

NEW ZEALAND (EXCEPT MARLBOROUGH AND WESTLAND)
CANVAS-WORKERS—AWARD

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

In the Court of Arbitration of New Zealand, Northern, Taranaki, Wellington, Nelson, 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 persons, firms, and companies (hereinafter called "the employers") :—

NORTHERN INDUSTRIAL DISTRICT

Le Roy, Brunswick Lane, Queen Street, Auckland.
 Windust, W. P., Otahuhu, Auckland.
 Wiseman, J., and Son, Newmarket, Auckland.
 Sails and Covers, Ltd., Fort Street, Auckland.

WELLINGTON AND TARANAKI INDUSTRIAL DISTRICT

Cook and Lister Co., Ltd., Canvas and Leather Goods Manufacturers, New Plymouth.
 Eide and Co., Ltd., Trinity Building, Victoria Avenue, Wanganui.
 Fielding Saddlery, Cow and Horse Covers Makers, Levin.
 Land and Heighways, Ltd., Leather and Canvas Goods Makers, Hastings.
 Manawatu Canvas Co., Ltd., 178 Rangitikei Street, Palmerston North.
 McCaskey, J. J., Ltd., Vivian Street, Wellington.
 McDermott, E. C., Ltd., Karamu Road, Hastings.
 Piper and Son, Canvas-goods Manufacturers, Port Ahuriri, Napier.

NELSON INDUSTRIAL DISTRICT

Franzen and Co., Saddlery and Canvas Workers, Hardy Street, Nelson.

CANTERBURY INDUSTRIAL DISTRICT

Johnson and Cousins, Ltd., Cashel Street, Christchurch.
 Mason Struthers, Ltd., Tuam Street, Christchurch.
 Patching Ltd., Ashburton.

OTAGO AND SOUTHLAND INDUSTRIAL DISTRICT

Barber, William, Canvas-goods Manufacturer, Bluff.
 Dimmick, V. A., 211 Thames Street, Oamaru.
 Hutton and Co., Balclutha.
 National Mortgage and Agency Co. of New Zealand, Ltd., Water Street, 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 day of the date hereof, and shall continue in force until the 20th day of June, 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 20th day of December, 1948.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to Which Award Applies

1. This award shall apply to all persons employed and to the employers of workers in the manufacturing or repairing of sails, tents, horse and cow covers, tarpaulins, rick and vehicle covers, canvas proofing and dyeing, and all canvas-work.

The provisions of this award shall not apply to the manufacture or repairing of hessian goods, flour-bags, sugar-bags, sacks, and woolpacks.

Classification of Workers

2. (a) The classification of workers shall be journeymen, journeywomen, youths, female machinists, and any other class the trade may require.

(b) A journeyman is a worker who has served his term of apprenticeship at the work covered by this award.

(c) A journeywoman is a worker who has served four years at the work covered by this award.

Hours of Work

3. (a) The ordinary hours of work shall not exceed eight a day; such hours shall be worked continuously (except for the meal-interval) between 8 a.m. and 5.30 p.m. on five days of the week, Monday to Friday, both days inclusive.

(b) Except as otherwise agreed, the midday meal period shall not be of less than forty-five minutes' duration.

Wages

4. (a) Journeymen shall be paid not less than 3s. 7d. per hour.

(b) *Youths*.—Youths may be employed at not less than the following rates of pay:—

	Per Week.		
	£	s.	d.
For the first six months	1	10	0
For the second six months	1	15	0
For the third six months	2	0	0
For the fourth six months	2	5	0
For the fifth six months	2	10	0
For the sixth six months	2	16	0
For the seventh six months	3	2	6
For the eighth six months	3	9	0
For the ninth six months	3	18	6
For the tenth six months	4	8	0
Thereafter	6	0	0

Provided that workers commencing over sixteen years of age shall be paid 5s. per week in addition to the above rates; and over seventeen years of age, 7s. 6d. per week in addition to the above rates; and over eighteen years of age, 10s. per week in addition to the above rates; but this proviso shall not operate so as to increase the rate of £6.

Provided, also, that workers over twenty-one years of age shall be paid not less than £5 15s. per week.

(c) The proportion of youths to journeymen shall not exceed one to two or part thereof. Provided that apprentices employed under the provisions of the Apprentices Act shall be counted as youths and employers working at the trade shall be counted as journeymen.

(d) Any youth employed prior to the 1st November, 1948, who has been employed by the same employer for a period of five years, and is qualified, shall be paid the journeymen's rate.

