

OTAGO AND SOUTHLAND **LAUNDRY WORKERS, DYERS, AND DRY-CLEANERS**—AWARD

In the Court of Arbitration of New Zealand, Otago and Southland 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 Dunedin Laundry Employees Industrial Union of Workers (hereinafter called “the union”) and the undermentioned persons, firms, and companies (hereinafter called “the employers”):—

City Dye Works, 137 George Street, Dunedin.

Chin Foui and Co., 64 St. Andrew Street, Dunedin.

Gala Dye Works, 101 Tay Street, Invercargill.

Martins Dye Works, Ltd., 48 Thames Street, Oamaru.

McCallum, J. A., 23 Esk Street, Invercargill.

Moon, C., 122a Thames Street, Oamaru.

Preen, V. C., Ltd., 14–20 George Street, Dunedin.

Snowwhite Laundries, Ltd., 149 Main North Road, Dunedin.

Southland Laundry, 110 Bowmont Street, Invercargill.

Southland Dry Cleaning Service, Medway Street, Gore.

Strand Dye Works, Ltd., 193 King Edward Street, Dunedin.

Superior Dry Cleaners, Ltd., Green Island.

Valet Service (Invercargill), Ltd., Mersey Street, Invercargill.

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 28th day of February 1955, 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 8th day of September 1953.

[L.S.]

W. F. STILWELL, Judge.

#### SCHEDULE

##### *Industry to Which Award Applies*

1. This award shall apply to the laundering, dry-cleaning, and dyeing industry.

##### *Hours of Work*

2. (a) The ordinary hours of work (other than for depot hands) shall be forty per week and shall be worked not more than eight per day between the hours of 8 a.m. and 5 p.m. on the five days of the week, Monday to Friday inclusive.

(b) The ordinary hours of work for depot hands shall not exceed forty per week and shall be worked between the hours of 8 a.m. and 5.30 p.m. on the four days of the week, Monday to Thursday inclusive, and between the hours of 8 a.m. and 9 p.m. on Friday. The ordinary hours of work shall not exceed seven and a half on the four days of the week, Monday to Thursday, and ten on Friday.

##### *Overtime*

3. Any time worked outside or in excess of the hours set out in clause 2 hereof shall be calculated daily and shall be paid at the rate of time and a half for the first three hours and at double time thereafter. All overtime work done up to half an hour shall be deemed to be half an hour for the purpose of computing overtime payable, and all work exceeding half an hour and up to one hour shall count as one hour in the computation of overtime.

*Holidays*

4. (a) The following days shall be recognized as paid holidays: New Year's Day, the day following New Year's Day, Good Friday, Easter Monday, Labour Day, Christmas Day, Boxing Day, Anzac Day, and the birthday of the reigning Sovereign: Provided that upon notice to the union, in the case of dry-cleaning establishments, Anniversary Day may be substituted for the day following New Year's Day.

(b) Should any of the above holidays, except Anzac Day, fall on a Saturday or on a Sunday the holiday shall be allowed on the next succeeding working-day.

(c) For work performed on any of the above holidays, on Sundays, or after midday on Saturdays, double ordinary rates shall be paid.

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

*Wages*

5. The following shall be the minimum weekly rates of wages:—

(a) *Males*—

Age Commencing	First Year		Second Year		Third Year		Fourth Year		Fifth Year	
	First Half	Second Half	First Half	Second Half	First Half	Second Half	First Half	Second Half	First Half	Second Half
Under 16 ..	44/-	51/6	59/6	68/-	76/6	84/-	92/-	102/6	119/-	137/6
16 to 17 ..	51/6	59/6	68/-	76/6	84/-	92/-	102/6	119/-	137/6	..
17 to 18 ..	59/6	68/-	76/6	84/-	92/-	102/6	119/-	137/6	..	..
18 to 19 ..	72/6	80/6	89/-	99/-	114/-	137/6	..	..	..	..
19 to 20 ..	84/6	97/-	111/6	128/-	..	..	..	..	..	..
20 to 21 ..	108/-	126/6	..	..	..	..	..	..	..	..

Thereafter—	Per Week		
	£	s.	d.
Laundry workers .. .. .	9	0	0
Dry cleaners and carpet cleaners .. .. .	9	5	0
Dyer .. .. .	10	10	0
Dye-house assistants .. .. .	9	5	4

(b) *Females*—

Age Commencing	First Six Months	Second Six Months	Third Six Months	Fourth Six Months	Fifth Six Months	Sixth Six Months	Seventh Six Months
Under 16 .. .. .	40/-	48/6	56/6	65/-	73/6	82/-	94/-
16 to 17 .. .. .	44/-	52/-	61/6	69/-	81/6	91/6	..
17 to 18 .. .. .	52/-	61/6	69/-	78/6	90/-	..	..
18 to 19 .. .. .	59/-	67/6	77/-	88/6	..	..	..
19 to 20 .. .. .	64/6	74/6	86/6	..	..	..	..
20 to 21 .. .. .	72/-	85/-	..	..	..	..	..

