

NEW ZEALAND ELECTRICAL 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 Electrical Industry.

WHEREAS application has been made to the Court by the New Zealand Electrical Trades Apprenticeship Committee for a new apprenticeship order governing the conditions of apprenticeship in the electrical 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 a new 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 authorised by the said section or elsewhere to prescribe: Now, therefore, the Court doth hereby order and prescribe as follows:

1. *Industry to Which Order Applies*—The industry to which this order shall apply is the electrical industry in the following branches:

- (a) General electrical wiring,
  - (b) Electrical servicing,
- (hereinafter referred to as “the industry”).

The skills and operations which are to be included in each branch of the industry are set out in the Schedule to this order.

2. *Application of Order*—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 103 of the Industrial Conciliation and Arbitration Act 1954, or an agreement filed under section 8 of the Labour Disputes Investigation Act 1913.)

3. *Interpretation*—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 subsequent clauses of this order shall be deemed to mean "District Commissioner of Apprenticeship", hereinafter referred to as the "local committee" and "District Commissioner" respectively.

4. *Prior Consent of Committee*—(a) No employer shall engage any person as an apprentice on probation or enter into any agreement to apprentice any person without the prior consent in writing of the appropriate local committee.

(b) (i) Any person or company, before taking an apprentice to learn a branch of the industry, shall first satisfy the local committee that he is or will be a suitable employer, has been in business in the branch of the industry for at least 12 months, is in a position to continue in business, and has the facilities for properly teaching the apprentice that branch of the industry.

(ii) A local committee may in exceptional circumstances waive the requirement that an employer must have been in business in the branch of the industry for at least 12 months.

(c) If the person or company is not engaged upon electrical wiring work such as to allow an apprentice to qualify for an "E" class licence under the Electricians' Act 1952, the local committee may consent only if it is clearly stated in the contract of apprenticeship that the apprenticeship will not provide training qualifying for "E" class registration.

Alternatively, consent may be given if the employer, who is unable to provide the necessary qualifying training, enters into a joint contract with the apprentice and another employer to provide that training.

(d) If the person or company is not engaged upon electrical servicing work such as to allow an apprentice to qualify for any registration under the Electricians' Act 1952, the local committee may consent only if it is clearly stated in the contract of apprenticeship that the apprenticeship will not provide training qualifying for any registration.

5. *Contracts to be Registered*—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 28 days after the commencement of the employment of the apprentice (in the case of an original contract) or within 14 days after 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.

6. *Minimum Age*—The minimum age at which a person may commence to serve as an apprentice shall be 15 years.

7. *Prerequisite Education*—It shall be necessary for a person desiring to become an apprentice to produce to the local committee satisfactory evidence that he has completed two years' post-primary education and has reached a satisfactory standard in English and mathematics in a fourth or higher form, or has attained an equivalent standard of education.

8. *Term of Apprenticeship*—(a) Except as otherwise provided in subclause (b) of this clause the term of apprenticeship shall be 10,000 hours divided into ten 1,000 hour periods.

(b) In the case 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, the term of apprenticeship shall be 9,000 hours divided into nine 1,000 hour periods.

(c) An apprentice shall make up any time lost by him through his own default, or sickness, or through accident (unless arising out of and in the course of his employment), 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 period of his apprenticeship, or if in the final period, to have completed his 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; but if the time so lost exceeds 4,000 hours, then the extension of the period and the obligation to pay the wages prescribed for that period shall not be continued beyond the time necessary to give the apprentice a total of 6,000 hours of actual work as an apprentice.

(d) An apprentice working overtime shall have such time added to the ordinary time in calculating the respective 1,000 hour period of the apprenticeship.

(e) Except for annual holidays under the Annual Holidays Act 1944, all holidays provided for in the award or agreement referred to in clause 11 of this order, which are taken by an apprentice, shall be deemed to be time served under his contract, reckoning eight hours for any one day. Time worked on such holidays shall be added to time deemed to be time served.

(f) Except where otherwise provided only working hours shall be reckoned as time served.

