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NEW ZEALAND (EXCEPT NORTHERN INDUSTRIAL DISTRICT) **GENERAL
RETAIL SHOP ASSISTANTS—AMENDMENT OF AWARD**

In the Court of Arbitration of New Zealand, Taranaki, Wellington, Marlborough, Nelson, Westland, Canterbury, and Otago and Southland Industrial Districts.—In the matter of the Shops and Offices Act 1955; and in the matter of the New Zealand (except Northern Industrial District) General Retail Shop Assistants Award, dated the 29th day of April 1955, and recorded in 55 Book of Awards 545.

UPON reading the application made under section 49 of the Shops and Offices Act 1955 by the New Zealand Drapers', Clothiers', Mercers', Milliners', and Boot Retailers' Industrial Union of Employers 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 subclause (a) of clause 4 (hours of work) the following additional proviso—

“Provided, further, that in the case of shops which have been exempted from closing on Saturday by orders of Magistrates' Courts pursuant to section 10 of the Shops and Offices Act 1955, the ordinary week's work shall not exceed forty hours to be worked on any five of the six days of the week, Monday to Saturday (both days inclusive), between the hours of 8.15 a.m. and 5.30 p.m. on four days and between the hours of 8.15 a.m. and 9 p.m. on one day.”

(2) By deleting subclause (c) of clause 18 (Holidays) and substituting the following subclause—

“(c) (i) Except where otherwise provided, any work done on Saturday or Sunday or on any of the abovementioned holidays or holidays observed in lieu thereof shall be paid for at double rates. The said payments shall be in addition to the ordinary weekly wage.

(ii) Any work done on Saturday as part of the ordinary week’s work pursuant to the second proviso of clause 4 (a) of this award shall be paid for at one half the ordinary time rate in addition to the ordinary weekly wage, provided that any work done on Saturday which is in excess of the weekly limit of forty hours shall be paid for at double rates.”

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

Dated this 27th day of April 1956.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

On 8th February 1956, the New Zealand Drapers’, Clothiers’, Mercers’, Milliners’, and Boot Retailers’ Industrial Union of Employers filed an application with the Court under section 49 of the Shops and Offices Act 1955.

The applicant requested that the New Zealand (except Northern Industrial District) General Retail Shop Assistants’ Award (55 Book of Awards 545) should be amended in the following manner:

“1. By adding to Clause 4 (a), Hours of Work, the following proviso:

‘Provided further that in the case of shops which have been exempted from Saturday closing by Order of the Magistrates Court the ordinary week’s work shall not exceed 40 hours to be worked in any five of six days of the week Monday to Saturday (both days inclusive), between the hours of 8.15 a.m. and 5.30 p.m. on four days and 8.15 a.m. and 9 p.m. on one day’.

2. By adding the following paragraph to subclause (c), of Clause 18:

‘This subclause shall not apply in respect of Saturday work to workers employed in shops which have been exempted from Saturday closing by Order of the Magistrates Court’.

3. By making such other consequential amendments as are necessary to give effect to paragraphs 1 and 2 of this application.”

The application was heard at Wellington on 6th April 1956, and was supported by Messrs F. J. Gracie and J. M. L. Cockburn, employers of New Brighton and by the New Brighton District Business Association (an incorporated body).

The application was opposed by the New Zealand Federated Shop Assistants Industrial Association of Workers upon grounds similar in nature to those advanced by the same organisation in opposition to an application for an amendment to the Gisborne, Taranaki, Wellington, Marlborough, Nelson, Westland, and Otago and Southland Retail Grocers’ Assistants and Drivers Award (54 Book of Awards 961). As the Court dealt with these grounds when issuing its decision in the Retail Grocers case, it is not proposed to repeat its comments in this memorandum, and interested parties are therefore referred to the former decision.

Mr Allerby wishes to record that in his opinion the payment for Saturday work could be at a higher rate.

A. TYNDALL, Judge.