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**NELSON INDUSTRIAL DISTRICT KNITTED GARMENT AND HOSIERY FACTORY  
EMPLOYEES—AWARD**

In the Court of Arbitration of New Zealand, Nelson Industrial District—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of an industrial dispute between the New Zealand Federated Clothing Trade Employees Industrial Association of Workers (hereinafter called “the union”) and the under-mentioned company (hereinafter called “the employers”):

Richmond Mills Ltd., 161 Queen Street, Richmond.

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 on the day of the date hereof and shall continue in force until the 28th 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 14th day of December 1961.

[L.S.]

A. TYNDALL, Judge.

#### SCHEDULE

##### *Industry to Which Award Applies*

1. This award shall apply to the manufacture of garments of knitted materials and hosiery produced from wool, silk, cotton, nylon, rayon, or other man-made fibres, or mixtures of any of the foregoing materials.

##### *Hours of Work*

2. (a) The ordinary hours of work shall be 40 per week, to be worked on five days of the week, Monday to Friday inclusive, between the hours of 8 a.m. and 5 p.m.

(b) For the purpose of calculating the hours of work, each of the holidays hereinafter mentioned shall be deemed to be a day worked for the number of hours usually worked on that day of the week, although no work shall have been actually done on such holiday.

(c) The hours of work shall be posted in each and every workroom by the employer.

(d) A break of not less than 45 minutes shall be allowed to, and taken by, all workers between 12 noon and 1.30 p.m. each day, and a break of not less than 30 minutes for tea when overtime is being worked.

##### *Overtime*

3. All time worked in any one day outside or in excess of the hours prescribed in clause 2 hereof 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 24 hours' notice has been given 5s. 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, tea-money shall be provided.

#### *Wages (Adult Males)*

4. The minimum rates of wages for the undermentioned classes of workers shall be as follows:

	Less Than 12 Months Continuous Service in the Industry Per Hour	After 12 Months Continuous Service in the Industry Per Hour	After Five Years Continuous Service in the Industry Per Hour
	s. d.	s. d.	s. d.
Circular machine knitters	6 2 $\frac{1}{4}$	6 4 $\frac{1}{4}$	6 6
Other adult males ..	6 0 $\frac{3}{4}$	6 2 $\frac{3}{4}$	6 4 $\frac{1}{2}$

#### *Wages (Senior Females)*

5. (a) Except where otherwise provided, the minimum wage for females who have served three years and upwards shall be 4s. 5 $\frac{1}{2}$ d. per hour.

(b) Female workers operating hand-knitting machines, whilst so employed shall be paid 15 per cent in addition to wages prescribed in subclause (a) of this clause.

(c) Female workers employed as cutters shall be paid not less than 4s. 9d. per hour.

#### *Wages (Junior Males)*

6. Boys and youths may be employed at not less than the following rates:

				Per Week
				£ s. d.
Under 16 years of age	..	..	..	4 2 6
16 to 16 $\frac{1}{2}$ years of age	..	..	..	4 12 6
16 $\frac{1}{2}$ to 17 years of age	..	..	..	5 7 6
17 to 17 $\frac{1}{2}$ years of age	..	..	..	6 2 6
17 $\frac{1}{2}$ to 18 years of age	..	..	..	6 17 6
				Per Hour
				s. d.
18 to 19 years of age ..	..	..	..	4 3
19 to 20 years of age ..	..	..	..	4 9
20 to 21 years of age ..	..	..	..	5 6

#### *Wages (Junior Females)*

7. The minimum weekly rates of wages for junior females shall be as follows:

Age Commencing		First Six Months	Second Six Months	Third Six Months	Fourth Six Months	Fifth Six Months	Sixth Six Months
Under 16 years ..	..	80/-	90/-	105/-	120/-	135/-	150/-
Over 16 years ..	..	90/-	100/-	115/-	130/-	145/-	155/-

Thereafter, the rate for senior females: Provided that female workers over 21 years of age shall be paid not less than 3s. 11 $\frac{3}{4}$ d. per hour, such workers to qualify as senior females after 18 months' service as an adult worker.

