

NORTHERN INDUSTRIAL DISTRICT FURNITURE TRADE EMPLOYEES—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 United Furniture and Related Trades Industrial Union of Workers (hereinafter called “the union”) and the under-mentioned persons, firms, and companies (hereinafter called “the employers”):

Airey, Richard Ltd., 66A Stoddard Road, Mt. Roskill, Auckland.
Andrews and Clark Ltd., House Furnishers, Queen Street, Auckland.
Beverley, Bruce, and Goldie Ltd., 5 Pollen Street, Grey Lynn.
Barton, McGill, and Co., Billiard-table Manufacturers, 407 Queen Street, Auckland.
Chrome Styles Ltd., 28 Holland Avenue, Glen Eden.
Clark, Peter, The Strand, Whakatane.
Croft, George, and Son Ltd., Organ Builders, 1 Rendall Place, Auckland.
Flower, W., Port Road, Whangarei.
Franklin Cabinets Ltd., 46 Stoddard Road, Mt. Roskill.
Geard, C., Funeral Director, Kaitaia.
Goode, G. C., and Co. Ltd., 149 Marua Road, Ellerslie.
Harnish and Jordan Ltd., P.O. Box 100, Ellerslie.
Humphreys Furniture Warehouse Ltd., P.O. Box 140, Gisborne.
Iles and Co., Furnishers, Willow Street, Tauranga.
Judd, Chas., Ltd., Queen Street, Thames.
Leech, John, Picture Framer, 50 Shortland Street, Auckland.
Matloe Turnery Ltd., 53 Murdock Road, Grey Lynn.
Modern Chair Co., 37 West Street, Auckland.
Purdy and Turner, Dargaville.
Raysko Products Ltd., Olive Road, Penrose.
Shaw, Ronald, Ltd., Taumarunui.
Sibun's Sons Ltd., Watney, Funeral Directors, 435 Khyber Pass, Auckland.
Sutcliffe, J. E., Ltd., Spring-makers, 8 Rutland Street, Auckland.
Tattersfields Ltd., Bedding and Wire-mattress Makers, Richmond Road, Grey Lynn.
Yendells Furnishers Ltd., P.O. Box 145, Hamilton.

THE Court of Arbitration of New Zealand (hereinafter called “the Court”), having taken into consideration the matter of the above-mentioned dispute, and having heard the union by its representatives duly appointed, and having also heard such

of the employers as were represented either in person or by their representatives duly appointed, and having also heard the witnesses called and examined and cross-examined by and on behalf of the said parties respectively, 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 25th day of February 1963 and thereafter as provided by section 152 of the Industrial Conciliation and Arbitration Act 1954.

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 25th day of August 1961.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to Which Award Applies

1. This award shall apply to the classes of workers mentioned in clause 3 and to their employers engaged in the manufacture or repairing of furniture and furnishings and such other work as is usually performed by such workers.

Definitions

2. (a) Cabinetmakers' work shall include the fitting and/or putting together of imported or "knock-down" furniture and the manufacturing of furniture irrespective of the materials used.

(b) Casketmakers' work shall include the making and/or assembling of caskets.

(c) Chair and frame makers' work shall include the fitting and/or putting together of imported or "knock-down" chairs, seats, or settees, and the manufacture of chairs or frames irrespective of the materials used.

(d) Picture framers' work shall include making, gilding, ornamenting and restoring of frames, and other work incidental to making a completed framed picture.

(e) Polishers' work shall include all kinds of spraying.

(f) Upholsterers' work shall include all kinds of bedding, measuring, planning, and laying of carpets, linoleums, and floor coverings of all descriptions, also measuring and fixing of curtains, drapings, and blinds.

(g) Veneer workers' work shall include all kinds of veneering processes irrespective of the materials used.

(h) Wood turners' work shall include the turning of all kinds of materials other than metals.

