

WELLINGTON INDUSTRIAL DISTRICT **FILM - EXAMINERS.**—
AWARD

In the Court of Arbitration of New Zealand, Wellington Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925; and in the matter of an industrial dispute between

The New Zealand (except Northern, Nelson, and Westland) Theatrical and Places of Amusement and Related Employees' Industrial Union of Workers (hereinafter called "the union") and the undermentioned companies (hereinafter called "the employers") :—

Action Pictures (New Zealand), Ltd., 55 Courtenay Place, Wellington.

British Empire Films, Ltd., 15 Courtenay Place, Wellington.

Columbia Pictures Proprietary, Ltd., Levy Buildings, Taranaki Street, Wellington.

Metro-Goldwyn-Mayer (N.Z.), Ltd., Hope Gibbons Building, Dixon Street, Wellington.

Paramount Films, Ltd., Cuba Street, Wellington.

R.K.O. Radio Pictures Proprietary, Ltd., Evening Post Building, Willis Street, Wellington.

Reliance Films, Ltd., 55 Courtenay Place, Wellington.

Twentieth Century Fox Film Corporation (N.Z.), Ltd., Kent House, Kent Terrace, Wellington.

United Artists (Australasia) Proprietary, Ltd., 55 Courtenay Place, Wellington.

Universal Pictures Proprietary, Ltd., Nimmos Building, Willis Street, Wellington.

Warner Bros. Pictures, Ltd., 122 Wakefield Street, Wellington.

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 26th day of April, 1948, and shall continue in force until the 26th day of April, 1950, 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 21st day of April, 1948.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Workers to whom Award applies

1. This award shall apply to all workers, male and female, employed as film-examiners and/or film-repairers, except that the provisions of this award shall not apply to workers covered by another award who may occasionally assist in the work covered by the provisions of this award.

Hours of Work

2. The ordinary hours of work shall not exceed forty hours per week, to be worked on five days of the week (Monday to Friday inclusive) between the hours of 8 a.m. and 5 p.m.

Wages

3. The following shall be the minimum rates of wages:—

	Per Week.					
	Females.			Males.		
	£	s.	d.	£	s.	d.
Under 16 years of age ..	1	13	6	2	0	0
16 to 16½ years of age ..	1	18	6	2	5	6
16½ to 17 years of age ..	2	4	0	2	11	0
17 to 17½ years of age ..	2	9	6	2	18	6
17½ to 18 years of age ..	2	15	6	3	4	6
18 to 19 years of age ..	3	1	6	3	16	0
19 to 20 years of age ..	3	8	0	4	9	0
20 to 21 years of age ..	3	17	6	5	6	0
Thereafter ..	4	7	7	6	12	0

Any worker who, on the coming into force of this award, is in receipt of higher rates of wages than set out herein shall not have his or her wages reduced whilst in the present employment.

Overtime

4. Any time worked outside the hours of work (clause 2 hereof) or in excess of eight hours in any one day shall be deemed to be overtime and shall be paid for at the rate of time and a half.

Holidays

5. (a) For all work done on New Year's day, Anniversary Day, Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day, and Boxing Day double the ordinary rates shall be paid.

(b) Should any of the aforementioned holidays, except Anzac Day, fall on a Sunday, the following Monday shall be observed as an award holiday.

(c) For all work done on a Sunday, double the ordinary rates shall be paid.

Annual Leave

6. The provisions of the Annual Holidays Act, 1944, and its amendments shall apply to workers covered by this award.

Payment of Wages

7. Wages shall be paid weekly during working-hours, and not later than Friday.

Term of Engagement

8. (a) All workers shall be engaged by the week, unless longer periods are agreed upon. One week's notice of termination of engagement shall be given by either side.

(b) An employer shall be entitled to make a rateable deduction from the wages of workers for time lost through sickness or default.

Meals

9. An interval of not less than three-quarters of an hour shall be allowed each worker for a meal. No worker shall be called upon to work more than four and a quarter hours without an interval being allowed.

Overalls

10. Suitable overalls shall be supplied by the employers.

Disputes

11. The essence of this award being that the work of the employers shall not on any account whatsoever be impeded but 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 whatsoever arising out of or connected therewith and not dealt with in this award, every such dispute or difference shall be referred to a committee to be composed of two representatives of each side, together with an independent chairman to be mutually agreed upon or, in default of agreement, to be appointed by the Conciliation Commissioner for the district. Either side shall have the right to appeal to the Court within fourteen days after such decision has been made known to the party desirous of appealing.

Right of Entry on Premises

12. 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.

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.

Application of Award

15. 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 the 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

16. This award shall operate throughout the Wellington Industrial District.

Term of Award

17. This award shall come into force on the 26th day of April, 1948, and shall continue in force until the 26th day of April, 1950.

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 21st day of April, 1948.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

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

An adjustment has been made to the scope of award clause in the form in which it was agreed in Conciliation Council by deleting reference to the Northern Industrial District. This alteration has been made for jurisdictional reasons which have been explained to the representatives of the parties.

A. TYNDALL, Judge.