

CANTERBURY RETAIL GROCERS' ASSISTANTS AND DRIVERS—AMENDMENT  
OF AWARD

In the Court of Arbitration of New Zealand, Canterbury Industrial District—In the matter of the Shops and Offices Act 1955; and in the matter of the Canterbury Retail Grocers' Assistants and Drivers award, dated the 16th day of December 1954, and recorded in 54 Book of Awards 2148.

UPON reading the application made under section 49 of the Shops and Offices Act 1955 by Cashmere Stores Ltd. and two others for amendment of the above-mentioned award: and upon hearing the duly appointed representatives of the parties and organisations concerned: the Court, in pursuance and exercise of the powers vested in it by the said section, doth hereby order as follows:

1. That the said award shall be amended in the manner following:

(1) By adding to clause 2 (Hours of Work) the following new subclause:

“(g) Notwithstanding anything contained in subclause (a) of this clause, grocers' assistants may be employed on Saturday in those shops which are permitted to be open on that day pursuant to any order made by a Magistrate's Court under section 10 of the Shops and Offices Act 1955.”

(2) By adding to clause 18 (Holidays) the following new subclause:

“(d) Notwithstanding anything contained in subclause (c) of this clause, grocers' assistants (other than casual workers) employed on Saturday pursuant to clause 2 (g) of this award shall be paid in accordance with the following provisions:

“(i) When the assistant is required to work on five week-days other than Saturday, he shall be paid for time worked on Saturday at the rate of time and a half for the first three hours and at double time rates thereafter: Provided, however, that the provision of this paragraph shall have no application to any case where an employer requires a worker to work on Saturday in a shop exempted under section 10 of the Shops and Offices Act after having worked five week-days for the same employer in a shop not so exempted.

“(ii) When the assistant is required to work only on four week-days other than Saturday, he shall be paid for all time worked on Saturday at one half his ordinary time rate in addition to his ordinary weekly wage, unless his ordinary working hours for the week have exceeded forty, in which case he shall be paid at double time rates for all time worked on Saturday in excess of the weekly limit of forty hours.”

(3) By deleting subclause (a) of clause 32 (Opening and Closing of Shops) and substituting the following subclause:

“(a) (i) For the purposes of the Shops and Offices Act 1955 and pursuant to section 3 of that Act, it is hereby specified that the following classes of goods are comprised in the retail grocery business:

Almonds, out of shell or ground.	Fruits dried.
Arrowroot.	Gelatine.
Baking Powder.	Ginger
Bacon.	Honey
Biscuits.	Hops.
Blancmange Powder.	Insecticides.
Blue.	Jams, other than home-made jam.
Breakfast Foods (Rolled Oats, Oatmeal and the like).	Jellies.
Cake Powders.	Lemon, orange, and similar peel.
Candles.	Macaroni.
Capers.	Canned meat.
Cereals of all kinds, including sago and tapioca and the like.	Malted milk and the like.
Cheese.	Oils, salad or cooking.
Cocoanut, desiccated.	Pickles.
Cocoa.	Polishes, all types.
Coffee.	Rennet.
Coffee and milk.	Salt, table and domestic.
Coffee Essence.	Sauces.
Cornflakes and similar lines.	Soap, other than toilet.
Cornflour.	Soda, washing.
Custard Powder.	Soups.
Cream of Tartar and substitutes.	Spices.
Curry Powder.	Starch.
Detergents.	Sugar, all kinds including icing sugar.
Egg Preservatives.	Golden Syrup.
Essences, culinary.	Tea.
Fish Pastes.	Treacle.
Fish, tinned of all kinds.	Vegetables canned.
Flour.	Vegetable extracts.
Fruits canned.	Vermicelli.
	Vinegar.
	Washing powders, domestic.

(ii) The proportion which the value of the turnover in the retail grocery business must bear to the value of the turnover of all business carried on in a shop before the retail grocery business is deemed for the purposes of the Shops and Offices Act 1955 to be substantially carried on in the shop shall be not less than forty per cent.

(iii) In exercise of the powers vested in the Court by section 3 of the Shops and Offices Act 1955, and subject to the provisions of that Act, it is hereby ordered that shops in which the retail grocery business is substantially carried on shall observe the following opening and closing hours:

In shops wherein the hours of work of assistants are fixed by Set 1 of clause 2 of this award, the hour of opening of the shops shall not be earlier than 8.45 a.m., and the closing hour shall be not later than 5.30 p.m. on four days of the week and not later than 9 p.m. on the day of the late night.

In shops wherein the hours of work are fixed by Set 2 of clause 2 of this award, the hour of opening of the shops shall not be earlier than 8.15 a.m., and the closing hour shall be not later than 5 p.m. on four days of the week, and on the day of the late night not later than 9 p.m.

In shops wherein the hours of work are fixed by Set 3 of clause 2 of this award, the hour of opening of the said shop, as the case may be, shall be (a) not earlier than 7.30 a.m., in which case such shops shall be closed from the hour of 4.30 p.m., or (b) not earlier than 8 a.m., in which case the said shops shall be closed from the hour of 5 p.m.

In shops in which there are no employees, the occupier shall adopt either Set 1, 2, or 3 of clause 2 of this award as the hours of opening and closing of the shop, and he shall notify the Inspector of Factories and the secretary of the union in accordance with subclause (b) of clause 2 of this award. In the case of failure to send such notification, the occupier shall be deemed to be working between the hours of 8 a.m. and 4.45 p.m. on Monday, Tuesday, Wednesday, and Thursday, and between 8 a.m. and 7 p.m. on Friday.

The provisions of clause 2 of this award fixing the span of hours in which assistants may be employed, as selected by the occupier, shall be deemed to be the hours of opening and closing of the shop."

2. That this order shall operate and take effect on and from the day of the date hereof.

Dated this 11th day of September 1956.

[L.S.]

A. TYNDALL, Judge.

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MEMORANDUM

The above amendment is similar to the amendments made to the Northern Industrial District (except Gisborne Judicial District) Grocers' Assistants award and the Gisborne, Taranaki, Wellington, Marlborough, Nelson, Westland, and Otago and Southland Retail Grocers' Assistants and Drivers award, except that as the result of submissions made in Christchurch a proviso has been added to paragraph 1 of the new clause 18 (d).

A. TYNDALL, Judge.

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