NORTHERN INDUSTRIAL DISTRICT DAILY NEWSPAPER JOURNALISTS—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 Journalists Industrial Union of Workers (hereinafter called "the union") and the under-mentioned companies (hereinafter called "the employers"):

Bay of Plenty Times Co. Ltd., Tauranga.

Gisborne Herald Co. Ltd., Gisborne.

New Zealand Newspapers Ltd., Shortland Street, Auckland.

Northern Publishing Co. Ltd., Whangarei.

Rotorua Newspapers Ltd., Rotorua.

Waikato and King Country Press Ltd., Hamilton.

Wilson and Horton Ltd., Queen 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, 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 31st day of August 1962 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 18th day of December 1961.

[L.S.]

A. Tyndall, Judge.

SCHEDULE

Industry to Which Award Applies

1. This award shall apply to the production of (a) city daily newspapers published in the city of Auckland and (b) provincial daily newspapers published in any city or borough in the Northern Industrial District, including Gisborne, in which is published a daily newspaper of which the average net paid circulation exceeds 4,000.

Exemptions

2. (a) City Newspapers—Nothing in this award shall apply to editors, associate editors, managing editors, leader writers, news editors, night editors, chief subeditors, chiefs of reporting staffs, and chief readers.

(b) Provincial Newspapers—Nothing in this award shall apply to editors, associate editors, managing editors, leader writers, and women employed for less than 30 hours a week to furnish contributions to women's or children's sections.

Interpretations

3. For the purpose of this award the following definitions shall apply:

(a) A "subeditor" is a journalist who subedits news matter under the direction of the chief subeditor.

(b) A "reporter" is a journalist on the reporting staff of a newspaper who is assigned for duty in the reporters' assignment book, and takes his regular and adequate share of reporting for the newspaper by which he is employed.

(c) A "cadet" is one who is being trained as a journalist on the staff of a

newspaper.

(d) A "casual reporter" is a journalist who is employed occasionally for reporting work. This definition shall not apply to anyone not a journalist who is employed to supply a casual report of any kind.

(e) A "photographer" is one who is employed on the staff of a newspaper

in the production of photographs for publication in the newspaper.

- (f) A "cadet photographer" is one who is being trained as a photographer on the staff of a newspaper.
- (g) A "reader" is one employed as a corrector of printed matter in proof form for publication in a newspaper.

(h) A "copyholder" is one employed as a reader's assistant.

(i) A "nightworker" is a worker in a subeditorial department or in a proof reading department the greater part of whose ordinary hours of work occurs after 7.30 p.m. or a reporter assigned for a period of not less than one week to late duty extending beyond 1 a.m.

(i) A "leader writer" is one employed principally to write editorial opinion

under the general direction of the editor.

Duty Assignments

4. Every worker shall be notified before he ceases duty on any working day of the time and place of his next assignment and in evening newspaper offices, where possible, of any evening assignment on the following day.

Hours of Work

- 5. (a) The hours of work shall not exceed 80 per fortnight: Provided that the maximum number of hours that may be worked in any one week without payment of overtime shall be 44.
- (b) For the purpose of this clause "meal interval" means either a period between 11.30 a.m. and 2.30 p.m. of not less than 30 minutes nor more than one hour, or a period between 5 p.m. and 8 p.m. of not less than 30 minutes nor more than two hours during which a worker is relieved from duty by the employer.
- (c) (i) Time worked shall be counted continuously, exclusive of one meal interval (this to be the longer if two are taken), from the time of entering upon duty to the time of completing duty for the day with a maximum of 10 hours; or

(ii) The day's work may be divided into two periods together not exceeding 10 hours, provided that the interval between those periods is not less than three hours. One meal interval may be excluded from the computation of time worked but the deduction shall not exceed one hour.

(d) Meal intervals for subeditorial and proof reading staffs shall be arranged in each office in accordance with custom: Provided that no deduction shall be

made for any meal interval of less than 30 minutes.

(e) Time occupied by work for which a worker receives payment in addition to his salary or time during which he is, upon his own application, relieved from duty shall be excluded from the computation of time worked.

Distribution of Hours

6. (a) City Newspapers—The ordinary hours of work for each worker shall be so arranged that he shall not be required to work upon more than 10 days in any fortnight.

(b) Provincial Newspapers—(i) The ordinary hours of work for every worker shall be so arranged that he shall not be required to work upon more than 10 days

in any fortnight.

(ii) If in any office where the ordinary hours of work are normally arranged within 10 days in a fortnight, conditions arise including provision for annual holidays, which the authorised representative of the workers agrees necessitate a variation in those arrangements, the ordinary hours of any worker may be arranged upon 11 days in any fortnight.

