

NORTHERN, TARANAKI, WELLINGTON, CANTERBURY, AND
OTAGO AND SOUTHLAND **SOAP-WORKERS**—AWARD

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

In the Court of Arbitration of New Zealand, Northern, Taranaki, Wellington, 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 Soap Manufacturers' Industrial Association of Employers (hereinafter called "the employers"), and

The Auckland Curriers, Beamsmens, Fellmongers, Tanners, Soap-workers, and General Tannery Employees' Industrial Union of Workers, Karangahape Road, Auckland

The Wellington and Taranaki Soap, Candle, Tannery, and Related Trades' Employees' Industrial Union of Workers, Trades Hall, Wellington

The Canterbury Freezing-works and Related Trades' Employees' Industrial Union of Workers, Trades Hall, Christchurch

The Otago and Southland Freezing-works and Related Trades' Employees' Industrial Union of Workers, Allbell Chambers, 154 Stuart Street, Dunedin

(hereinafter called "the union").

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 as hereinafter provided, and shall continue in force until the 4th day of February, 1951, 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 1st day of March, 1949.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to Which Award Applies

1. (a) This award shall apply to all workers employed in or about soap-manufacturing factories wherein soap products of any kind, including sand-soap, common soap, washing or toilet soap, shaving soaps and creams, shampoos, liquid soap, soft soap, soap-powders, and the like are manufactured, and shall include workers in soap-factories engaged in the making of toilet powders, ointment, perfumes, dental soap and creams, starch, soda crystals, candles, vegetable and animal oils and lotions, &c., irrespective of the purpose for which they may be required.

(b) For the purpose of the foregoing provision, wrapping and packing of such goods shall be deemed to be a part of the manufacture thereof where such wrapping and packing is done in an establishment covered by the definition as set out in subclause (a) hereof.

Hours of Work

2. (a) The ordinary hours of work shall not exceed forty per week or eight per day, and shall be worked as follows: from Mondays to Fridays inclusive between the hours of 7.45 a.m. and 5 p.m., with three-quarters of an hour allowed on each day for lunch: Provided, however, that the present practice as to Saturday work by workers in the starch department shall be allowed to continue; but any work performed on Saturday shall be paid for at the overtime rates prescribed in clause 6 hereof.

(b) By mutual arrangement the commencing hour may be altered to 7.30 a.m., provided that not more than eight hours are worked in any one day without payment of overtime.

(c) At soap-works, workers engaged in casting a pan may be worked five hours continuously without an interval for a meal.

(d) *Shift-work.*—(i) Two or three shifts of eight hours may be worked if necessary on the first five days of the week. Workers employed on shift-work shall, during each shift, be allowed thirty minutes for a meal without deduction from wages. No worker under the age of twenty-one years shall be employed on the morning or evening shifts unless such worker is paid adult rates.

(ii) A worker employed on shift-work between the hours of 5 p.m. and 7.45 a.m. shall be paid 2s. 6d. per shift in addition to the ordinary wage.

Wages

3. (a) The minimum rate of pay for male workers over the age of twenty-one years shall be not less than £6 10s. per week, calculated at the rate of 3s. 3d. per hour.

(b) Male workers in control of five or more men and male charge hands in charge of processes, 1s. per day extra.

(c) Casual workers employed for less than four and a half days in any week shall be paid 3s. 4d. per hour.

Employment of Youths

4. The following shall be the minimum weekly rates of wages payable to youths:—

Age commencing.	First Six Months.	Second Six Months.	Third Six Months.	Fourth Six Months.	Fifth Six Months.	Sixth Six Months.	Seventh Six Months.	Eighth Six Months.	Ninth Six Months.	Tenth Six Months.	Eleventh Six Months.
Under 16 ..	33/-	38/-	44/6	50/6	56/6	62/6	70/-	76/6	85/-	92/-	100/6
16 to 16½ ..	38/-	44/6	50/6	56/6	62/6	70/-	76/6	85/-	92/-	100/6	..
16½ to 17 ..	44/6	50/6	56/6	62/6	70/-	76/6	85/-	92/-	100/6	..	..
17 to 17½ ..	50/6	56/6	62/6	70/-	76/6	85/-	92/-	100/6	..	..	..
17½ to 18 ..	56/6	62/6	70/-	76/6	85/-	92/-	100/6	..	..	..	..
18 to 18½ ..	62/6	70/-	76/6	85/-	92/-	100/6	..	..	..	..	..
18½ to 19 ..	70/-	76/6	85/-	92/-	100/6	..	..	..	..	..	..
19 to 19½ ..	76/6	85/-	92/-	100/6	..	..	..	..	..	..	..
19½ to 20 ..	85/-	92/-	100/6	..	..	..	..	..	..	..	..
20 to 20½ ..	92/-	100/6	..	..	..	..	..	..	..	..	..
20½ to 21 ..	100/6	..	..	..	..	..	..	..	..	..	..

