

NORTHERN INDUSTRIAL DISTRICT **HATTERS**—AWARD

In the Court of Arbitration of New Zealand, Northern Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of an industrial dispute between the Auckland Hatters Industrial Union of Workers (hereinafter called “the union”) and the under-mentioned persons, firms, and companies (hereinafter called “the employers”):

Abbott, Armstrong & Howie Ltd., 15 Elliott Street, Auckland.

Arden Millinery Ltd., National Mutual Building, Chancery Street, Auckland C.1.

Gainsborough Millinery Ltd., 26 Durham Street East, Auckland.

Hatwell Manufacturing Co., 73 Lorne Street, Auckland.

Maestro Manufacturers of Millinery, 124 Hobson Street, Auckland.

M.K. Manufacturing Co. Ltd., 21 Great South Road, Auckland.

N.Z. Dry Cleaning Co. Ltd., Howe Street, Auckland.

Niray Products, 2A Rutland Street, Auckland.

Plummer & Co. Ltd., 73 Lorne Street, Auckland.

Ross & Glendining Ltd., Greys Avenue, Auckland.

Star Hat Co., National Mutual Buildings, Chancery Street, Auckland.

Vogue Millinery Ltd., 27 Rutland Street, Auckland C.1.

Wadley Hats, Hall of Commerce, 54 High Street, Auckland.

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 130 of the Industrial Conciliation and Arbitration Act 1954, 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,

SCHEDULE

Definitions

1. This award shall apply to the following classes of work:

- (a) In the case of men's hats: hat-blocking (steam or water), open or box framing, finishing (hand or machine), stiffening, shaping, flanging, cutting, velouring (before or after trimming); but this award shall not apply to the manufacture of caps under the provisions of the Clothing Trades' award.
- (b) In the case of women's and children's hats: all work done in connection with the manufacture of women's and children's hats or hoods, except the work heretofore done by workers employed under the provisions of the Dressmakers and Milliners' and the Clothing Trades awards: Provided that all work done in the stiffening and polishing room shall be done by workers under this award.

Hours of Work

2. The ordinary hours of work shall not exceed forty per week, to be worked between the hours of 8 a.m. and 5 p.m. on five days of the week, Monday to Friday, both days inclusive.

Wages

3. (a) A senior hand shall be paid 3d. per hour in addition to the rate set out in subclause (b) of this clause.

A "senior hand" shall mean and include any worker who has served for a period of more than eight years at the trade.

(b) A journeyman shall be paid a minimum wage of 5s. 1½d. per hour.

The term "journeyman" shall mean and include any worker (male or female) other than an apprentice employed under the Apprentices Act 1948, or an under-rate worker employed under clause 14 of this award, or any worker employed under subclause (c) hereof.

(c) Other workers, other than senior hands, journeymen, apprentices employed under the Apprentices Act 1948, and under-rate workers employed under clause 14 of this award may be employed at the following rates: For the first two years, 4s. 6d. per hour; for the second term or ensuing three years, 5s. per hour; thereafter the journeymen's rate.

The employer shall supply a certificate stating particulars of the employment under this clause and the workers affected shall produce such a certificate to any future employer for ascertaining their wage rate.

The proportion of workers employed under this subclause shall be in the ratio of one to three senior hands and journeymen or part thereof.

of male and female workers under the age of 21 years; and
(2) All allowances in respect of tools, bicycles, motor vehicles, protective or special clothing, or special footwear.

The term "remuneration" means salary or wages; and includes time and piece wages and overtime and bonus and other special payments; and also includes allowances, fees, commission, and any other emolument, whether in one sum or several sums; and also includes travelling expenses.)

Overtime

5. (a) All time worked before the ordinary time for starting and after the ordinary time for ceasing work shall be deemed to be overtime and shall be paid for at the rate of time and a half for the first three hours and double time thereafter. Twenty-four hours' notice shall be given by the employer to any worker called upon to work overtime after the ordinary time for ceasing work. When less than twenty-four hours' notice has been given 4s. shall be paid for tea-money. Where a worker has been notified on the previous day that he or she will be required to work overtime and overtime is not made available, a minimum payment of one hour at overtime rates shall be paid. The provisions of clause 4 hereof shall not apply to the above tea-money payment.

