

**NEW ZEALAND BESPOKE TAILORING, CLOTHING, HAT
MAKING, FUR CUTTING, AND GLOVE CUTTING INDUSTRY
—APPRENTICESHIP ORDER**

In the Court of Arbitration of New Zealand.—In the matter of the Apprentices Act, 1948; and in the matter of the conditions of apprenticeship in the Bespoke Tailoring, Clothing, Hat Making, Fur Cutting, and Glove Cutting Industry.

WHEREAS application has been made to the Court by the New Zealand Bespoke Tailoring, Clothing, Hat Making, Fur Cutting, and Glove Cutting Apprenticeship Committee for an apprenticeship order governing the conditions of apprenticeship in the bespoke tailoring, clothing, hat making, fur cutting, and glove cutting industry for the whole of New Zealand: And whereas the Court has heard the employers, workers, and other persons concerned and has considered the recommendations made to it by the said Committee: And whereas the Court has deemed it expedient to make an order under section 13 of the Apprentices Act, 1948, prescribing wages, hours, and other conditions of employment to be incorporated in contracts of apprenticeship in the industry for the whole of New Zealand, and prescribing such other matters and things as the Court is required and authorized by the said section or elsewhere to prescribe: Now, therefore, the Court doth hereby order and prescribe as follows:—

Industry to Which Order Applies

1. The industry to which this order shall apply is that included in the following branches, as referred to in the Schedule to this order:—

- (1) Bespoke tailoring.
- (2) Machining—
 - (a) Men's outerwear,
 - (b) Women's outerwear,
 - (c) Shirt, white, and silk.
- (3) Hand sewing—
 - (a) Men's outerwear,
 - (b) Women's outerwear.
- (4) Cutting and trimming—
 - (a) Men's outerwear,
 - (b) Women's outerwear,
 - (c) Shirt, white, and silk.

- (5) Pressing.
- (6) Hat making—
 - (a) Men's,
 - (b) Women's.
- (7) Nailing and cutting of fur garments.
- (8) Glove cutting.

Application of Order

2. The provisions of this order shall apply to all employers of male apprentices in the industry throughout New Zealand (whether bound by an award or agreement relating to the industry or not), and to all male apprentices employed by such employers in such industry, and to all contracts of apprenticeship (including those in force at the time of coming into force of this order), between such employers and apprentices whether or not such contracts have been reduced to writing. (An "agreement" is an industrial agreement filed under section 28 of the Industrial Conciliation and Arbitration Act, 1925, or an agreement filed under section 8 of the Labour Disputes Investigation Act, 1913.)

Interpretation

3. Where no local Apprenticeship Committee has been appointed in any locality or where the Court has discharged any local Apprenticeship Committee, the words "local Apprenticeship Committee" wherever used in this order shall be deemed to mean "District Commissioner of Apprenticeship."

Prior Consent of Committee

4. (a) No employer shall engage any person as an apprentice on probation or enter into any contract of apprenticeship without the prior consent in writing of the appropriate local Apprenticeship Committee.

(b) An employer before taking an apprentice to learn a branch of the clothing industry shall first satisfy the local Apprenticeship Committee that he is a suitable employer, is in a position to continue in business as an employer, and has the facilities for properly teaching him the branch of the industry to which he is to be apprenticed.

Contracts to be Registered

5. Every contract of apprenticeship, and every alteration thereof, shall be in writing and shall be registered with the appropriate District Commissioner of Apprenticeship within a

period of twenty-eight days after the commencement of the employment of the apprentice (in the case of an original contract) or within fourteen days of the making of the alteration (in the case of an altered contract). If the contract or alteration is not presented for registration as aforesaid, the parties thereto shall be severally liable to a fine not exceeding £10 under the Apprentices Act, 1948.

Minimum Age

6. The minimum age at which a person may commence to serve as an apprentice shall be fifteen years in all branches except pressing, in which the age shall be sixteen years.

Term of Apprenticeship

7. (a) The term of apprenticeship for the respective branches of the industry shall be as follows:—

Bespoke tailoring	} Five years.
Cutting and trimming	
Hat making	
Nailing and cutting of fur garments ..	
Glove cutting	
Machining	} Four years.
Hand sewing	
Pressing	Three years.

(b) All holidays provided for in the award or agreement referred to in clause 10 of this order which are taken by an apprentice shall be deemed to be time served under his contract.

(c) All time lost by an apprentice in excess of three weeks in any year through his own default or sickness shall be made up before such apprentice shall be considered to have entered upon the next succeeding year of his apprenticeship, and the total period of his apprenticeship shall be extended by a period equivalent to such lost time.

