

NORTHERN INDUSTRIAL DISTRICT FUR-WORKERS (FEMALE)—
AWARD

In the Court of Arbitration of New Zealand, Northern 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 Auckland Tailoresses and Other Female Clothing and Related Trades Employees' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons and companies (hereinafter called "the employers") :—

Empire Furriers, Limited (A. B. Gladding), 358 Queen Street, Auckland.

Green, B., Furriers, 17 Civic Theatre Buildings, Wellesley Street, Auckland.

Green, G., 288 Queen Street, Auckland.

Imperial Fur Manufacturing Company Limited, 37 H.B. Building, Queen Street, Auckland.

Mayfair Furs and Millinery Limited, Lewis Eady Buildings, Queen Street, Auckland.

Mooneys, Limited (Auckland), 15-17 O'Connell Street, Auckland.

Regent Fur Company, Limited (A. E. Cambie, Manager), H.B. Buildings, Queen Street, Auckland.

Stern, D (Furs), Limited, corner of Wellesley and Queen Streets, Auckland.

Wittner, Miss R., Furrier, 289 Karangahape Road, Newton, Auckland.

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 as hereinafter provided and shall continue in force until the 28th day of February, 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 31st day of March, 1949.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Interpretation

1. This award shall apply to persons engaged in the making or remodelling of fur coats, capes, necklets, collars, muffs, or any fur article, and shall include alterations, repair work on garments, or renovation and relining of all classes of fur garments or articles.

Classification

2. (a) The classes of workers recognized by this award are journeywomen, female apprentices, and improvers.

(b) A "journeywoman" is a female worker who has served four years at the trade.

(c) An "apprentice" is a female worker who has served less than three years at the trade.

(d) An "improver" is a female worker who has served more than three years, but less than four years, at the trade.

Hours of Work

3. The ordinary hours of work shall be forty per week, to be worked from 8 a.m. to 5 p.m. each day, Monday to Friday inclusive.

Wages of Female Apprentices and Improvers

4. The minimum wages of female apprentices (whether their term of apprenticeship commenced under this or any previous award) and improvers employed in any capacity shall be at the following weekly rates:—

	Per Week.		
	£	s.	d.
Apprentices—			
For the first six months . . .	1	12	0
For the second six months . . .	1	17	0
For the third six months . . .	2	2	0
For the fourth six months . . .	2	7	6
For the fifth six months . . .	2	15	0
For the sixth six months . . .	3	2	0
Improvers—			
For the fourth year	3	14	6
Thereafter, journeywomen's rates:			

Provided that workers commencing over sixteen years of age shall receive 5s. per week in advance of the above rates, and over seventeen years of age 7s. 6d. per week in advance of the above rates, and over eighteen years of age 10s. per week in advance of the above rates; but this proviso shall not operate so as to increase journeywomen's rates: Provided, also, that workers over twenty-one years of age shall be paid not less than £3 15s. 6d. per week.

General Conditions Relating to Employment of Female Apprentices

5. (a) The proportion of apprentices shall not exceed two apprentices to one journeywoman.

(b) The term of apprenticeship shall be three years; each worker shall also serve a term of one year as an improver.

(c) The apprentice shall serve the full term under competent supervision and shall be taught the branch or branches of the trade to which she is apprenticed. The term "branch or branches of the trade" in this award shall be held to mean (1) fur-machining and (2) fur-finishing, to include all table work, lining-cutting, and lining-machining.

(d) It shall be obligatory on the part of the employer to pay the wages stipulated in this award and to teach the apprentice the work she is required to do in the branch of the trade to which she is apprenticed. Any apprentice who has served a period at a branch of a kindred trade shall have such time counted as part of the apprenticeship as though it had been served at the branch of the trade to which she is apprenticed.

(e) The employer shall not dismiss the apprentice for the want of work, but must in such case provide her with another employer within reasonable distance who will continue the first employer's obligations as to teaching and wages.

(f) When the full time of apprenticeship is served, the employer shall give the apprentice a certificate showing the time served.

(g) Should an employer dismiss an apprentice for good cause, he shall nevertheless give her a certificate for the time served.

(h) It shall be obligatory on the part of the apprentice to remain with the employer until the full time is served, unless dismissed for misconduct or discharged by removal from the locality or other sufficient cause.

(i) Notice of dismissal, transference, or discharge by operation of law shall be given by the employer to the Inspector of Awards, who, if requested to do so by the secretary of the local union, shall furnish such secretary with the information supplied by the employer with regard to any particular apprentice or apprentices.

(j) Three months' probation shall be allowed the first employer of any apprentice to determine her fitness, such three months to be included in the period of apprenticeship.

(k) Time lost on account of illness amounting on the whole to more than one month in the year shall be made up by the apprentice before she shall be deemed to have entered upon her next succeeding year of service.

(l) No deduction shall be made from the wages of any apprentice except for time lost through sickness, accident, or default of the apprentice.

Journeywomen's Wages

6. (a) The minimum wage for journeywomen shall be £4 11s. per week.

(b) A female worker commencing at the trade over twenty-one years of age shall be paid £3 15s. 6d. per week for the first six months; £4 for the second six months; £4 5s. for the third six months; and thereafter at journeywomen's rates.

General Conditions

7. (a) A ten-minute rest period shall be allowed in the morning and afternoon to all workers.

(b) Facilities for boiling water shall be provided to enable tea to be made for morning, lunch, and afternoon rest period.

Overtime

8. (a) All time worked before the ordinary time for starting or after the ordinary time for ceasing work on any day shall be deemed to be overtime and shall be paid for at the rate of time and a half for the first three hours and double time thereafter, with a minimum of 1s. 9d. per hour. Twenty-four hours' notice shall be given by the employer to any worker called upon to work overtime after the ordinary time for ceasing work. When less than twenty-four hours' notice has been given, 2s. 3d. shall be paid for tea-money.