(e) Females may be employed at not less than the following rates of pay:—

	Per Week.		
	£	s.	d.
For the first six months	1	9	6
For the second six months	1	14	6
For the third six months	1	19	6
For the fourth six months	2	5	0
For the fifth six months	2	11	6
For the sixth six months	2	18	0
For the seventh six months	3	5	6
For the eighth six months	3	15	0
Thereafter	4	6	0

Provided that workers commencing over sixteen years of age shall be paid 5s. per week in addition to the above rates; and over seventeen years of age 7s. 6d. per week in addition to the above rates; and over eighteen years of age, 10s. per week in addition to the above rates; but this proviso shall not operate so as to increase the rate of £4 6s.

Provided, also, that workers over twenty-one years of age shall be paid not less than £3 13s. per week.

(f) A journeywoman placed in charge of two female workers shall be paid 2s. 6d. per week extra; if over two, 5s. per week.

(g) Females employed in the manufacture of sails made of materials exceeding 8 oz. in weight with an area of 250 to 360 square feet as a maximum, or employed in the manufacture of tents, horse or cow covers, or tarpaulins made of materials exceeding 12 oz. in weight, shall be paid 6d. per hour in excess of the rate provided for females.

Overtime

5. (a) Time worked in any day beyond the hours set out in clause 2 shall be paid for at the rate of time and a half for the first three hours and double time thereafter, with a minimum rate of 1s. 9d. per hour.

(b) All work done between 8 a.m. and noon on Saturdays shall be paid for at time and a half rates and all work done after noon on Saturday shall be paid for at double time rates.

Holidays

6. (a) The following holidays shall be observed without deduction from wages: A whole holiday on every Christmas Day, Boxing Day, New Year's Day, 2nd January, Easter

Monday, Good Friday, Anzac Day, Labour Day, Anniversary Day, and the birthday of the reigning Sovereign: Provided that in districts where Anniversary Day is not observed as a holiday, another day shall be allowed in lieu thereof.

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

(c) Payment of wages for the said holidays shall be made in accordance with the provisions of the Factories Act.

(d) Should any of the holidays provided for in sub-clause (a) hereof (except Anzac Day) fall on a Saturday or on a Sunday, the holiday shall be observed on the succeeding Monday, and in the case of another holiday falling on such Monday, such other holiday shall be observed on the succeeding Tuesday.

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

Meal-money

7. A worker working overtime after 6 p.m. shall be paid 2s. 3d. meal-money unless notified on the previous day that he or she would be required to work overtime.

Deductions from Wages

8. An employer shall be entitled to make a rateable deduction from the weekly wages of any worker for any time lost by him or her through sickness, accident, or default, or on account of the temporary closing of the factory for cleaning or repairing the machinery.

Right of Entry Upon Premises

9. 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

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

(b) In the case of a worker on an hourly wage, one hour's notice of the termination of the employment shall be given by the employer to the worker or by the worker to the employer, as the case may be.

(c) In the case of workers on a weekly wage, twenty-four hours' notice of the termination of the employment shall be given by the employer to the worker or the worker to the employer, as the case may be.

(d) Nothing in this clause shall prevent the summary dismissal of a worker for misconduct or other good cause.

(e) Workers shall be paid their wages not later than Thursday in each week and in the employer's time.

(f) An interval of ten minutes shall be allowed to every worker during each morning and afternoon, and facilities shall be provided for boiling water for use during this and the lunch period.

(g) All tools necessary for the carrying-out of the work shall be supplied by the employer and shall remain his property.

Workers to be Members of Union

11. (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

12. (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

13. 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 a 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.

Exemptions

14. The following persons, firms, and companies shall be exempted from the provisions of this award:—

The Auckland Farmers' Freezing Co., Ltd., and other freezing companies.

The Auckland Stevedoring Co., Ltd., Auckland.

The Union Steam Ship Co. of New Zealand, Ltd., Wellington.

The Colonial Sugar-refining Co., Ltd., Chelsea, Auckland.

The Northern Steam Ship Co., Ltd., Quay Street, Auckland.

John Burns, Ltd., Customs Street, Auckland.

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

Leonard and Dingley, Quay Street, Auckland.

Auckland Harbour Board, Quay Street, Auckland.

Wellington Patent Slip Co., Ltd., Wellington.

The Union Steam Ship Co. of New Zealand, Ltd., Auckland.

Scope and Application of Award

15. This award shall operate throughout the Northern, Taranaki, Wellington, Nelson, Canterbury, and Otago and Southland Industrial Districts and 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 districts to which this award relates unless specially exempted herein.

Term of Award

16. This award shall come into force on the day of the date hereof, and shall continue in force until the 20th day of June, 1949.

In witness whereof the seal of the Court of Arbitration hath hereunto been put and affixed, and the Judge of the Court hath hereunto set his hand, this 20th day of December, 1948.

[L.S.]

A. TYNDALL, Judge.

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MEMORANDUM

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

A. TYNDALL, Judge.
