

NEW ZEALAND **CARPENTRY AND JOINERY 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 carpentry and joinery industry.

WHEREAS application has been made to the Court by the New Zealand Carpentry and Joinery Apprenticeship Committee for an apprenticeship order governing the conditions of apprenticeship in the carpentry and joinery 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 said industry, 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 carpentry and joinery in the following branches: Carpentry, joinery, and carpentry and joinery (hereinafter referred to as "the industry").

Application of Order

2. The provisions of this order shall apply to all employers of apprentices in the industry throughout New Zealand (whether bound by an award or agreement relating to the industry or not), and to all 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 on probation as an apprentice or enter into any contract of apprenticeship without the prior consent in writing of the appropriate local Apprenticeship Committee.

(b) An employer before engaging an apprentice shall furnish in writing to the local Apprenticeship Committee the names and particulars of the journeymen employed for the previous six months, and also the names and particulars of apprentices employed and the apprentice intended to be employed.

(c) The employer shall satisfy the local Apprenticeship Committee that he is a suitable employer, that he has been in business for the two years immediately preceding the date of his application, or that he is in a position to continue in business as an employer, and that he has the facilities for properly teaching the apprentice the branch or branches of the industry to which he is to be apprenticed.

(d) In the case of a first application to a local Apprenticeship Committee an employer shall supply such particulars as the Committee requires to satisfy itself regarding his qualifications as an employer, together with a declaration that the information supplied is accurate and true.

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.

Prerequisite Education

7. It shall be necessary for a person desiring to become an apprentice after this order comes into effect to produce to the local Apprenticeship Committee satisfactory evidence that he has completed two years' post-primary education or has attained an equivalent standard of education: Provided that in exceptional cases the local Apprenticeship Committee may, subject to the approval of the New Zealand Apprenticeship Committee, waive the requirement of this clause.

Term of Apprenticeship

8. (a) The term of apprenticeship shall be 10,000 hours, divided into ten 1,000-hour periods, if the apprentice is under eighteen years of age at the commencement of his engagement.

(b) The term of apprenticeship shall be 8,000 hours, divided into eight 1,000-hour periods, if the apprentice is eighteen years of age or over at the commencement of his engagement.

(c) The term of apprenticeship of an apprentice who commences before his eighteenth birthday and who has obtained a School Certificate including such subjects as are approved from time to time by the New Zealand Apprenticeship Committee shall be 9,000 hours, divided into nine 1,000-hour periods.

(d) Notwithstanding the provisions of subclauses (b) and (c) of this clause, the term of apprenticeship under any contract that is in force at the time of the coming into force of this order shall be the term provided for in that contract.

(e) Where, during any period of his apprenticeship except the final period, an apprentice passes an examination approved by the New Zealand Apprenticeship Committee his term of apprenticeship shall be reduced by 1,000 hours, but only one such reduction shall be permitted. Where during his final period an apprentice passes an examination approved by the New Zealand Apprenticeship Committee, his term of apprenticeship shall be deemed to be completed on the date of notification of his passing the examination.

(NOTE.—Attention is drawn to the provisions of clause 11 (b) for additional payments on passing approved examinations.)

(f) 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 6,000 hours.

(g) An apprentice shall make up any time lost by him in any 1,000-hour period through his own default or sickness or through accident or for any cause not directly connected with the business of the employer, before he shall be considered to have entered on the next succeeding 1,000-hour period of the apprenticeship, or if in the final period to have completed the apprenticeship. Any time lost through accident arising out of and in the course of the employment shall be made up by the extension of the final period, with wages at the rate prescribed for that period.

(h) An apprentice working overtime shall have such time added to the ordinary time in calculating the respective 1,000-hour period of the apprenticeship. Each hour worked as overtime shall be deemed to be one hour for the purpose of computing each 1,000-hour period of apprenticeship.

(i) All statutory and other holidays, except the annual holiday period, shall be counted as time served, computed at eight hours a day. Time worked on such holidays shall be added to time deemed to be time served.

(j) Subject to the provisions of subclauses (h) and (i) of this clause only working-hours shall be reckoned as time served.

(k) A person who has attained the age of eighteen years and who desires to enter into a contract of apprenticeship may apply for a special contract of apprenticeship under section 25 of the Apprentices Act, 1948.

Period of Probation

9. 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 an apprentice serving his first apprenticeship to the industry and shall not exceed one month in any other case.

Proportion

10. (a) The proportion of the total number of apprentices to the total number of journeymen employed by any employer shall be not more than one to every three or fraction of three journeymen employed.