Thereafter, or on attaining the age of twenty-one years, not less than £5 18s. per week.

(c) A depot-hand, other than an adult male, shall be paid 7s. 8d. per week in addition to the above rates. An adult male depot-hand shall be paid not less than £9 13s. per week.

(d) Hand-ironers, press hands, and female spotters shall be paid 5s. 9d. for any week or part of a week so employed.

(e) Sorters and packers (female) and workers employed wrapping goods for delivery to customers shall receive £6 3s. 6d. per week.

(f) Except as otherwise provided, foremen and forewomen shall be paid a further sum of 11s. 6d. per week in excess of the rate received by the highest paid worker under his or her charge.

(g) Females shall not be employed on washing-machines at less than the rates for adult male workers.

(h) Hand-washerwomen shall be paid not less than 5s. 9d. per week in addition to the foregoing rates.

(i) Casual workers employed for less than a week shall be paid one-third more than weekly rates.

(j) A worker employed as a shirt and collar machinist shall be paid 6s. 1d. per week in addition to the rates herein prescribed.

(k) Part-time workers who by agreement are employed weekly for a lesser number of hours than those specified in clause 2 hereof shall be paid *pro rata* of the appropriate weekly rate calculated on a forty-hour week.

#### *Payment of Wages*

6. (a) Wages shall be paid weekly in the employer's time.

(b) No deduction shall be made from the wages of any worker, except for time lost through the worker's sickness, accident, or default.

#### *Termination of Employment*

7. Except in the case of casual workers one week's notice of the termination of employment shall be given by the employer or the worker, but this shall not prevent the summary dismissal of the worker for misconduct.

#### *Proportion of Juniors*

8. The proportion of female workers under eighteen years of age shall be not more than one to each three or fraction of the first three female workers over eighteen years of age.

Junior male workers—i.e., a male worker receiving less than adult rates—shall be employed in the proportion of not more than one to every three or fraction of the first three adult male workers.

#### *General Conditions*

9. (a) No person under the age of fifteen years shall be employed upon a machine.

(b) Except by mutual arrangement between an employer and his staff no worker shall be employed for more than four and a quarter hours without an interval for a meal.

(c) Workers required to work overtime after 5.30 p.m. shall be paid 3s. 6d. meal-money unless notice of intention to work overtime has been given on the previous working-day.

(d) If a worker is notified that overtime shall be worked on the following day and overtime is not worked, the employer shall pay 3s. 6d. meal-money.

(e) Where any worker is in receipt of a higher rate of wages than that prescribed by this award, such rates shall not be reduced so long as the worker continues in the same job.

(f) A "foreman" or "forewoman" is a worker who is responsible for the work of the department or is in charge of three or more hands.

(g) A rest-room shall be provided for female workers.

(h) Gum boots or clogs and aprons shall be provided where necessary.

(i) A satisfactory dining-room shall be provided.

(j) An interval of ten minutes for tea or "smoke-oh" shall be allowed in the employer's time each morning and afternoon: Provided that dye-houses are not left unattended.

(k) Workers shall not be employed on the receiving end of a mangle for more than four hours in any one day.

(l) Dye-house workers shall be allowed five minutes for changing clothes before the actual commencement of work and after the cessation of work.

#### *Matters Not Provided For*

10. Any dispute in connection with any matter not provided for in this award shall be settled between the particular employer concerned and the secretary or president of the union, and in default of any agreement being arrived at, then such dispute shall be referred to the local Conciliation Commissioner, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Commissioner, may appeal to the Court upon giving written notice of such appeal to the other party within fourteen days after such decision shall have been communicated to the party desiring to appeal.

#### *Right of Entry*

11. The secretary or other authorized officer of the union of workers shall, with the consent of the employer (which consent shall not be unreasonably withheld), be entitled to enter at all reasonable times upon the premises or works and there interview any workers, but not so as to interfere unreasonably with the employer's business.

#### *Workers to be Members of Union*

12. (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*

13. (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*

14. 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*

15. This award shall operate throughout the Otago and Southland Industrial District.

#### *Term of Award*

16. This award, in so far as the provisions relating to the rates of wages to be paid are concerned, shall be deemed to have come into force on the 1st day of September 1953, and so far as all other provisions of the 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 1955.

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 8th day of September 1953.

[L.S.]

W. F. STILWELL, Judge.

#### MEMORANDUM

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

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

W. F. STILWELL, Judge.