#### *Bonus System*

8. A bonus system may be introduced by agreement between the union and the employer.

*Payment of Wages*

9. (a) Wages shall be paid weekly not later than Thursday and within ordinary working hours.  
(b) All wages shall be paid on the termination of employment.

*Deductions from Wages*

10. No deduction shall be made from wages of any worker for whom a weekly wage is prescribed by this award other than for time lost through the sickness or default of the worker or through accident not arising out of and in the course of the employment.

*Holidays*

11. (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, the day following New Year's Day, Good Friday, Easter Monday, Anzac Day, Labour Day, the birthday of the reigning Sovereign, and Anniversary Day or a day in lieu thereof.

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

(c) Double rates shall be paid for any work on Saturday afternoon, Sunday, or any of the above-mentioned holidays.

*Annual Holidays*

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

(b) Upon completion of 10 years' continuous employment with the same employer, a worker shall be granted in respect of each further year of employment with that employer an annual holiday of three weeks instead of two weeks allowed under the Annual Holidays Act 1944.

*Part-time Workers*

13. A weekly worker whose engagement is for less than 40 hours per week shall be paid the *pro rata* rate calculated on the ordinary weekly wage.

*General Conditions*

14. (a) A 10-minute rest period shall be allowed in the morning and afternoon to all workers.

(b) Facilities for boiling water shall be provided.

*Termination of Employment*

15. In the case of hourly workers, 24 hours' notice, to include eight working hours, of the termination of the employment shall be given by either party. In the case of weekly workers, one week's notice, consisting of 40 working-hours, shall be given, but this shall not prevent the employer from summarily dismissing a worker for good cause. Where the employment is terminated by the worker without notice, or by the employer without notice or good cause, one day's wages in the case of hourly workers, and one week's wages in the case of weekly workers, shall be paid or forfeited in lieu of notice.

*First-aid Outfit*

16. A St. John first-aid outfit or similar kit, fully equipped, shall be provided by the employer.

*Right of Entry*

17. The secretary or other authorised officer of the union of workers shall be permitted on request to the employer to enter at all reasonable times upon the premises and/or works of any employer bound by this award and there interview any workers, but not so as to interfere unreasonably with the employer's business.

*Disputes*

18. 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 notice of such appeal to the other party within 14 days after such decision shall have been communicated to the party desirous of appealing.

*Workers to be Members of Union*

19. (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 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) 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 the preceding subclause (b), 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*

20. (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.

#### *Application of Award*

21. 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*

22. This award shall operate throughout the Nelson Industrial District.

#### *Term of Award*

23. This award shall come into force on the day of the date hereof, and shall continue in force until the 28th 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 14th day of December 1961.

[L.S.]

A. TYNDALL, Judge.

#### MEMORANDUM

The matters referred to and settled by the Court related to the industry to which award applies (clause 1), hours of work (clause 2), wages (clauses 4, 5, 6, and 7), deductions from wages (clause 10), termination of employment (clause 15), and term of award.

In making this award on the application of the New Zealand Federated Clothing Trades Employees Industrial Association of Workers, we have taken into account the membership rule of its affiliated union, the Canterbury, Westland, Nelson, and Marlborough Clothing and Related Trades Industrial Union of Workers. Mr Hill for the association made it clear that his organisation had no desire that the award should cover the knitting of fabrics, as distinct from the manufacture of garments. The knitting of fabrics has therefore been omitted from the definition of the industry to which the award applies.

The counter proposals included a provision for the working of shifts. The evidence called in support indicated that shift-work is not in operation, but that it is contemplated by the respondent employer that shift-work may shortly be introduced in connection with the manufacture of fabrics. As this class of work is not to be covered by the award, no provision has been made for the working of shifts.

For female cutters the Court has prescribed a separate minimum hourly rate which is comparable with the minimum weekly rate for similar workers employed under the New Zealand Shirt, White, and Silk Workers Award (60 Book of Awards 1921).

A. TYNDALL, Judge.