

CANTERBURY RUBBER-FOOTWEAR OPERATIVES.—AWARD

In the Court of Arbitration of New Zealand, Canterbury 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 Christchurch Footwear Operatives' Industrial Union of Workers (hereinafter called "the union") and the undermentioned company (hereinafter called "the employers") :—

Marathon Rubber Footwear, Ltd., Christchurch.

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 13th day of December, 1948, and shall continue in force until the 13th 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 8th day of December, 1948.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to which Award Applies

1. This award shall apply to the assembly and manufacture of canvas and rubber soled footwear and waterproof rubber footwear.

Hours of Work

2. The ordinary hours of work shall not exceed forty per week nor eight per day, to be worked on the five days of the week, Monday to Friday, both days inclusive, between the

hours of 7 a.m. and 5 p.m. for male workers and between 8 a.m. and 5 p.m. for female workers: Provided that no worker shall be required to start at 7 a.m. unless his usual form of transport is available to him.

Shift-work

3. Shift-work may be worked if required on terms to be arranged between the employer and the union.

Overtime

4. (a) All time worked outside or in excess of the daily hours prescribed in clause 2 hereof shall be overtime and shall be paid for at the rate of time and a half for the first four hours and double time thereafter.

(b) Workers required to work on Saturday shall be employed for a minimum of four hours.

(c) When a worker is required to work overtime beyond half an hour after his usual time for ceasing work and has not been notified on the previous day, he shall be paid the sum of 2s. 3d. meal-money. If such a worker is notified that he is to work and overtime is not worked, such worker shall be paid an allowance of 2s. 3d.

Holidays

5. (a) All workers shall receive the following holidays in each year: New Year's Day, 2nd January, Good Friday, Easter Monday, Anzac Day, Labour Day, Christmas Day, Boxing Day, Anniversary Day or a day in lieu thereof, and the birthday of the reigning Sovereign.

(b) All work performed on any of the above-mentioned holidays shall be paid for at double rates. This payment shall be made in addition to the weekly wage payable to the worker concerned.

(c) All work performed on Sundays shall be paid for at double rates.

(d) In the event of a holiday other than Anzac Day, falling on a Saturday or Sunday, such holiday shall be observed on the succeeding Monday, and in the event of another holiday falling on such Monday, such other holiday shall be observed on the succeeding Tuesday.

Annual Holidays

6. An annual holiday shall be allowed in accordance with the provisions of the Annual Holidays Act, 1944.

Wages

7. (a) Adult male workers shall be paid not less than the following wages:—

		Per Week.		
		£	s.	d.
(i)	Canvas shoe section—			
	Machine outsole cutter	7	6	2
	Laster	7	10	10
	Other adult male workers	7	0	0
(ii)	Gum boot section—			
	Cutting department:			
	Beam press cutter	7	6	2
	Mallet or die cutter	7	6	2
	Hand cutter	7	8	9
	Hand outsole cutter	7	16	2
	Machine outsole cutter	7	6	2
	Making department—			
	Lasters	7	10	10
	Leg lasters	7	6	2
	Skivers	7	6	2
	Vampers	7	10	10
	Foxing placers	7	6	2
	Outsole placer	7	10	10
	Outsole roller	7	6	2
	Examiner	7	10	10
	Other adult male workers	7	0	0
(iii)	Vulcanizers	7	8	9
	Press hand	7	8	9
(iv)	Individual boot or shoe makers	7	12	0

(b) *Boys and Youths.*—The minimum weekly rates of wages for boys and youths shall be:—

Age commencing at Trade.	First Year.		Second Year.		Third Year.		Fourth Year.		Fifth Year.	
	First Six Months.	Second Six Months.	First Six Months.	Second Six Months.	First Six Months.	Second Six Months.	First Six Months.	Second Six Months.	First Six Months.	Second Six Months.
Under 16 ..	33/6	40/6	48/6	57/-	65/-	73/-	81/-	89/6	97/6	105/6
16 to 17 ..	39/-	45/-	50/6	59/-	67/-	74/6	82/6	94/-	97/6	105/6
17 to 18 ..	45/-	52/6	61/-	69/-	77/-	88/6	94/-	105/-	..	..
18 to 19 ..	54/-	62/-	71/-	87/6	93/6	104/6	..	..	..	..
19 to 20 ..	70/6	81/6	93/-	104/-	..	..	..	..	..	..
20 to 21 ..	81/6	104/-	..	..	..	..	..	..	..	..