(b) All work done on Saturday and Sunday shall be deemed to be overtime and shall be paid for at the rate of double time.

(c) No worker regularly employed by an employer during the hours fixed by clause 2 of this award shall work for another employer in the industry outside of those hours.

(d) No employer party to this award shall employ any worker outside the award hours unless he also employs such worker during the ordinary hours of work.

Holidays

6. (a) The following shall be observed as holidays, and shall be paid for at the same rate as ordinary working-days: Christmas Day, Boxing Day, New Year's Day and the day after New Year's Day, Anniversary Day, Good Friday, Easter Monday, Anzac Day, Labour Day, and the birthday of the reigning Sovereign.

(b) Should any of the holidays, other than Anzac Day, fall on a Saturday or Sunday, then for the purpose of this award such holidays shall be observed on the following Monday and/or Tuesday.

(c) For work done on any of the above-mentioned holidays, payment shall be made at the rate of double time in addition to any payment to which the worker may be entitled under subclause (a) of this clause.

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

(c) An employer shall be entitled to make a rateable deduction from the wages of any worker for any time lost by him through sickness, accident, or default.

(d) When work is not available at the factory and notice has not been given on the previous day, any worker who attends at the factory for the purpose of working shall be paid for at least four hours' work. When such worker is required to attend in the afternoon, such worker shall be paid for four hours' work although no work is available. When a worker has commenced work and by reason of a stoppage of the machinery is unable to continue working, payment shall be made as though such worker had worked for the half-day period.

(e) When slackness of work or the exigencies of trade render it necessary to work short time, the employer shall distribute the work as evenly among the workers of each class as circumstances will permit, and in such cases workers shall be paid only for the time actually worked, subject to subclause (d) hereof.

(f) Facilities for boiling water shall be provided.

(g) A ten-minute rest period shall be allowed in the morning and afternoon to all workers.

(h) A pint of milk shall be allowed workers engaged on stiffening, finishing, and blocking.

(i) Masks and overalls or aprons shall be provided for all workers at their individual request.

(j) Each worker shall be allowed two hours annually for an X-ray and medical examination. The worker shall produce proof, on demand by his employer, that he has utilised the time for this purpose.

Piecework

8. Piecework shall be prohibited.

Bonus System

9. (a) In all cases where a bonus is paid, the basis on which the bonus is calculated shall be negotiated between representatives elected by the workers directly concerned in the factory, the employer, and a representative of the workers' union. Should it become impossible to reach agreement, any of the above-mentioned parties may refer the question to the Conciliation Commissioner for the industrial district in which the factory is situated for decision. Any party dissatisfied with the decision of the Commissioner may appeal to the

11. The secretary or other representative of the union shall be permitted to interview employees at their place of employment during working-hours, by appointment with the management for the purpose of collecting contributions due to the union.

Disputes

12. 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 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 desirous of appealing.

Workers to be Members of Union

13. (a) Subject to the provisions of sections 174 (5) and 175 of the Industrial Conciliation and Arbitration Act 1954, 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.

(d) An employer shall, if requested to do so by the secretary of the local union, furnish him with a return setting out the names of all workers in his employ who are deemed to be adults under subclause (b) of this clause, but not more often than once each six months.

(NOTE.—Attention is drawn to section 174 (3) of the Industrial Conciliation and Arbitration Act 1954 which gives to workers the right to join the union.)

Under-rate Workers

14. (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

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

15. This award shall apply to the original parties named herein, and shall extend to and bind as subsequent party hereto every 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

16. This award shall operate throughout the Northern Industrial District.

Term of Award

17. 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 30th day of November 1955, 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 31st day of May 1957.

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 10th day of February 1956.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The award, including the operative date of provisions relating to wages, embodies the terms of settlement arrived at by the assessors in Conciliation Council.

A. TYNDALL, Judge.