(b) Notwithstanding the provisions of subclause (a) of this clause one additional apprentice may be employed by any employer when there is an apprentice who has completed eight periods of his apprenticeship, but only one such apprentice additional to the number permitted by subclause (a) of this clause may be employed by any employer at any time. The apprentice whose entry into the ninth period has permitted the engagement of the additional apprentice shall not be reckoned as a journeyman for the purpose of calculating the proportion.

(c) In the localities which were covered by the orders set out in the schedule below, subclause (b) of this clause shall have no application until the 1st September, 1953. In the said localities from the date of the coming into operation of this order until the 31st August, 1953, the following special provision shall apply: For the purpose of determining the number of journeymen when an application for a new apprentice is being considered, each apprentice who has completed six periods of his apprenticeship shall be counted as a journeyman, but shall not be counted as an apprentice.

SCHEDULE

Wanganui District Carpenters, Joiners, Bricklayers, Plasterers, and Stonemasons' apprenticeship order, dated the 19th day of December, 1924, and recorded in 25 Book of Awards 1656;
 Masterton District Carpenters and Joiners' apprenticeship order, dated the 23rd day of June, 1925, and recorded in 25A Book of Awards 577;
 Palmerston North Carpenters and Joiners' apprenticeship order, dated the 13th day of December, 1929, and recorded in 29 Book of Awards 900.

(d) 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 in the branch or branches to which he is to be apprenticed who at the date of making application to the local Apprenticeship Committee had been employed by him full time for a period of six months preceding that date.

(e) For the purpose of this order an employer who himself works substantially at the branch of the industry to which the apprentice is to be apprenticed shall be entitled to count himself as a journeyman. An employer shall be deemed to work substantially at the branch of the industry if he devotes sufficient time to train and supervise apprentices, even if he may not devote half his time to actual work at the trade.

(f) 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 quota of apprentices as determined by the apprenticeship order.

Wages

11. (a) The minimum weekly rates of wages payable to apprentices shall be the undermentioned percentages of the minimum weekly wage rate for journeymen, or if no weekly wage rate is prescribed, then of an amount equal to forty times the minimum hourly wage rate 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 in the establishment in which the apprentice is employed and in force for the time being and from time to time:—

	For Apprentices Serving a 10,000-hour Term. Per Cent.	For Apprentices Serving a 9,000-hour Term. Per Cent.	For Apprentices Serving a 8,000-hour Term. Per Cent.
First 1,000-hour period ..	23	29	35
Second 1,000-hour period ..	29	35	41
Third 1,000-hour period ..	35	41	47
Fourth 1,000-hour period ..	41	47	53
Fifth 1,000-hour period ..	47	53	59
Sixth 1,000-hour period ..	53	59	65
Seventh 1,000-hour period ..	59	65	71
Eighth 1,000-hour period ..	65	71	77
Ninth 1,000-hour period ..	71	77	..
Tenth 1,000-hour period ..	77

Provided that in the case of any contract of apprenticeship that is in force at the time of coming into force of this order the rate of wages payable to the apprentice thereunder shall be determined in accordance with the terms of the apprenticeship order (and any amendments thereof) applicable thereto immediately before the coming into force of this order.

(b) Apprentices who have served at least 2,000 hours and who pass an examination approved by the New Zealand Apprenticeship Committee shall receive an addition of 2s. 6d. a week to the wage paid them; and apprentices who have served at least 6,000 hours and who pass a further approved examination shall receive a further addition of 5s. a week to the wage paid to them: Provided that an apprentice serving a 9,000-hour term as laid down in subclause (c) of clause 8 of this order shall receive the payments of 2s. 6d. and 5s. a week, after serving at least 1,000 hours and 5,000 hours respectively, and passing the appropriate examinations.

Technical Classes

12. (a) Where an apprentice resides within a convenient distance of a school approved by the New Zealand Apprenticeship Committee, it may order him to attend classes at such school during the first year of his apprenticeship for two hours a week outside his normal working-hours. ("Convenient distance" shall be determined by the New Zealand Apprenticeship Committee, having regard to distance, transport facilities, and the home circumstances of the apprentice and to any recommendation that may be made by the local Apprenticeship Committee.)

(b) Where an apprentice does not reside within a convenient distance of an approved school, the New Zealand Apprenticeship Committee may order him to enrol during the first year of his apprenticeship with the Education Department's Technical Correspondence School for a course of instruction approved by the Committee.

(c) An apprentice who does not attend 75 per cent. of the classes possible in his first year when ordered to do so, or does not show that his failure to attend is for good cause, or who does not carry out a correspondence course to the satisfaction of the Technical Correspondence School, shall not be eligible for the additional payment of 2s. 6d. a week provided for in subclause (b) of clause 11 of this order.

(d) The New Zealand Apprenticeship Committee may order any apprentice during the first three years of his apprenticeship to attend during normal working-hours at a school approved by it for courses of instruction totalling not more than four weeks in any year.