Wages

3. The following shall be the minimum rates of wages:					Per Hour
					s. d.
(a)	Cabinetmakers	} 6 10
	Carvers	..	..	..
	Casketmakers	..	..	..
	Chair and frame makers	..	..	..
	Machinists	..	..	..
	Organ builders	..	..	..
	Pianoforte makers	..	..	..
	Picture framers	..	..	..
	Polishers	..	..	..
	Turners	..	..	..
	Upholsterers	..	..	..
	Veneer workers	..	..	..
(b)	Venetian blind workers:				} 6 10
	(i)	Machinists	..	..
		Painters	..	..
		Installers	..	..
	(ii)	Other workers, including those repairing Venetian blinds			
(c)	Wire mattress makers in all branches				6 4½
(d)	Upholstery spring makers, spring-seat form makers, and spring mattress unit makers				6 6
(e)	Workers over the age of 21 years performing any unskilled work in or about the employer's factory or yard, including timber stacking				5 10½
		5 9

Funeral Directors' Assistants' Allowances

4. (a) Workers under this award substantially employed as funeral directors' assistants shall receive 9s. per week in excess of the minimum rate of wages payable to journeymen.

"Substantially" means 51 per cent or more of his ordinary hours.

(b) Workers classified under subclause (a) of clause 3 of this award and performing such other work as may be required by a part-time funeral director outside of the provisions of subclause (a) of clause 3 shall be paid 3s. per hour extra whilst so employed.

Tool Money and Equipment

5. (a) A tool money payment at the rate of 1d. per hour shall be made to the following workers who are required to supply their own tools: Cabinetmakers, chair and frame makers (not including picture frame makers), casketmakers, pianoforte makers, organ builders, wood carvers, and wood turners.

(b) Each employer shall provide a suitable number of benches, cramps, gluepots, glue brushes, hand screws (electric or compressed air tools and accessories if required), and a suitable grindstone for the men employed, brushes, rags, and all other materials for polishers, also respirators for workers using spray-polishing machines, and sanding machines.

Protective Clothing

6. Employers shall supply overalls to workers:

(i) Employed in laying fixed floor coverings.

(ii) Who are substantially employed on work entailing the use of synthetic or casein glues.

(iii) Substantially engaged in spraying lacquer, paint, or synthetic.

Such overalls are to remain the property of the employer.

Instead of providing overalls, the employer may elect to pay an overall allowance of 1s. 6d. per week.

Youths

7. (a) Nothing herein contained shall be deemed to prevent the employment of youths under 21 years of age for the purpose of boiling-off and attending to glue; assisting timber stackers; assisting machinists by tailing out and/or holding up; assisting spring makers and seat-form makers; teasing flax, fibre, hair, kapok, flock, and feathers and weighing and filling same into cases or bags; cleaning up workshops and machines; and general messages.

Any youth engaged under the provisions of this clause who is employed at any time on work other than that covered by this clause shall be paid at a rate not less than that prescribed in clause 3 hereof for any time so worked.

(b) Youths may be employed in the following proportions:

One for three or fraction of three adult male workers;

Two for five adult male workers;

Three to nine or more adult male workers;

at the following minimum weekly rates of wages:

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 ..	56/-	70/-	79/3	88/-	97/6	105/6	115/3	132/9	153/-	173/-
16 to 17 ..	70/-	79/3	88/-	97/6	105/6	115/3	132/9	153/-	171/9	..
17 to 18 ..	77/6	88/-	97/6	105/6	115/3	132/9	150/6	171/9	..	..
18 to 19 ..	97/6	105/6	115/3	132/9	151/9	171/-	..	..	..	..
19 to 20 ..	115/3	132/9	150/6	171/-	..	..	..	..	..	..
20 to 21 ..	150/6	168/-	..	..	..	..	..	..	..	..

Thereafter adult rates.

Provided that this clause shall not be deemed to permit the employment of these workers at filling new flax, fibre, or hair mattresses.

Females

8. (a) Females at the age of 15 years or over may be employed in the weaving of wire mattresses or spring unit assembly or processing or fitting pictures in frames and finishing off at the following minimum rates:

	Per Week		
	£	s.	d.
For the first six months
For the second six months
For the third six months
For the fourth six months
For the fifth six months
For the sixth six months
Thereafter

(b) The proportion of juniors to adults shall not exceed one junior to each two adults or fraction thereof who have been employed for at least two-thirds full time for the six months immediately prior to the taking on of the junior.

