

**NEW ZEALAND PRIVATE HOSPITALS DOMESTIC WORKERS—  
STRIKING OUT PARTIES**

In the Court of Arbitration of New Zealand, Northern, Taranaki, Wellington, Marlborough, Nelson, Westland, Canterbury, and Otago and Southland Industrial Districts.—In the matter of the Industrial Conciliation and Arbitration Act, 1925; and in the matter of the New Zealand Private Hospitals Domestic Workers' Award dated the 17th day of December, 1948, and recorded in 48 Book of Awards 2497.

UPON reading the application made on behalf of Miss Annabella Baird (Salvation Army) of "Bethany," 33 Dryden Street, Auckland, and Miss Hazel Allison (Salvation Army) of "Red-roofs," Dunblane Street, Dunedin; and upon hearing counsel for the Salvation Army in support thereof and the duly appointed representative of the New Zealand Federated Hotel, Restaurant, and Related Trades' Industrial Association of Workers in opposition thereto, the undersigned Deputy Judge

of the Court of Arbitration, in pursuance of the powers conferred by section 92 (1) (a) of the Industrial Conciliation and Arbitration Act, 1925, and of every other power in that behalf thereunto enabling, doth hereby order as follows:—

1. The New Zealand Private Hospitals Domestic Workers' Award dated the 17th day of December, 1948, and recorded in 48 Book of Awards 2497 is hereby amended by adding at the end of the first paragraph to clause 1 in the Schedule to the said award the following words:—

“ But it is hereby declared that in the case of any maternity hospital conducted on behalf of the Salvation Army this award shall not apply in respect of any inmate of a home or hostel conducted in connection therewith (not being a person residing on the premises by reason only of being employed therein) who, as such inmate, does any work in or in connection with the maternity hospital, home, or hostel.”

2. This order shall be deemed to have operated and taken effect from the 17th day of December, 1948.

Dated this 16th day of August, 1949.

[L.S.]

D. J. DALGLISH,

Deputy Judge of the Court of Arbitration  
acting in pursuance of an order of delegation of the  
Court of Arbitration.

#### MEMORANDUM

When the New Zealand Private Hospitals Domestic Workers' Award was made on the 17th day of December, 1948, the Court had before it an application to strike out parties which had been forwarded by the Conciliation Commissioner together with the terms of settlement arrived at in Conciliation Council. The Court made the award and reserved the question of the striking out of the parties until the applicants and the Union had been heard.

After hearing representatives of the applicants and of the Union I have come to the conclusion that there are not sufficient grounds for striking out the names of the parties referred to in the application.

At the hearing the evidence showed that the Salvation Army as part of its social work runs homes for unmarried mothers. These homes are run in conjunction with the maternity hospitals. The inmates of each home, in addition to looking after

their own rooms, sometimes help in the kitchen and otherwise do light work connected with the running of the maternity hospital. It appeared likely that doubt might arise as to whether they were covered by the award. I am of opinion that they should not be covered by the award and I have come to the conclusion that this is a case where the Court's discretion should be used to exempt Salvation Army maternity homes partially from the award.

At the hearing the representative of the Union consented on behalf of the Union to an order being made along the lines of this present order.

D. J. DALGLISH, Deputy Judge.

---