Employment of Females

5. Female workers may be employed at not less than the following weekly rates:—

Age commencing.	First Year.		Second Year.		Third Year.		Fourth Year.	
	First Half.	Second Half.	First Half.	Second Half.	First Half.	Second Half.	First Half.	Second Half.
Under 16 ..	29/-	34/-	40/-	45/-	50/6	55/6	61/-	72/6
16 to 17 ..	34/-	40/-	45/-	50/6	55/6	61/-	72/6	..
17 to 18 ..	40/-	45/-	50/6	55/6	61/-	72/6	..	..
18 to 19 ..	50/6	55/6	61/-	72/6	..	..	..	..
19 to 20 ..	55/6	61/-	72/6	..	..	..	..	..
20 to 21 ..	61/-	72/6	..	..	..	..	..	..

Thereafter, not less than £4 4s. per week.

Overtime

6. (a) Time worked in any day outside of or in excess of the hours specified in clause 2 hereof shall be paid for at the rate of time and a half for the first four hours and double time thereafter.

(b) When workers are required to work overtime on any day, the employer shall provide a meal or pay such worker 2s. 6d. to enable him or her to purchase a meal, unless such worker has been notified on the day previous that he or she will

be required to work overtime: Provided that when such notice has been given and the workers' services are not required, he or she shall still receive the meal allowance.

(c) In the case of shift-workers, overtime at the above-mentioned rates shall be paid in excess of the specified shift hours.

Terms of Employment

7. (a) No deduction shall be made from the weekly wages of workers except for time lost through sickness, accident, or default of the worker; but the employer may, with the consent of the worker, deduct the subscription due to the union.

(b) Nothing in the foregoing subclause shall prevent an employer from summarily dismissing any worker for wilful misconduct.

Holidays

8. (a) The following holidays shall be observed without deduction from pay: New Year's Day and the day following, Anniversary Day or a day in lieu thereof, Good Friday, Easter Monday, Labour Day, the birthday of the reigning Sovereign, Anzac Day, Christmas Day, and Boxing Day.

(b) Should any of the above-mentioned holidays, other than Anzac Day, fall on a Saturday or Sunday, then for the purposes of this award such holiday shall be observed on the next succeeding working-day.

(c) All time worked on Sunday or on any of the above-mentioned holidays shall be paid for at double time rates in addition to the ordinary rate.

(d) The conditions of the Public Holidays Act, 1910, and amendments thereto shall apply to this award.

Annual Holidays

9. The provisions of the Annual Holidays Act, 1944, shall apply to workers covered by this award.

Payment of Wages

10. Wages shall be paid weekly and in cash, not later than Thursday, in the employer's time.

General Conditions

11. (a) Suitable washing-accommodation, with both hot and cold water, shall be provided. Suitable dressing-rooms and dining-rooms shall be provided.

(b) Sufficient drinking-water of good quality shall be provided.

(c) Lavatory accommodation shall be provided and kept clean.

(d) A suitable covered bicycle-stand shall be provided by the employer.

(e) The employer shall supply aprons, leggings, gum boots, respirators, and all other materials necessary to carry on the work. The question of the supply of overalls and smocks to workers in any factory shall be a matter for adjustment between the employer, the worker, and the workers' union concerned, and a dispute shall be created under clause 12.

(f) An approved first-aid outfit shall be available to the workers at each works.

(g) In all cases where men are called out and there is no work, or less than two hours' work, available, they shall receive a minimum of two hours' pay at the rate specified.

(h) No youth under the age of nineteen years shall be required to lift goods exceeding 75 lb. in weight, and no female worker shall be required to lift goods exceeding 30 lb. in weight.

(i) Workers actually employed in cleaning out "save-alls," caustic and spent lye tanks, and whose duties involve going down into "save-all" pits shall be paid 2s. extra on each day or part of a day they are so employed.

(j) Workers shall be allowed an interval of ten minutes each morning and afternoon for "smoke-oh" without deduction of pay and without interfering with the continuity of the work.

(k) Factory workers provided for in this award and employed cleaning boilers shall be paid at the rate of time and a half while they are so engaged. A part of an hour so worked shall be paid for as a full hour.

Disputes

12. 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 specifically 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 against a decision of any such committee upon giving to the other side written notice of such appeal within fourteen days after such decision has been made known to the party desirous of appealing.

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 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.

Scope of Award

16. This award shall operate throughout the Northern, Taranaki, Wellington, Canterbury, and Otago and Southland Industrial Districts.