(d) Where the New Zealand Apprenticeship Committee is of the opinion that time served in a related occupation prior to the date of application for engagement of an apprentice should be credited to the apprentice, it may, on application by or through a local Apprenticeship Committee, fix a term of not less than half that prescribed in this order for the branch of the industry concerned.

Period of Probation

8. The period of probation to be prescribed in any contract of apprenticeship, to enable the employer of an apprentice to determine his fitness, shall not exceed three months in the case of a first apprenticeship to the industry, and shall not exceed one month in any other case.

Proportion

9. (a) The proportion of the total number of apprentices to the total number of journeymen employed by any employer in any branch of the industry shall be not more than one to every three or fraction of three journeymen employed: Provided that on application made by a local Apprenticeship Committee, the New Zealand Committee may vary the proportion in any branch by fixing the number of apprentices that any employer may employ.

(b) The proportion of apprentices to journeymen employed by any employer shall, for the purpose of determining whether or not such employer is entitled to enter into a contract of apprenticeship with an apprentice, be based upon the number of journeymen who at the date of making application to the local Apprenticeship Committee had been employed in the relevant branch of the industry for not less than six months preceding that date.

(c) For a period of two years from the date of operation of this order, in computing the number of journeymen employed as machinists or hand-sewers in clothing factories, journeywomen machinists and hand-sewers shall be deemed to be journeymen for the purpose of determining the number of male apprentices that may be employed in the respective branch. The foregoing provision shall not be deemed to affect in any way or conflict with the provisions of the relevant award wherein conditions relating to the employment of female apprentices are incorporated, except that female machinists or hand-sewers who are included in the calculation necessary for the employment of male apprentices shall not be included for the purpose of determining the number of female apprentices that may be employed under the relevant award.

(d) For the purposes of this order an employer who himself substantially works at the appropriate branch of the industry shall be entitled to count himself as a journeyman.

(e) The powers and discretions provided for in section 29 of the Apprentices Act, 1948, may be exercised by the District Commissioner of Apprenticeship and the local Apprenticeship Committee, notwithstanding that the employer to whom it is proposed to transfer an apprentice is already employing the full proportion of apprentices as determined by this order: Provided that the District Commissioner of Apprenticeship and the local Apprenticeship Committee are satisfied that there is no other employer who is willing and able to carry out the obligations of the original employer and who is not already employing the full proportion of apprentices.

Wages

10. The minimum weekly rates of wages payable to apprentices shall be the undermentioned percentages of the minimum weekly rate of wages for journeymen in the branch of the industry to which the apprentice is apprenticed, as prescribed by the award or agreement relating to the employment of such journeymen for the time being and from time to time in force in the locality:—

	<i>Column A:</i> When Apprentice Commences Before His Seventeenth Birthday. Per Cent.	<i>Column B:</i> When Apprentice Commences After His Seventeenth Birthday. Per Cent.
(a) For apprentices serving a five-year term of apprenticeship—		
For the first six months ..	23	35
For the second six months ..	29	41
For the third six months ..	35	47
For the fourth six months ..	41	53
For the fifth six months ..	47	59
For the sixth six months ..	53	65
For the seventh six months ..	59	71
For the eighth six months ..	65	77
For the ninth six months ..	71	83
For the tenth six months ..	77	89

Provided that in the case of any contract of apprenticeship that is in force at the time of the coming into force of this order the rate of wages payable to the apprentice thereunder shall be determined in accordance with Column A above notwithstanding that the apprentice commenced his apprenticeship after his seventeenth birthday.

	<i>Column A:</i> When Apprentice Commences Before His Seventeenth Birthday. Per Cent.	<i>Column B:</i> When Apprentice Commences After His Seventeenth Birthday. Per Cent.
(b) For apprentices serving a four-year term of apprenticeship—		
For the first six months ..	35	41
For the second six months ..	41	47
For the third six months ..	47	53
For the fourth six months ..	53	59
For the fifth six months ..	59	65
For the sixth six months ..	65	71
For the seventh six months ..	71	77
For the eighth six months ..	77	83

Provided that in the case of any contract of apprenticeship that is in force at the time of the coming into force of this order the rate of wages payable to the apprentice thereunder shall be determined in accordance with Column A above notwithstanding that the apprentice commenced his apprenticeship after his seventeenth birthday.