9. *Period of Probation*—(a) The period of probation to be prescribed in any contract to enable the parties to determine whether or not it shall be continued shall not exceed three months.

(b) When an apprentice is transferred from one employer to another, there shall be a period of probation not exceeding three months to enable the parties to the contract to determine whether or not it shall be continued with the employer to whom the apprentice is transferred.

10. *Proportion*—(a) The proportion of apprentices where contracts of apprenticeship provide for training sufficient to qualify them for "E" class licences of the Electricians' Registration Board, shall not be more than one to every journeyman employed who holds such an "E" class licence.

(b) In the electrical servicing branch the proportion of apprentices shall be not more than one to every journeyman employed.

(c) Where contracts of apprenticeship provide for training sufficient to qualify for any class of registration under the Electricians' Act 1952, only journeymen substantially engaged in the work for which they are registered shall be reckoned in determining the number of apprentices who may be engaged in any given branch of the industry.

(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 who at the date of making application to the local committee had been employed as apprentices or journeymen in the establishment in which the apprentice is to be employed for not less than four months preceding that date.

(e) For the purpose of this order an employer who himself works substantially at a branch of the industry shall be entitled to count himself as a journeyman in that branch only.

(f) Notwithstanding the other provisions of this clause but subject to the prior consent of the appropriate local committee one additional apprentice may be employed by any employer when there is an apprentice who has entered upon his final period of apprenticeship and who is the holder of a provisional licence of the Electricians' Registration Board, but only one such apprentice additional to the number permitted by the other subclauses of this clause may be employed by any employer at any time. The apprentice whose entry into the final period has permitted the engagement of the additional apprentice shall not be reckoned as a journeyman for the purpose of calculating the proportion.

(g) The powers and discretions provided for in section 29 of the Apprentices Act 1948, may be exercised by the District Commissioner and the local committee notwithstanding that the employer to whom it is proposed to transfer an apprentice is already employing the full proportion of apprentices as determined by this order.

11. *Wages*—(a) The minimum rates of wages payable to apprentices shall be the undermentioned percentages of the minimum weekly wage rate, or, if no weekly rate is prescribed, then of an amount equal to 40 times the minimum hourly wage rate for journeymen who are registered by the Electricians' Registration Board 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.

(i) For apprentices serving a 10,000-hour term of apprenticeship:

	Column A. When Apprentice Com- mences Before His Eighteenth Birthday Per Cent	Column B. When Apprentice Com- mences On or After His Eighteenth Birthday Per Cent
First 1,000-hour period ..	32	44
Second 1,000-hour period ..	37	49
Third 1,000-hour period ..	42	54
Fourth 1,000-hour period ..	47	59
Fifth 1,000-hour period ..	52	64
Sixth 1,000-hour period ..	57	69
Seventh 1,000-hour period ..	62	74
Eighth 1,000-hour period ..	67	79
Ninth 1,000-hour period ..	72	84
Tenth 1,000-hour period ..	77	89

(ii) For apprentices serving a 9,000-hour term of apprenticeship:

	Per Cent
First 1,000-hour period ..	37
Second 1,000-hour period ..	42
Third 1,000-hour period ..	47
Fourth 1,000-hour period ..	52
Fifth 1,000-hour period ..	57
Sixth 1,000-hour period ..	62
Seventh 1,000-hour period ..	67
Eighth 1,000-hour period ..	72
Ninth 1,000-hour period ..	77

(b) In the event of there being no particular wage rate prescribed for journeymen who are registered by the Electricians' Registration Board in the branch of the industry to which the apprentice is apprenticed, then the rates of wages payable to the apprentice shall be determined in like manner to the foregoing by reference to the minimum wage rate for journeymen in the branch of the industry to which the apprentice is apprenticed.

(c) (i) Every apprentice who shall have passed the First Qualifying Examination as prescribed by the New Zealand Trades Certification Board shall, from the date he completes 2,000 hours of his apprenticeship or from the date of the granting of a pass in the examination, whichever date is the later, be paid 2s. 6d. a week in excess of the minimum rate provided in subclause (a) of this clause.

