not less than five years.

(b) The word "trade" shall be deemed to mean the work performed in a hairdresser's saloon.

(c) It is no part of the duty of a journeyman or journeywoman to do charing or laundry work in connection with the business.

Wages

5. The minimum wage to be paid to journeymen or journeywomen hairdressers shall be £7 4s. per week.

Uniforms

6. Where the employer requires an assistant to wear white or coloured uniforms and/or jackets, the same shall be laundered by the employer. An employer who requires a worker to wear any distinctive or special uniform (other than an ordinary white uniform or black alpaca or grey coat) shall pay the cost of such uniform.

Tools of Trade

7. The employer shall provide all necessary tools of trade, which shall be kept in reasonable order by the assistant.

PART II—APPLICABLE TO FEMALE HAIRDRESSERS IN ESTABLISHMENTS
EXCLUSIVELY CONFINED TO LADIES' WORK

8. This Part of the award shall apply to workers where duties include all or any of the following classes of work—namely, hairwashing, cutting, shampooing, permanent waving, setting, and/or attending to the needs of the customer.

Hours of Work

9. The hours of work shall be forty per week, exclusive of meal-hours. The recognized hours of work shall be between the hours of 9 a.m. and 5.45 p.m. on Monday, Tuesday, Wednesday,

and Thursday, and between the hours of 9 a.m. and 9 p.m. on Friday of each week. On Christmas Eve, New Year's Eve, and the night preceding Good Friday, 9 p.m. shall be the hour for ceasing work.

Work in Hand

10. No worker shall be allowed to take a customer into her chair for an operation that will detain her for more than five minutes after the hour for ceasing work.

Definitions

11. (a) A "journeywoman" shall mean a female assistant who is in receipt of not less than the minimum wage provided for journeywomen.

(b) A "junior" shall mean a female assistant who has served less than five years at the trade and who is in receipt of less than the minimum wage provided for journeywomen.

(c) It is no part of the duty of any female assistant covered by this award to do charing or laundry work in connection with the business.

Wages

12. Female assistants shall be employed at not less than the following rates of wages:—

	Per Week.		
	£	s.	d.
First six months	1	9	0
Second six months	1	14	6
Third six months	2	1	6
Fourth six months	2	8	6
Fifth six months	2	16	6
Sixth six months	3	5	0
Fourth year	4	0	0
Fifth year	4	15	0
Thereafter for journeywomen ..	5	7	6
Branch manageress or worker in charge	6	0	0
Manageress or worker in charge ..	6	10	0

Uniforms

13. Where the employer requires an assistant to wear white or coloured uniforms and/or jackets, the same shall be laundered by the employer. An employer who requires a worker to wear any distinctive or special uniform (other than an ordinary white uniform or black alpaca or grey coat) shall pay the cost of such uniform.

Tools of Trade

14. The employer shall provide all necessary tools of trade, which shall be kept in reasonable order by the assistant.

Proportion

15. The proportion of juniors shall be not more than one junior to one journeywoman. A proprietor who works substantially at the trade shall count as a journeywoman.

PART III—APPLICABLE TO TOBACCONISTS' ASSISTANTS

16. This part of the award shall apply to workers engaged in the retail sale of hairdressing and tobacconists' supplies, other than occupiers either permanently or temporarily appointed as such while such appointment remains in force.

Definition of Tobacconist

17. For the purposes of this award a tobacconist shall be deemed to be any person, firm, or company who stocks tobacco and/or cigarettes for the purpose of sale by retail.

Hours of Work

18. The hours of work for tobacconists shall be forty per week, subject to the provisions of the Shops and Offices Act, 1921-22, and its amendments.

Wages

19. The following shall be the minimum rates of wages per week:—

(a) Males:—

Age commencing.	First Six Months.	Second Six Months.	Third Six Months.	Fourth Six Months.	Fifth Six Months.	Sixth Six Months.	Fourth Year.	Fifth Year.	There-after.
16 to 17 ..	30/-	36/-	43/-	49/-	56/-	62/-	72/-	121/6	135/-
17 to 18 ..	33/-	39/6	46/-	52/-	59/6	65/6	75/6	128/-	135/-
18 to 19 ..	39/6	45/6	52/-	58/-	68/-	75/-	115/-	128/-	135/-
19 to 20 ..	48/6	54/-	67/6		115/-		125/-	135/-	135/-
20 to 21 ..	61/6		115/-		125/-		135/-	135/-	135/-
21 and over ..	115/-		125/-		135/-		135/-	135/-	135/-

(b) *Females*:—

Age commencing.	First Six Months.	Second Six Months.	Third Six Months.	Fourth Six Months.	Fifth Six Months.	Sixth Six Months.	Fourth Year.	Fifth Year.	There-after.
16 to 17 ..	27/-	33/-	40/-	46/-	53/-	59/-	66/-	75/-	84/-
17 to 18 ..	31/-	37/-	43/6	49/6	57/-	63/-	70/-	82/6	84/-
18 to 19 ..	34/6	40/6	47/6	54/6	65/6		81/6	82/6	84/-
19 to 20 ..	38/6	45/6	54/6	64/6	75/-		82/-	84/-	84/-
20 to 21 ..	43/6	53/-	73/-	75/-	80/-		82/-	84/-	84/-
21 and over ..	73/-	75/-	80/-		82/-		84/-	84/-	84/-

PART IV—GENERAL PROVISIONS APPLICABLE TO ALL WORKERS

Overtime and Meal-money

20. (a) All time worked in excess of the hours prescribed by this award shall be paid for at time and a half rates with a minimum of 1s. 9d. per hour: Provided that all time worked after 9 p.m., other than on Christmas Eve, shall be paid for at double rates.