(e) An employer shall not be entitled to make any deduction from the wages of an apprentice ordered to attend a course of instruction during normal working-hours; but absence without leave from a course shall be treated as absence through the apprentice's default, and the employer shall be entitled to make a rateable deduction from the wages as provided in clause 14 of this order. For the purposes of the term of apprenticeship, time spent at a school during normal working-hours shall be reckoned as time served.

(f) Notwithstanding the provisions of subclause (a) of this clause, an apprentice may not be ordered to attend classes outside normal working-hours while he is attending a course of instruction as provided in subclause (d) of this clause.

Apprentices From Overseas

13. A person under twenty-one years of age who has served part of his apprenticeship to a branch or branches of the industry outside of New Zealand may complete the term of apprenticeship herein provided for with any employer on furnishing to the appropriate District Commissioner of Apprenticeship a certificate from his former employer and such other evidence (if any) as the District Commissioner 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 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 may, within fourteen days, appeal to the Court, whose decision shall be final and conclusive.

Deductions by Employer

14. 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 forty hours in any 1,000-hour period, 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 the 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

15. 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 11 of this order.

Overtime

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

(b) Apprentices over sixteen years of age and under eighteen years of age shall not be required or permitted to work more than five hours' overtime in any one week, except on country work when such apprentices may be required or permitted, with the consent of the parent or guardian, to work not more than eight hours' overtime in any one week.

(c) Apprentices over eighteen years of age and under twenty years of age shall not be required or permitted to work more than ten hours' overtime in any one week, except on country work when such apprentices may be required or permitted to work not more than sixteen hours' overtime in any one week.

(d) No apprentice shall be permitted to work overtime unless he is under the constant supervision of a competent tradesman.

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

(f) Overtime shall be calculated in the manner prescribed for journeymen in the award or agreement referred to in clause 11 of this order, and at the wage-rate received by the apprentice: Provided that the minimum payment shall be 2s. an hour in any case.

Conditions of Award to Apply

17. The conditions of the award or agreement referred to in clause 11 hereof in so far as they relate to the method and time of payment of wages, holidays, travelling time, suburban work, country work, meal money, and other matters (other than tool allowance and membership of union) relating generally to the employment and not in conflict with this order shall be applicable to apprentices.

Tools

18. (a) The employer shall pay to the apprentice tool allowance at the rate prescribed for workers in the award or agreement referred to in clause 11 of this order.

(b) The employer shall either purchase, or advance to the apprentice by way of orders on suitable suppliers such sums as are sufficient for the purchase of, at least the tools listed in the Second Schedule to this order, and the cost of such purchases, or such advances, shall be repaid by deductions from the tool allowance payable by virtue of subclause (a) of this clause.

(c) If a contract is terminated during or at the end of the period of probation provided for by clause 9 of this order, the apprentice shall refund to the employer the cost of any tools supplied in excess of the amount of the tool allowance provided for by subclause (a) of this clause.

Contracts to Accord With Act

19. 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

20. 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 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, nor conceal any such hurt or damage if known to him but will do everything in his power to prevent the same.

Obligations of Employer

21. (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, to be a competent journeyman in the branch or branches of the industry in which he is apprenticed, and 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, based on the First Schedule to this order and approved by the local Apprenticeship Committee.

(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.

(d) In any case where the appropriate local Apprenticeship Committee considers that an employer is not able to give adequate training in a branch or branches of the industry to an apprentice, the Committee, on the application of the apprentice and (where the apprentice is under the age of twenty-one years) of his parent or guardian (if any), may transfer the apprentice to another employer in the same branch or branches of the industry and locality willing and able to undertake the obligations of the original employer. In any case where an apprentice is so transferred to another employer it shall be lawful for that employer to employ the apprentice, notwithstanding that the proportion of apprentices to journeymen employed exceeds the proportion fixed by clause 10 of this order.

Premium Forbidden

22. 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

23. 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

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

Northern Industrial District (except Gisborne Judicial District) Carpenters and Joiners' apprenticeship order, dated the 1st day of September, 1936, and recorded in 36 Book of Awards 602;

Gisborne Judicial District Carpenters and Joiners' apprenticeship order, dated the 23rd day of June, 1925, and recorded in 25A Book of Awards 573;

Taranaki Carpenters and Joiners' apprenticeship order, dated the 1st day of October, 1925, and recorded in 25A Book of Awards 924;

Hawke's Bay Carpenters and Joiners' apprenticeship order, dated the 8th day of October, 1924, and recorded in 25 Book of Awards 1022;

Masterton District Carpenters and Joiners' apprenticeship order, dated the 23rd day of June, 1925, and recorded in 25A Book of Awards 577;