(c) For apprentices serving a three-year term of apprenticeship—	Per Cent.
For the first six months ..	40
For the second six months ..	48
For the third six months ..	56
For the fourth six months ..	64
For the fifth six months ..	72
For the sixth six months ..	80

Provided that youths who have served six months or more at seam-opening or other work in the industry prior to entering upon an apprenticeship to the pressing branch shall be paid 5s. a week in addition to the foregoing rates.

Apprentices From Overseas

11. A person under twenty-one years of age who has served part of his apprenticeship to the industry outside of New Zealand may complete the term of apprenticeship herein provided for with any employer on furnishing to the District Commissioner of Apprenticeship a certificate from his former employer and such other evidence (if any) as the District Commissioner of Apprenticeship and the local Apprenticeship Committee may require in order to show the time served by such person as an apprentice outside of New

Zealand. The District Commissioner of Apprenticeship shall refuse to register any contract of apprenticeship entered into under the provisions of this clause until such evidence has been furnished to the satisfaction of himself and the Committee. Any party affected by the decision of the District Commissioner of Apprenticeship may, within fourteen days, appeal to the Court whose decision shall be final and conclusive.

Deductions by Employer

12. An employer shall be entitled to make a rateable deduction from the wages of an apprentice for any time lost through sickness in excess of five working days in any six months or any time lost through his own default. Accidents not arising out of and in the course of the employment shall be deemed to be sickness and the provisions of this order relating to payment of and deductions from wages and making up time in case of sickness shall apply also. The employer may require the production of a medical certificate before payment is made for time lost through sickness or accident.

Hours

13. The hours worked by an apprentice shall, subject to the provisions of any statute, be those normally worked by journeymen as prescribed by the award or agreement referred to in clause 10 of this order.

Overtime

14. (a) Apprentices under sixteen years of age shall not be permitted to work overtime.

(b) Apprentices under eighteen years of age shall not be required or permitted to work overtime more than six hours in any one week, and more than 120 hours in any year.

(c) Apprentices over eighteen years of age shall not be required or permitted to work overtime more than nine hours in any one week, and more than 180 hours in any year.

(d) An employer shall not permit an apprentice to work overtime on any night on which he has to attend classes at a school.

(e) An apprentice shall not be required or permitted to work overtime unless he is under the supervision of a competent journeyman or journeywoman.

(f) An employer shall not permit an apprentice to work overtime unless he also employs such apprentice during the ordinary hours of work.

(g) Payment for overtime shall be calculated in the manner prescribed for journeymen in the award or agreement referred to in clause 10 of this order, and at the wage-rate paid to the apprentice, provided that the minimum rate shall be 2s. 3d. an hour in any case.

Conditions of Award to Apply

15. The conditions of the award or agreement referred to in clause 10 hereof, in so far as they relate to the method and time of payment of wages, holidays, meal-money, and other matters relating generally to the employment and not in conflict with this order, shall apply to apprentices.

Contracts to Accord with Act

16. Every contract of apprenticeship shall accord with the provisions of the Apprentices Act, 1948, and this order, and shall make provision, either expressly or by reference to the said Act or this order, for the several matters provided for therein, and shall not contravene the provisions of any Act relating to the employment of boys or youths. In default of such provisions being made in any such contract of apprenticeship or in so far as such provision is defective or ambiguous, the contract shall be deemed to provide that the conditions of apprenticeship shall be not less favourable to the apprentice than the minimum requirements of this order.

Obligations of Apprentice

17. It shall be an implied term in every contract of apprenticeship that the apprentice will diligently and faithfully obey and serve the employer as his apprentice for the prescribed term; that he will not absent himself from the employer's service during working-hours without the leave of the employer or except as permitted by this order; and that he will not commit or permit or be accessory to any hurt or damage to the employer or his property but will do everything in his power to prevent the same.

Obligations of Employer

18. (a) It shall be an implied term in every contract of apprenticeship that the employer will during the prescribed term, to the best of his power, skill, and knowledge, train and instruct the apprentice, or cause him to be trained and instructed, as a competent journeyman in the branch of the industry to which he is apprenticed in accordance with the provisions of the Apprentices Act, 1948, and of this order and any amendments thereof.

(b) Every contract shall contain a list of the operations and skills to be taught the apprentice, as laid down in the Schedule to this order.

(c) In every contract made after the coming into force of this order there shall be included the title of the person who is to undertake or supervise the actual training of the apprentice. The responsibility of the person so included by his title shall be limited to actual training or supervision thereof, and shall not be held to relieve the employer as contracting party of his contractual responsibilities.

Premiums Forbidden

19. No premium in respect of the employment of any person as an apprentice shall be paid to or received by an employer, whether such premium is paid by the person employed or by any other person.