(c) Notice of a day off duty shall be given to the worker concerned where

possible 48 hours in advance.

(d) During the fortnight in which a general election polling day occurs, the ordinary hours may be arranged on nine days and two half days. For the purposes of this subclause a half day means not more than four hours.

Distant Assignments

7. (a) The time worked upon a distant assignment when the period of absence from the office is not more than one day shall be computed in accordance

with the provisions of clause 5.

(b) Any other distant assignment shall be subject to special arrangement regarding the computation of hours between the employer and the worker concerned. The worker concerned may refer the terms of the arrangement to the authorised representative of the workers. In any special arrangement not less than eight hours shall be allowed for each full day of absence from the office.

(c) Employment in the parliamentary press gallery shall not be a distant

assignment.

Time Books

8. (a) Each worker shall enter in a book, or record by other means provided by the employer, the times at which he commences and completes the day's work, together with the times at the beginning and the end of each interval which by the provisions of this award is excluded from the computation of time worked, and such other particulars as may be required for the computation of time worked. The entries relating to each day's work shall be made at the end of that day's work: Provided that when any day's work is completed away from the office, the entry shall be made at the first opportunity thereafter.

(b) If not disputed within 14 days all entries in the time book shall be taken

to be correct.

(c) The time book shall be open to inspection during office hours by the president and the secretary of the local journalists' union or branch thereof.

Overtime

9. (a) Time worked in excess of 10 hours during any day shall be paid for at the rate of time and a half for the first three hours and thereafter at double rates.

(b) Any time worked before the expiration of nine hours from the completion of the previous day's work shall be reckoned as overtime and shall be paid for at the rate of time and a half for the first three hours and double time thereafter: Provided that in computing the interval there shall not be included

any overtime as defined by subclause (a) of this clause.

(c) Time worked in excess of the prescribed weekly or fortnightly limits shall be paid for at the rate of time and a half for the first eight hours and thereafter at double rates: Provided that in computing the weekly and fortnightly hours there shall not be included any overtime as defined by subclauses (a) and (b) of this clause.

Grading (City Newspapers)

10. (a) Subeditors shall be graded as follows: One a general, the next a senior and so on alternately. When two graded subeditors are employed, one junior and one cadet also may be employed and when more than two graded subeditors are employed, one junior and two cadets also may be employed, such juniors and cadets to be paid salaries prescribed for junior reporters and cadets.

(b) The following proportion of grading of the reporting staff shall be observed,

cadets, temporary and casual workers being excluded from the grading:

Number of staff 10 11 12 13 17 3 5 3 6 7 Number of senior reporters 6 Number of general reporters Number of junior reporters 2 3 3 4 4 5 5 5 6 2 2 3 3 4 4

If the number of reporters to be classified exceeds 17, the excess shall be classified as follows: The first as a junior, the second as a general, and the third as a senior, and so on until the whole of the excess has been classified.

Provided that an employer shall not be required by the provisions of this subclause to classify as a senior reporter any general reporter who has not

completed three years' employment as a general reporter.

Provided, further, that an employer shall not be required by the provisions of this subclause to classify as a general reporter any junior reporter who is unable to pass an approved test of shorthand writing at 80 words a minute. When no junior reporter on the employer's staff is able to comply with this provision one junior reporter may be excluded from the grading list for 12 months.

(c) The number of cadets attached to the graded reporting staff shall not

exceed one for every three or fraction of three.

- (d) Any worker engaged for not less than two-thirds of his working time upon sporting (racing and trotting) news reporting or upon athletics news reporting shall be paid according to his experience and qualifications and shall not be included in any graded list. The provisions of this award relating to the promotion of workers to the status of second year junior reporters shall apply to workers to whom this subclause applies. Any such worker who is responsible for organising the collection and supervising the preparation for publication of such news shall be paid not less than the salary prescribed for a senior reporter.
- (e) Workers engaged exclusively in the women's news section shall be paid according to their experience and qualifications and shall not be included in any graded list. Any such worker who is responsible for organising the collection and

supervising the preparation for publication of social news and other matter in the women's section of a newspaper shall be paid not less than the salary prescribed for a general reporter. The provisions of this award relating to the promotion of workers to the status of first year junior reporters shall apply to workers to whom this subclause applies.

- (f) The provisions of this award shall apply to workers engaged upon the selection and titling of illustrations but not to workers who by the nature of their duties are subject to the provisions of the Clerical Workers' Award. A worker who is also responsible for directing the work of photographers shall be paid not less than the salary prescribed for a senior reporter. Workers to whom this subclause applies shall not be included in any graded list.
- (g) A list of the names of the graded subeditorial and reporting staffs and of other workers subject to this award in their respective divisions, together with any alteration which may be made from time to time by the employer, shall be recorded on a special page in the reporters' assignment book and shall be open to inspection by the president and secretary of the local journalists' union.