(b) No employer party to this award shall employ any worker outside of award hours unless he also employs such worker during the ordinary hours of work.

Holidays

9. (a) The following shall be observed as holidays and shall be paid for at the same rate as ordinary working days: Christmas Day, Boxing Day, New Year's Day, Anniversary Day, Good Friday, Easter Monday, Anzac Day, Labour Day, and the birthday of the reigning Sovereign.

(b) The attention of the parties is drawn to the provision of the Public Holidays Act, 1910, and its amendments, which deals with the transference of holidays which fall on a Saturday or a Sunday. This provision shall apply to workers covered by this award.

(c) Double rates shall be paid for any work done on Saturday afternoon, Sunday, or any of the above-mentioned holidays.

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

General Provisions Regarding Wages

10. (a) Unless otherwise mutually arranged between the employer and the union, wages shall be paid weekly not later than the next working-day following the close of each factory's working-week, not later than Wednesday in any case, and not later than the usual closing-time of the factory.

(b) All wages shall be paid on the termination of employment.

Deductions From Wages.

11. (a) If, through slackness of work or exigencies of trade, work is not available for any worker on an ordinary working-day, the employer shall give notice to such worker on the previous day. If such notice is not given, any worker presenting herself for employment in the morning shall be entitled to a day's pay.

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

(c) When slackness of work or exigencies of trade render it necessary to work short time, the employer shall distribute the work as evenly amongst the workers of each class as circumstances will permit, and in such cases workers shall be paid only for the time actually worked.

Piecework and Bonus System

12. (a) In all cases where a bonus is paid the basis on which the bonus is calculated shall be negotiated between representatives elected by the workers directly concerned in the factory, the employer, and a representative of the workers' union. Should it become impossible to reach agreement, any of the above-mentioned parties may refer the question to the Conciliation Commissioner for the industrial district in which the factory is situated for decision. Any party dissatisfied with the decision of the Commissioner may appeal to the Court upon giving written notice of such appeal to the other parties within twenty-one days after such decision shall have been communicated to the party desirous of appealing.

(b) In factories where a bonus system is in operation, no deduction shall be made from the bonus in respect to any holidays prescribed by this award or by the Factories Act.

Part-time Workers

13. A weekly worker whose engagement is for less than forty hours per week shall be paid the *pro rata* rate calculated on the ordinary weekly wage.

Termination of Employment

14. (a) The employment shall be deemed to be a weekly employment but employment may be terminated by either party on the giving of twenty-four hours' notice, such notice to include one working-day.

(b) Payment of one day's wages may be made by the employer in lieu of giving notice. In the case of workers leaving without giving the required notice, one day's wages shall be forfeited.

Interviews With Employees

15. The secretary or other representative of the union shall be permitted to interview workers at their place of employment once a month during working-hours for the purpose of collecting contributions due to the union.

Matters Not Provided For

16. The essence of this award being that the work of the employers and the employment of the workers 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 employers and two representatives of the union for their decision. The decision of the majority of the committee shall be binding, and if no decision is arrived at, either party may appeal to the Court of Arbitration 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.

Workers to be Members of Union

17. (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 her 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

18. (a) Any worker who considers herself 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, her 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 her to have her 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

19. 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

20. This award shall operate throughout the Northern Industrial District.

Term of Award

21. This award, in so far as it relates to wages, shall be deemed to have come into force on the 8th day of February, 1949, and so far as all the other conditions 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 28th day of February, 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 31st day of March, 1949.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The award embodies the terms of partial settlement arrived at by the assessors in Conciliation Council. The remaining clauses in dispute have been settled in accordance with an agreement reached by the representatives of the parties and of which the Court was advised when the hearing of the dispute took place.

Wages have been made payable retrospectively, in accordance with the agreement of the parties.

A. TYNDALL, Judge.

NORTHERN INDUSTRIAL DISTRICT FUR-WORKERS (FEMALE)—
AMENDMENT OF AWARD

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 Industrial District Fur-workers' (Female) award, dated the 31st day of March, 1949, and recorded in 49 Book of Awards 401.

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 by deleting clauses 4 and 6 and substituting therefor the following clauses:—

“ Wages of Female Apprentices and Improvers

“ 4. The minimum wages of female apprentices (whether their term of apprenticeship commenced under this or any previous award) and improvers employed in any capacity shall be at the following weekly rates:—

	Per Week.		
	£	s.	d.
“ Apprentices—			
“ For the first six months ..	1	12	6
“ For the second six months ..	1	18	0
“ For the third six months ..	2	3	6
“ For the fourth six months ..	2	9	6
“ For the fifth six months ..	2	18	0
“ For the sixth six months ..	3	5	6

“ Improvers—

“ For the fourth year 3 19 0

“ Thereafter, journeywomen's rates:

“ Provided that workers commencing over sixteen years of age shall receive 5s. per week in advance of the above rates, and over seventeen years of age 7s. 6d. per week in advance

of the above rates, and over eighteen years of age 10s. per week in advance of the above rates; but this proviso shall not operate so as to increase journeywomen's rates: Provided, also, that workers over twenty-one years of age shall be paid not less than £4 per week."

"Journeywomen's Wages

"6. (a) The minimum wage for journeywomen shall be £4 16s. per week.

"(b) A female worker commencing at the trade over twenty-one years of age shall be paid £4 per week for the first six months; £4 5s. per week for the second six months; £4 10s. per week for the third six months; and thereafter at journeywomen's rates."

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

Dated this 20th day of June, 1949.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

This amendment gives effect to an agreement of the representatives of the parties.

A. TYNDALL, Judge.