Wanganui District Carpenters, Joiners, Bricklayers, Plasterers, and Stonemasons' apprenticeship order, dated the 19th day of December, 1924, and recorded in 25 Book of Awards 1656, in so far as it relates to the industry to which this order applies;

Wellington (25-mile radius) Carpenters and Joiners' apprenticeship order, dated the 7th day of March, 1934, and recorded in 34 Book of Awards 66;

Palmerston North Carpenters and Joiners' apprenticeship order, dated the 13th day of December, 1929, and recorded in 29 Book of Awards 900;

Nelson Industrial District Carpenters and Joiners' apprenticeship order, dated the 23rd day of March, 1925, and recorded in 25A Book of Awards 210;

Westland Carpenters and Joiners' apprenticeship order, dated the 30th day of June, 1927, and recorded in 27 Book of Awards 611;

North Canterbury Carpenters and Joiners' apprenticeship order, dated the 12th day of November, 1941, and recorded in 41 Book of Awards 1579;

South Canterbury Carpenters and Joiners' apprenticeship order, dated the 19th day of December, 1924, and recorded in 25 Book of Awards 1737;
 Otago and Southland Carpenters and Joiners' apprenticeship order, dated the 6th day of November, 1925, and recorded in 25A Book of Awards 1000.

Date of Operation

25. This order shall operate and take effect as from the 17th day of October, 1949.

FIRST SCHEDULE

Carpentry

(a) The use and maintenance of tools used in general building construction.

(b) Knowledge of timbers used in general building construction.

(c) Reading of blue prints and setting out of foundations, framework, door and window openings, walls and roofs of buildings.

(d) The use of different types of levels, to establish profiles, and generally prepare site.

(e) Foundations: Methods of setting out and constructing standard foundations of continuous concrete and of pile construction on sloping and level sites, for external walls with timber sheathing, stucco covering, and brick veneer, and for bearing partitions and floors. Bracing requirements. Provision of foundation ventilation.

(f) Concrete Boxing: Methods of fixing and supporting shuttering and boxes for walls, stanchions, beams, floors, and for straight flights of steps.

(g) A general knowledge of types of internal and external wall and floor coverings and all joints commonly used in building construction.

(h) A general knowledge of interior finish.

(i) The use and fitting of hardware such as hinges, window fastenings, locks and catches.

(j) Knowledge of correct scaffolding practice.

Joinery

(a) Use and care of tools.

(b) Recognition of timber and timber sizes.

(c) Working knowledge of blue prints, quantities, and setting out work.

(d) Jointing, scribing, trenching, and assembling of all types of joinery, and cupboard fittings.

(e) Ability to prepare and apply glues.

(f) Machine jointing, cramping and dressing off.

(g) Fitting and fixing of all necessary hardware commonly used in joinery.

(h) A knowledge of machines normally used by a joiner, including safety precautions, speeds and regulations.

SECOND SCHEDULE

In accordance with subclause (b) of clause 18 of this order, an employer shall endeavour to arrange for the supply of the necessary first-grade Disston, Stanley, Cheney, Marple, Spear and Jackson tools, or tools of equal quality, as set out herein:—

During the First 1,000-hour Period of Employment

Tool kit, apron, hammer—claw, rule—3', pencil—carpenter's, nail punches—two, square—6" or 8", mitre square—12", rip saw—4 or 5 point, hand saw—7 or 8 point, panel saw—10 or 11 point, saw set, saw bag with pocket for level, plane—German jack, plane—iron smoother No. 4, oilstone, oilcan, push drill, screwdriver—ratchet, chisel 1" firmer.

During the Second 1,000-hour Period of Employment

Keyhole saw, coping saw, plane—iron jack No. 6, scraper, screwdriver—large screwdriver—small, spirit level—2' 6" long (at least), bevel, pair compasses, chisel $\frac{1}{2}$ " bevel edged, ratchet brace, set of wood bits 1", 7/8" and 13/16" to 3/16" in 16ths, 4 nail bits, bit rolls, chalk line.

During the Third and Fourth 1,000-hour Periods of Employment

Marking knife, pinch bar, plugging chisel, pliers, bench axe, plumb bob, plane—steel Tri. No. 7, babbett plane, throating plane, spokeshave, rasp—wood, marking gauge, butt gauge, 9" bevel, chisel $1\frac{1}{2}$ " butt, chisel $1\frac{1}{2}$ " firmer or $1\frac{1}{2}$ " paring, chisel $\frac{3}{4}$ ", $\frac{3}{8}$ ", $\frac{1}{4}$ ", $\frac{1}{8}$ " bevelled edge, chisel $\frac{1}{2}$ " mortice, gauge $\frac{1}{2}$ ", counter-sink bit.

Dated this 1st day of October, 1949.

A. TYNDALL, Judge.