(ii) An apprentice who has been exempted from the First Qualifying Examination shall be entitled to the payment of 2s. 6d. weekly mentioned in paragraph (i) above after he has completed 500 hours of his term of apprenticeship.

(iii) Every apprentice who shall have obtained any registration under the Electricians Act 1952, shall, upon production of such registration certificate to his employer, be paid during his seventh and eighth 1,000-hour periods at a rate of not less than 7s. 6d. a week in excess of the minimum rate provided in subclause (a) of this clause and during his ninth and tenth 1,000-hour periods at a rate of not less than 10s. a week in excess of that rate. The payments of 7s. 6d. and 10s. shall include any additional payment made by virtue of the preceding paragraphs.

12. *Technical Education*—(a) An apprentice residing within such distance of a technical or other college as may be determined by a local committee may be ordered by the New Zealand Apprenticeship Committee to attend, during three years of his apprenticeship, at classes in an electrical trade course (approved by the New Zealand Committee) for four hours on 40 Saturday mornings in each year: Provided that where an apprentice is absent from classes through his own default or where his progress and conduct are unsatisfactory, he may be ordered by the New Zealand Committee to attend for such period beyond three years as the local committee may deem necessary.

(b) Subject to the local committee receiving a report from the school that his progress and conduct at classes have been satisfactory, the employer shall within 28 days of the closing of classes in each term, pay to the apprentice a sum equal to the wages due at ordinary rates to the apprentice for the number of hours that he has attended Saturday classes: Provided that, except with the approval of the local committee, the rate of such wages shall not exceed that prescribed in subclause (a) of clause 11 above for the sixth period of apprenticeship.

(c) Time spent at such Saturday classes shall be reckoned as time served.

(d) An apprentice residing beyond the distance determined as in subclause (a) above may be ordered by the New Zealand Apprenticeship Committee to enrol for and complete with the Education Department's Technical Correspondence School a course of instruction approved by that Committee.

(e) The New Zealand Committee may order any apprentice to attend at courses of instruction approved by it for not more than three weeks in any year of his apprenticeship, and for the purposes of the term of apprenticeship time spent at such courses during normal working hours shall be reckoned as time served.

(f) The wages of any apprentice so ordered to attend shall be paid for the weeks at the courses by his employer, subject to the local committee receiving a satisfactory report from those in charge of the courses that the apprentice's attendance, progress, and conduct have been satisfactory.

(g) As an alternative to the provisions of subclauses (a) and (b) above, an apprentice who resides or works within a convenient distance of a school which the New Zealand Apprenticeship Committee is satisfied can during normal working hours provide instruction on a syllabus approved by the New Zealand Committee, may be ordered to attend during three years of his apprenticeship at such school for four continuous hours of instruction in each week, or alternatively, at the discretion of the New Zealand Committee, for eight hours of instruction in each fortnight. ("Convenient distance" shall be determined by the New Zealand 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 committee).

(h) Where an apprentice has been ordered to attend classes as provided in subclause (g) above, the employer shall permit him to attend such classes.

(i) An apprentice ordered to attend as provided in subclause (g) above may also be ordered to attend evening classes working on the syllabus referred to for not more than one evening a week during three years of his apprenticeship.

(j) An employer shall not be entitled to make any deduction from the wages of an apprentice ordered to attend a school during normal working hours, but absence without leave from such school 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.

13. *Apprentices from Overseas*—A person who has served part of his apprenticeship to the industry outside of New Zealand may complete the term of apprenticeship herein provided for with any employer on furnishing to the District Commissioner a certificate from his former employer and such other evidence (if any) as the District Commissioner and the local 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 14 days, appeal to the Court, whose decision shall be final and conclusive.

14. *Deductions by Employer*—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 five working days 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 payment of and deductions from wages and making up time in case of sickness shall apply also: Provided that if an apprentice is absent and fails to furnish a medical certificate to the effect that sickness prevented him from attending at work, the employer shall be entitled to make a rateable deduction from the wages of the apprentice for the time lost.