Grading (Provincial Newspapers)

11. (a) Subeditors and reporters (excluding cadets, casual reporters, and temporary workers) shall be graded in the following proportions:

| Number of staff | | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
|--------------------|--------|-------|---|---|---|---|---|----|----|----|
| Number of seniors | 111111 | 1 | 1 | 2 | 3 | 3 | 3 | 4 | 4 | 4 |
| Number of generals | ***** | 1 | 2 | 2 | 2 | 3 | 3 | 3 | 4 | 4 |
| Number of juniors | ***** | 2 | 2 | 2 | 2 | 2 | 3 | 3 | 3 | 4 |

If the number exceeds 12, the excess shall be graded as follows: The first as a senior, the second as a general, the third as a junior and so on.

Provided that an employer shall not be required by the provisions of this subclause to classify as a senior reporter any general reporter who has not completed three years' employment as a general reporter.

Provided, further, that an employer shall not be required by the provisions of this subclause to classify as a general reporter any junior reporter who is unable to pass an approved test of shorthand writing at 80 words a minute. When no junior reporter on the employer's staff is able to comply with this provision, one junior reporter may be excluded from the graded list for 12 months.

- (b) The number of cadets shall not exceed one for every three or fraction of three graded journalists.
- (c) A woman engaged solely on writing women's notes and/or children's sections shall be paid not less than the rate prescribed for a first year junior, but she shall not be included in the graded staff. An assistant to such a worker shall be paid not less than the rates prescribed for cadets.

Interchange of Duties

- 12. (a) The duties of workers shall be allotted by the editor or his deputy at his discretion, irrespective of the worker's grading.
- (b) Where a temporary rearrangement of duties is necessary on account of sickness, annual leave, or other reasonable cause, the employer may, for not more than three months in any year, interchange the duties of any members of the staff without incurring any liability for additional payment except for payment of night allowance as defined in clause 14 or being required to make any alteration in the grading of staff.

Salaries

| 13. (a) The minimum weekly salaries shall be: | | | | | | | | | | | |
|---|--|---|-----------|------------|-----------|-----------|--------|------------------------|--------------|--|--|
| | Senior reporte such for the Senior reporte | ree year | 'S | ***** | o have be | een grade | as as | £ s. 21 10 20 17 | d. 0 6 | | |
| 7 | General report | tere and | general | subeditors | who have | | | | | | |
| • | as such for | | | | WIIO HUVE | _ | | 18 2 | 0 | | |
| | General repor | | | enheditors | ****** | ***** | ****** | 17 8 | ŏ | | |
| | Junior reporte | | general | Subcartors | ****** | ****** | ***** | 1, 0 | Ü | | |
| | First year | | | | | | | 12 2 | 6 | | |
| | Second year | | ***** | ****** | ••••• | ****** | ***** | 13 10 | ŏ | | |
| | | | ographere | | ***** | ****** | ***** | 15 10 | • | | |
| • | Cadets and car | uet phot | ographers | • | | | | 6 15 | 0 | | |
| | First year | • | ****** | | ***** | ****** | ****** | 8 0 | ŏ | | |
| | Second year | 1 | ••••• | ****** | ***** | ***** | ****** | 10 0 | ŏ | | |
| | Third year | ***** | ••••• | ***** | ****** | ****** | ***** | 11 0 | ŏ | | |
| | Fourth year | r | ••••• | ****** | ***** | ****** | ***** | 11 0 | U | | |
| • | Copyholders: | | | | | | | £ 10 | 0 | | |
| | First year | ***** | ***** | | ****** | ***** | ***** | 5 10 | 0 | | |
| | Second year | r | ***** | ***** | ***** | ***** | | 6 5 | 0 | | |
| | Thereafter | ***** | ••••• | ••••• | ***** | ***** | ***** | 7 7 | 0 | | |
| | Photographers 2 4 1 | | ••••• | | ••••• | ****** | ***** | 17 8 | 0 | | |
| | funior photogr | raphers: | | | | | | | _ | | |
| | First year | | ***** | ***** | | ***** | • | 12 2 | 6 | | |
| | Second year | r | ••••• | ••••• | ***** | ***** | ***** | 13 10 | 0 | | |
| | | | | | | City | | Provinc | cial | | |
|] | Readers: | | | | | £ s. | d. | £ s. | d. | | |
| | First reade | r | | | ***** | 16 0 | 0 | 15 5 | 0* | | |
| | Other read | ers | | | ***** | 14 17 | 6 | 14 17 | 6 | | |
| | Female rea | ders | | | ****** | ***** | | 12 0 | 0 | | |

*Where two or more readers are employed.