Thereafter, the minimum rate of wages prescribed in subclause (a).

(c) *Females*.—The minimum weekly rates of wages for female workers shall be:—

Age commencing at Trade.	First Six Months.	Second Six Months.	Third Six Months.	Fourth Six Months.	Fifth Six Months.	Sixth Six Months.	Seventh Six Months.
Under 16	31/-	36/-	41/-	46/6	54/-	61/6	76/6
16 to 17	36/-	41/-	46/-	51/6	56/6	61/6	76/6
17 to 18	39/-	44/-	49/6	55/6	61/6	76/6	..
18 to 19	46/-	51/6	56/6	61/6	76/6	..	..
19 to 20	51/6	56/6	66/6	76/6	..	..	..
20 to 21	66/6	76/6	..	..	..	..	..
Over 21	76/6	..	..	..	..	..	..

Thereafter, £4 7s. 6d. per week.

(d) Notwithstanding anything contained herein, the wages of any worker at present receiving more than the rates prescribed herein shall be maintained at not less than the present rates during the currency of this award.

(e) The proportion of boys and/or youths to adult males shall not exceed one to five.

Bonus Payments

8. Bonus payments to workers shall be permitted in terms to be arranged between the employer and the union.

Terms of Employment

9. (a) Twenty-four hours' notice of the termination of the services of the worker shall be given by the employer to the worker or by the worker to the employer; but this shall not prevent summary dismissal for misconduct.

(b) No deduction shall be made from the wages of any worker for whom a weekly wage is provided herein except for time lost through the illness or default of the worker or through accident not arising out of or in the course of the employment.

(c) Wages shall be paid on or before Thursday in each week and within working-hours.

General Conditions

10. (a) Suitable accommodation shall be provided for workers to store valuables. Adequate dining, sanitary, and washing accommodation shall be provided.

(b) Notice-boards shall be provided in a prominent position for the display of union notices.

(c) In each factory there shall be provided a suitable furnished place for the use of female workers.

(d) Rest periods shall be allowed in accordance with the present practice.

(e) Females shall not be employed on chain operations in the gum boot section. Females shall not be employed on the following operations in the canvas shoe section: lasting, clicking, cutting of canvas uppers, skiving, sole-pressing, Wellman-knife sole-cutting, last sorting, and carrying.

Females shall not be employed on hot press cutting. When any new type of rubber footwear is to be produced, the employment of females on any of the operations shall be discussed by the employer with representatives of the workers.

Foremen and Forewomen

11. The employer may appoint one foreman or forewoman in each department where five or more workers are employed, and, provided the person so appointed is engaged in supervising work for not less than 40 per cent. of the working-hours, such foreman or forewoman shall be exempt from the provisions of this award. It shall be the duty of the employer to notify the secretary of the union of the appointment of such foreman or forewoman.

Disputes Committee

12. Any dispute in connection with any matter not provided for in this award shall be settled between two representatives of the employer concerned and two representatives of the union, and in default of any agreement being arrived at, then such dispute shall be referred to the Conciliation Commissioner who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Conciliation Commissioner, may appeal to the Court within seven days after such decision shall have been communicated to the party desiring to appeal.

Workers to be Members of Union

13. (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

14. (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.

Right of Entry

15. The secretary or other authorized officer of the union 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.

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 Canterbury Industrial District.

Term of Award

18. This award shall come into force on the 13th day of December, 1948, and shall continue in force until the 13th 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 8th day of December, 1948.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The matters referred to and settled by the Court were as follows: rates of wages for adult male workers, boys and youths, and female workers; counter-proposal to include a provision for a probationary period for inexperienced employees; claim for a provision prescribing that twenty-four men shall constitute a chain in the gum boot section.

A. TYNDALL, Judge.