Hours of Work

9. (a) The ordinary hours of work shall not exceed eight hours per day, from Monday to Friday, both days inclusive, to be worked between the hours of 7.30 a.m. and 5 p.m.

(b) Not less than 45 minutes shall be allowed for a meal, but in cases where the majority of the workers in any factory agree with the employer for a lesser period, not less than 30 minutes shall be allowed.

Overtime

10. (a) All time worked outside or in excess of the hours prescribed in clause 9 hereof shall be deemed to be overtime and shall be paid for at time and a half for the first three hours and double time thereafter, provided that all time worked after 10 p.m. or before 7.30 a.m. shall be paid for at double time rates; for work done on Saturday morning between the hours of 7.30 a.m. and 12 noon time and a half rates shall be paid; for all work done in excess of four hours or after 12 noon on Saturday double time rates shall be paid.

(b) Workers under this award who are called back to work by a funeral director outside of the ordinary hours shall receive a minimum payment of two hours for the first call in any one day and a minimum payment of one hour for any subsequent call: Provided that for any call after 10 p.m. or before 7 a.m. there shall be a minimum payment of two hours.

Holidays

11. (a) The following shall be the recognised holidays: Christmas Day, Boxing Day, New Year's Day, the day following New Year's Day, Good Friday, Easter Monday, Anzac Day, Labour Day, the birthday of the reigning Sovereign, and Anniversary Day.

(b) Should any of the holidays prescribed in this clause (except Anzac Day) fall on a Saturday or a Sunday it shall be observed on the next succeeding working day or days.

(c) Payment of wages for the said holidays shall be made to all persons who have been employed at any time during the fortnight ending on the day on which the holiday occurs.

(d) Time worked on Sunday or on any of the holidays prescribed in subclause (a) of this clause shall be paid for at the rate of double time.

(e) Notice of closing down for Christmas holidays shall be posted in a conspicuous place at least one month before the holidays.

Annual Holidays

12. Annual holidays shall be granted in accordance with the provisions of the Annual Holidays Act 1944.

Meal Allowance and Rest Periods

13. (a) Meal money at the rate of 5s. per meal shall be paid or a suitable meal shall be supplied to workers working overtime after 5 p.m.: Provided that such workers cannot reasonably get home for their meal and return within one hour: Provided, further, that such payment shall be made to the workers each day before commencing overtime. For the purposes of this subclause a hot meal shall comprise freshly cooked meat, vegetables, and potatoes with bread and butter and tea or coffee.

(b) A break of 10 minutes each morning and afternoon shall be allowed for morning and afternoon tea without deduction from wages: Provided that the afternoon break shall be allowed not later than one hour before the ordinary time of ceasing work.

Deduction from Wages

14. An employer shall be entitled to make a rateable deduction from the weekly wage of any worker for any time lost through sickness or default or accident.

Payment of Wages

15. Wages shall be paid weekly not later than Thursday and on the premises of the employer and during working hours. Where it is customary for an employer to pay wages on a Monday and a holiday is observed on that day wages shall be paid on the last working day prior to the holiday or holidays.

Each worker shall be supplied with details of how his wages are made up.

Termination of Employment

16. In the case of weekly workers, one week's notice of the termination of employment shall be given on either side and in the case of hourly workers two hours' notice shall be given on either side, during which time the worker shall have the right to sharpen his tools if they require sharpening, or two hours' extra time shall be paid. In all cases wages shall be paid immediately on completion of the employment.

General Conditions

17. (a) All travelling-expenses on country work (such to include board and lodging) and the time when travelling shall be paid by the employer. Time occupied in travelling shall be paid at ordinary rates. No worker shall be paid more than an ordinary day's wages for any day occupied by him in travelling, although the hours so occupied by him may exceed eight, unless he is on the same day occupied in working for his employer: Provided that any worker travelling on Saturdays or Sundays or any of the specified holidays shall be paid for the time occupied in travelling at holiday rates.