15. *Hours*—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.

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

(b) Apprentices under 18 years of age shall not be required or permitted to work overtime more than six hours in any one week, and then only if under the supervision of a journeyman.

(c) Apprentices over 18 years of age shall not be required or permitted to work overtime more than 10 hours in any one week, and then only if under the supervision of a journeyman.

(d) An employer shall not permit an apprentice to work overtime on any night or Saturday morning on which he has to attend trade classes at a school.

(e) Payment for 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.

17. *Conditions of Award to Apply*—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, dirt money, heat money, holidays, suburban work, country work, meal money, and other matters (other than tool and overall allowance and membership of union) relating generally to the employment and not in conflict with this order, shall be applicable to apprentices.



18. *Tool and Overall Allowance*—(a) Subject to the provisions of subclause (b) hereof, the employer shall pay to the apprentice tool and overall allowance at the rate prescribed for workers in the award or agreement referred to in clause 11 of this order and the apprentice shall purchase each year tools and overalls to the value of the annual sum payable by way of tool-money.

(b) The employer may advance to an apprentice, by way of orders on suitable suppliers, sums sufficient to allow the purchase of tools suitable to the class of work on which the apprentice will be engaged; such advances to be repaid by deductions from the tool and overall money payable by virtue of subclause (a) of this clause.

19. *Contracts to Accord with Act*—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.

20. *Obligations of Apprentice*—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 the 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.

21. *Obligations of Employer*—(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 of the industry in which he is apprenticed, 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 Schedule to this order and approved by the local committee.

(c) Except within the limits of work prescribed under the Electricians' Act 1952 for electrical servicemen, an apprentice to electrical servicing shall not be permitted to engage in the work of an apprentice to general electrical wiring.

22. *Premiums Forbidden*—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.

23. *Special Contracts*—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.

24. *Revocation of Order*—The New Zealand Electrical Industry Apprenticeship Order, dated the 7th day of June 1955 and recorded in 55 Book of Awards 793, and any amendment thereto, are hereby revoked as from the date of coming into operation of this order, but all resolutions and orders of the New Zealand Committee, or of local committees, made by them pursuant to the said order and its amendments shall continue in force as fully and effectually as if they had been made pursuant to this order, and accordingly shall where necessary be deemed to have so been made.

25. *Date of Operation*—This order shall operate and take effect as from the day of the date hereof.

## SCHEDULE

1. *General Electrical Wiring*—(a) The employer shall teach the following operations and skills:

- (1) Wiring and testing of domestic and/or industrial buildings and installations, including lighting, heating, and/or power (both single and three-phase systems) to such an extent as meets the requirements of the Electricians' Registration Board; workshop practice as follows – use and care of tools and instruments, soldering, drilling, tapping and screwing, jointing, and diagram reading;
- (2) Fault locating, repairing and testing of appliances, installing, testing, maintaining, and adjusting of motors, starters, transformers, hot water systems, and electrical equipment.
- (b) He may also select additional operations and skills from the following:
- (3) Installation and maintenance of sub-station plant;
- (4) Motor winding.

2. *Electrical Servicing*—(a) The employer shall teach the following operations and skills:

- (1) The replacement of fuse-links;
- (2) The replacement of flexible cords;
- (3) Earthing of appliances, disconnection and reconnection of appliances;
- (4) Assembly and repair of appliances, the testing of any appliance;
- (5) Workshop practice as follows: Use and care of tools and instruments, soldering, drilling, tapping and screwing, jointing, and diagram reading.
- (b) He may also select additional operations and skills from the following:
- (6) The fault locating, stripping, re-insulating, rewinding, testing, and general overhaul of a variety of single and three-phase motors, generators, transformers, and equipment connected thereto, and/or auto-electrical work;
- (7) Magneto repairing;
- (8) Fire-alarms;
- (9) Telephones;
- (10) Instrument repair work;
- (11) Brazing;
- (12) Elementary fitting and turning.

Dated this 26th day of September 1961.

[L.S.]

A. TYNDALL, Judge.