(b) Subject to the provisions of the Shops and Offices Act, 1921-22, female hairdressers (exclusively confined to ladies' work) may work overtime on Tuesday nights only, providing the hour for ceasing work is no later than 9 p.m.

(c) Where overtime is worked after 6 p.m., 2s. 3d. tea-money shall be paid to all workers covered by this award.

Meal-hours

21. The employer shall so arrange his hours to permit his employees to take one hour for a meal between the hours of 12 noon and 2.15 p.m. on five days of the week and one hour for tea between the hours of 5 p.m. and 7 p.m. on the day of the late night, and no employee shall be permitted to work in any hairdressing establishment during his allotted meal-hour.

Holidays

22. (a) All workers covered by this award shall be allowed annual holidays in terms of the Annual Holidays Act, 1944, and its amendments.

(b) The following shall be observed as full holidays: New Year's Day, 2nd January, Christmas Day, Boxing Day, Good Friday, Easter Monday, Anzac Day, Labour Day, the birthday

of the reigning Sovereign, and Anniversary Day or, in districts where Anniversary Day is not usually observed as a holiday, another day in lieu thereof.

(c) If any of the above-mentioned holidays, except Anzac Day, should fall on a Saturday it shall be transferred to the following Monday. Should any of the above holidays fall on a Sunday it shall be transferred to the following Monday. In the event of any consecutive holidays falling on Saturday and Sunday they shall be transferred to the following Monday and Tuesday.

Part-time and Casual Workers

23. (a) Part-time or casual hands shall be paid as follows—males, 20 per cent.; females, 33 $\frac{1}{3}$ per cent.—in addition to the rates prescribed in the wages clauses, computed on an hourly basis. No part-time or casual worker shall be paid for less than four hours on any ordinary day.

(b) A worker shall be deemed to be a part-time hand if employed for less than the daily hours laid down in this award. A worker shall be deemed to be a casual hand if employed for less than two consecutive weeks at any one engagement.

Weekly Employment

24. (a) The employment shall be deemed to be a weekly employment, and no deduction from wages shall be made except for the worker's sickness or default or through accident.

(b) Not less than seven days' notice shall be given by either party of the termination of the employment, except in the case of part-time or casual hands; but nothing in this clause shall prevent an employer from summarily dismissing any worker for serious misconduct. The period of notice in either case shall be exclusive of the whole or any part of the annual holiday required to be given in pursuance of this award.

Payment of Wages

25. The payment of wages shall be made weekly on or before Wednesday and before the hour of ceasing work.

No Reduction in Present Rates

26. Any worker who, at the date of the coming into force of this award, is in receipt of wages in excess of those prescribed by this award shall not have such wages reduced by the operation of this award.

Right of Entry

27. The secretary or other authorized officer of the union shall 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.

Notification

28. Each employer shall notify the union within seven days of the coming into operation of this award, and immediately after the employment of any new worker, of the names of all such workers.

Workers to be Members of Union

29. (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

30. (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

31. Any dispute in connection with this award or any matter not provided for 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 dispute shall be referred to the local Conciliation Commissioner, who may either decide the same or refer the matter to the Court. Either party dissatisfied with the decision of the Conciliation Commissioner may appeal to the Court upon giving written notice of such appeal to the other party within fourteen days after such decision shall have been communicated to the party desiring to appeal.

Closing of Shops

32. (a) In exercise of the powers vested in the Court by the Shops and Offices Act, 1921-22, it is ordered that all shops in which are carried out any class of business to which this award relates in the industrial district throughout which the award operates shall be closed from the hour of 5.45 p.m. on Mondays, Tuesdays, Wednesdays, Thursdays, and no later than 9 p.m. on Fridays, and, further, shall not be opened for business on Saturdays.

(b) All the shops mentioned in subclause (a) hereof shall be closed from the hour of 8 a.m., and in the case of tobacconists 7 a.m., on the days prescribed in this award as holidays (including days lawfully observed as holidays in lieu of any prescribed), except that tobacconists may remain open on Boxing Day, provided no assistants are employed.

(c) This clause shall be read subject to the provisions of section 3 (2) and section 5 of the Shops and Offices Act, 1921-22.

Application of Award

33. (a) This award shall apply to the hairdressing, hair-working, and wigmaking industry, and to the industry of retail tobacconists.

(b) 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

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

Term of Award

35. This award shall come into force on the 20th day of December, 1948, and shall continue in force until the 20th 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 14th day of December, 1948.

[L.S.]

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

MEMORANDUM

The matters referred to and settled by the Court related to rate of wages, provision of uniforms, overtime, holidays, closing of shops, and term of award.

D. J. DALGLISH, Deputy Judge.