Term of Award

17. This award, in so far as it relates to wages, shall be deemed to have come into force on the 4th day of February, 1949, and so far as all the other provisions of this award are concerned it shall come into force on the day of the date hereof; and this award shall continue in force until the 4th day of February, 1951.

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 1st day of March, 1949.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

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

The Court places on record that the terms of settlement forwarded to it included the following paragraph:—

“ It is agreed by the parties to this agreement the increased rates of remuneration recommended herein shall operate from the 4th day of February, 1949, and shall be deemed to be in satisfaction or part satisfaction of any increase which may follow a new standard wage pronouncement or wage order increasing the remuneration and issued by the Court of Arbitration.”

A. TYNDALL, Judge.

NORTHERN, TARANAKI, WELLINGTON, CANTERBURY, AND
OTAGO AND SOUTHLAND SOAP-WORKERS—AMENDMENT
OF AWARD

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

In the Court of Arbitration of New Zealand.—In the matter of the Industrial Conciliation and Arbitration Act, 1925, and the Economic Stabilization Emergency Regulations 1942; and in the matter of the Northern, Taranaki, Wellington, Canterbury, and Otago and Southland Soap-workers' award, dated the 1st day of March, 1949, and recorded in 49 Book of Awards 377.

IN pursuance and exercise of the powers vested in it by the Economic Stabilization Emergency Regulations 1942, and of every other power in that behalf thereunto enabling it, this Court, for the purpose of giving effect to the pronouncement made by it on the 12th day of April, 1949, doth hereby order as follows:—

1. That the said award shall be amended in the manner following:—

(1) By deleting subclauses (a) and (c) of clause 3 (Wages) and substituting therefor the following subclauses:—

“(a) The minimum rate of pay for male workers over the age of twenty-one years shall be not less than £6 16s. 8d. per week, calculated at the rate of 3s. 5d. per hour.”

“(c) Casual workers employed for less than four and a half days in any week shall be paid 3s. 6d. per hour.”

(2) By deleting clause 4 and substituting therefor the following clause:—

“*Employment of Youths*

“4. The following shall be the minimum weekly rates of wages payable to youths:—

Age Commencing.	First Six Months.	Second Six Months.	Third Six Months.	Fourth Six Months.	Fifth Six Months.	Sixth Six Months.	Seventh Six Months.	Eighth Six Months.	Ninth Six Months.	Tenth Six Months.	Eleventh Six Months.
Under 16 ..	34/6	40/-	47/-	53/6	59/6	66/-	73/6	81/-	89/-	97/-	105/-
16 to 16½ ..	40/-	47/-	53/6	59/6	66/-	73/6	81/-	89/-	97/-	105/-	..
16½ to 17 ..	47/-	53/6	59/6	66/-	73/6	81/-	89/-	97/-	105/-	..	..
17 to 17½ ..	53/6	59/6	66/-	73/6	81/-	89/-	97/-	105/-	..	..	..
17½ to 18 ..	59/6	66/-	73/6	81/-	89/-	97/-	105/-	..	..	..	..
18 to 18½ ..	66/-	73/6	81/-	89/-	97/-	105/-	..	..	..	..	..
18½ to 19 ..	73/6	81/-	89/-	97/-	105/-	..	..	..	..	..	..
19 to 19½ ..	81/-	89/-	97/-	105/-	..	..	..	..	..	..	..
19½ to 20 ..	89/-	97/-	105/-	..	..	..	..	..	..	..	..
20 to 20½ ..	97/-	105/-	..	..	..	..	..	..	..	..	..
20½ to 21 ..	105/-	..	..	..	..	..	..	..	..	..	..

(3) By deleting clause 5 and substituting therefor the following clause:—

“Employment of Females

“5. Female workers may be employed at not less than the following weekly rates:—

Age Commencing.	First Year.		Second Year.		Third Year.		Fourth Year.	
	First Half.	Second Half.	First Half.	Second Half.	First Half.	Second Half.	First Half.	Second Half.
Under 16 ..	31/-	36/6	42/-	47/6	53/-	58/6	64/-	76/-
16 to 17 ..	36/6	42/-	47/6	53/-	58/6	64/-	76/-	..
17 to 18 ..	42/-	47/6	53/-	58/6	64/-	76/-	..	..
18 to 19 ..	50/6	55/6	61/-	76/-	..	..	..	..
19 to 20 ..	55/6	61/-	76/-	..	..	..	..	..
20 to 21 ..	61/-	76/-	..	..	..	..	..	..

“ Thereafter, not less than £4 9s. per week.”

2. That this order shall come into force on the 1st day of June, 1949.

Dated this 17th day of May, 1949.

[L.S.]

A. TYNDALL, Judge.