Special Contracts

20. The provisions of this order shall not necessarily apply in the case of a special contract of apprenticeship entered into under the provisions of section 25 of the Apprentices Act, 1948.

Revocation of Orders

21. The following apprenticeship orders and any amendment thereto are hereby revoked as from the date of the coming into operation of this order:—

Northern Industrial District Clothing Trade apprenticeship order, dated the 11th day of April, 1934, and recorded in 34 Book of Awards 149;

Wanganui District Bespoke Tailors' apprenticeship order, dated the 29th day of December, 1924, and recorded in 25 Book of Awards 1660;

Wellington Industrial District Clothing Trade apprenticeship order, dated the 12th day of April, 1926, and recorded in 26 Book of Awards 297;

Wellington Industrial District Bespoke Tailors' apprenticeship order, dated the 21st day of August, 1924, and recorded in 25 Book of Awards 784;

Canterbury Clothing Trade apprenticeship order, dated the 22nd day of March, 1926, and recorded in 26 Book of Awards 131;

Canterbury Bespoke Tailors' apprenticeship order, dated the 19th day of December, 1924, and recorded in 25 Book of Awards 1718;

Otago Clothing Trade apprenticeship order, dated the 9th day of March, 1927, and recorded in 27 Book of Awards 52;

Otago and Southland Bespoke Tailors' apprenticeship order, dated the 11th day of February, 1925, and recorded in 25A Book of Awards 41.

Date of Operation

22. This order shall operate and take effect as from the 1st day of October, 1949.

SCHEDULE

Operations and Skills

1. *Bespoke Tailoring*.—The operations and skills to be taught apprentices in bespoke tailoring are as defined in the Schedule to the Board of Trade (Sale of Garments Made to Measure) Regulations 1925. The Schedule reads as follows:—

"The minimum amount of work to be performed by hand in a tailor-made garment and the special conditions for the making thereof are as set out hereunder:

" COATS AND OVERCOATS

" *Minimum Hand Work*

- " All canvases and lapels padded.
- " All pockets tacked.
- " All edge stays.
- " All facings put on before shoulders are sewn (silk facings, &c.)
- " All body seams in body fitting coats.
- " Sleeve-linings felled top and bottom.
- " Shoulders and sleeves sewn in.
- " Collar, padded and sewn on.
- " Sides, shoulders, and bottoms of linings felled.
- " Buttonholes and buttons.
- " All silk facings.

" VESTS

" *Minimum Hand Work*

- " All pockets tacked.
- " Edge stays fastened.
- " Forepart linings felled.
- " Neck felled.
- " Buttonholes and buttons.
- " Back straps tacked.
- " Buckle sewn on.

" TROUSERS AND BREECHES

" *Minimum Hand Work*

- " All pockets felled in and tacked.
- " Pocket stays.
- " Edge of button catch felled.
- " Fly tack.
- " Seat-seam and leg-seam from crutch to knee.
- " Band-lining and crutch-lining.
- " Bottoms, buttons, and buttonholes."

The operations and skills to be taught apprentices in other branches of the industry are:—

2. *Machining*:—

- (a) Coats, vests, trousers; and/or oilskins, overalls, and similar garments;
- (b) Costumes, coats, mantles, and similar garments;
- (c) Shirts and pyjamas; and/or underwear; and/or frocks, blouses, and similar garments.

3. *Hand Sewing*:—Costumes, coats, mantles, and similar garments. Canvassing of foreparts of coats, shaping, underbasting, baste out, blind stitch and serge, baste in sleeves, put in wadding and pads and complete armhole, any felling or other stitching by hand which is required.

4. *Cutting and Trimming*:—

- (a) Coats, vests, trousers; and/or oilskins, overalls, and similar garments;
- (b) Costumes, coats, mantles, and similar garments;
- (c) Shirts and pyjamas; and/or underwear; and/or frocks, blouses, and similar garments.

5. *Pressing*:—Men's coats, vests, trousers, and overcoats; and/or women's costumes, coats, mantles, and similar garments.

6. *Hatmaking*.—(a) Men's; and (b) Women's. Blocking, pressing, machining, finishing, framing.

NOTE.—The operations and skills listed in 2, 3, 4, 5, and 6 above are the minimum to be taught apprentices in each of these branches. The teaching of operations and skills not specified is not excluded.

7. *Nailing and Cutting of Fur Garments*.

8. *Glove Cutting*. The cutting of all classes of gloves.

Dated this 22nd day of September, 1949.

[L.S.]

A. TYNDALL, Judge.