Country work means work done by a worker which necessitates his lodging elsewhere than his usual place of residence.

(b) Polishers, machinists, and seat-form makers shall be allowed five minutes before knocking-off time for cleaning their hands.

(c) Employees who are required to use their own motor cycles during the course of their work shall be paid 2s. 6d. for each day or part of a day on which they use same. Workers who are required to use their own push cycles during the course of their work shall be paid 1s. for each day or part of a day on which they use same.

(d) No piecework shall be permitted.

(e) If a worker, at the direction of his employer, is employed at any place other than the workshop of his employer, any additional fares incurred shall be paid by the employer and any extra time incurred in travelling shall be at ordinary rates.

(f) A first-aid medical outfit, suitably equipped, shall be provided and maintained by the employer and shall be kept in a convenient and accessible place for use in case of accident. Should any worker meet with an accident during the course of his employment, the employer shall, immediately after the accident, arrange for the worker's transport to a nearby doctor or to a hospital in order that the worker may receive the necessary immediate medical or surgical attention.

(g) Employers shall provide in every factory facilities for boiling water at meal times.

(h) In workshops with concrete floors, workers engaged at benches and/or machines (other than glue spreading or similar machines or spray booths) shall have a floor covering of suitable materials on the floor where the worker is required to stand.

(i) Union representatives appointed to joint committees of employers and workers shall be allowed time off without pay to attend meetings convened by any particular Government Department.

(j) Suitable facilities for washing which shall include hot water, soap, and clean towels (or other suitable means of drying) shall be provided.

Health Regulations

18. NOTE—The provisions of the regulations under the Health Act 1920, relating to the treatment and sale of second-hand clothing and bedding as published in the *N.Z. Gazette* of 3 May 1923, prescribed as follows:

5. It shall not be lawful for any person in reconstructing or making any bedding, cushion, or other furnishing intended for human use to employ in such construction or making any second-hand material unless such material has been cleansed by an approved process and disinfected.

6. Any person who commits a breach of these regulations shall be liable on summary conviction to a fine of £20.

Disputes

19. The essence of this award being that the work of the employers shall not on any account whatsoever be impeded but shall always proceed as if no dispute had arisen, it is provided that if any dispute or difference shall arise between the parties bound by this award, or any of them, as to any matter whatsoever arising out of or connected therewith and not specifically dealt with in this award every such dispute or difference shall be referred to a committee to be composed of two representatives of each side, together with an independent chairman to be mutually agreed upon or, in default of agreement, to be appointed by the Conciliation Commissioner for the district. Either side shall have the right to appeal to the Court against a decision of any such committee upon giving to the other side written notice of such appeal within 14 days after such decision has been made known to the party desirous of appealing.

Workers to be Members of Union

20. (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 purpose of subclause (a) of this clause a person of the age of 18 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 21 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) Every employer shall, on written request from the union secretary, or branch secretary, supply the names, private addresses, and occupations of all workers in his employ coming within the scope of this award, but not more often than three-monthly periods.

(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

21. (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 14 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.

Right of Entry

22. Every employer bound by this award shall permit the secretary of the union of workers or other authorised officer to enter at all reasonable times upon the premises or works and there interview any worker, but not so as to interfere unreasonably with the employer's business.

Application of Award

23. 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

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

Term of Award

25. 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 14th day of August 1961, 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 25th day of February 1963.

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 25th day of August 1961.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The matters settled by the Court were as follows: Claim for the inclusion of a definition of machinist's work in clause 2, wages (clause 3), holidays (clause 11 (a)), annual holidays (clause 12), meal allowance provisions (clause 13 (a)), and term of award, including the operative date of wage provisions.

The day following New Year's Day has been inserted as a holiday under this award to bring the holidays into line with those provided for in the New Zealand (Except Northern Industrial District) Furniture Trade Employees' Award and in consideration of the fact that there is considerable competition between employers covered by the two awards for the industry.

The advocate for the employers advised the Court that he did not wish to prosecute certain counter proposals at the hearing of this dispute and requested the Court to record the fact.

A. TYNDALL, Judge.