- (b) In each city newspaper office, one subeditor shall be paid £1 10s. a week more than the salary prescribed for a senior subeditor, three years. Where the provisions of subclause (b) of clause 10 require four or five reporters to be graded as seniors, one shall be paid £1 10s. a week more than the salary prescribed for a senior reporter, three years, and where they require six or more reporters to be graded as seniors, two shall be paid £1 10s. a week more than the salary prescribed for a senior reporter, three years.
- (c) Cadets who have passed a shorthand test of 80 words a minute shall be paid 10s. per week extra and cadets who have passed a shorthand test of 120 words a minute shall be paid £1 a week extra.
- (d) Readers after three years' experience as readers shall be paid 10s. per week extra.
- (e) A reporter employed in the press gallery during a session of Parliament shall receive, in addition to his ordinary salary, an allowance of £6 per week while so employed.
- (f) Any reporter to whom subclause (e) of this clause applies shall be exempt from the provisions of clauses 5, 6, 8, and 9 (Hours, Distribution of Hours, Time Books, and Overtime) and of subclause (b) of clause 14.
- (g) In any office in which three or more photographers are employed, one shall be paid the rate of salary prescribed for a senior reporter, and where six or more are employed, two shall be paid at the senior rate.

- (h) A worker not qualified for classification as a reader may be employed as a probationer reader for not more than three months at a salary of £1 less than the rates prescribed for "other readers".
- (i) Nothing in this award shall operate so as to reduce the status or salary of any worker employed at the date of the commencement of this award.
- (j) Salaries shall be paid weekly on a regular pay-day, in working hours, on the employer's premises.

(Note—Attention is directed to the provisions of the Minimum Wage Act 1945 and its amendments.)

Extra Allowances

- 14. (a) Every worker shall be paid, in addition to his ordinary salary, an extra weekly allowance at the rate of 10 per cent (calculated to the nearest 1s.) of his ordinary salary and such allowance shall be accepted as full compensation for working when required (other than overtime) on Saturdays and Sundays, and in the case of provincial newspapers for any variation of the distribution of hours as provided for in clause 6 (b) (ii). The prescribed allowance is not to be included in the worker's salary for the purpose of computing overtime payments which shall be paid during annual holidays.
- (b) Night workers shall be paid in addition to the prescribed salary, 25s. per week. This additional payment is not to be included in the worker's salary for the purpose of computing overtime payments, but shall be paid during annual holidays to every worker who has received the additional payment for not less than three months preceding the holiday.
- (c) Any worker engaged within his ordinary hours of work upon a late assignment shall, if the assignment extends beyond 11.30 p.m., be paid 5s. for each such assignment.

Cadets and Cadet Photographers

- 15. (a) A cadet shall be fully and thoroughly taught and instructed by his employer in the profession of journalism. Such instruction shall include:
 - (i) The reviewing, as far as the work of the office may allow, of copy supplied by him and of alterations made thereto.
 - (ii) Provision to accompany at suitable times, as opportunity occurs, for practical instruction and experience, members of the graded reporting staff when they are employed in various forms of journalistic work.
- (b) Each cadet shall be given reasonable facilities to attend within ordinary working hours, shorthand and typewriting classes, university or other approved lectures. Where such classes or lectures are provided by the employer without charge for tuition or text books the time occupied in such classes or lectures shall be excluded from the computation of time worked. Otherwise periods of absence in excess of four hours a week shall be excluded from the computation of time worked.
- (c) A cadet who has been employed continuously for four years or having attained the age of 22 years has been employed continuously for three years and has attained a reasonable proficiency in shorthand writing shall be promoted to junior grade.
- (d) Employment in the proof reading department of a newspaper office shall be accepted by the employer as part of the period of training required by these provisions, two months' experience as copyholder to count as one month as cadetship.

(e) A cadet photographer who has been employed as such continuously for four years on the staff of a newspaper, or who has been similarly employed for three years and has attained the age of 22 years, may be employed as a junior photographer until the completion of five years' service and shall thereafter be classified as a photographer. Employment in photographic work other than in a newspaper office may be accepted by the employer as part of the training required by these provisions.

Holidays

16. (a) Every worker regularly employed shall be allowed three weeks' holiday in each year on full pay.

(b) Reporters employed in the parliamentary press gallery shall be allowed

an additional week's holiday in each year.

(c) In all other respects, the provisions of the Annual Holidays Act shall

apply to all workers employed under this award.

(d) New Year's Day, Anniversary Day, Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day, and Boxing Day shall be allowed as holidays. Any worker required to work on any holiday shall be paid for the time worked at double rates, with a minimum of four hours in addition to his ordinary pay.

(e) Subject to the provisions of clauses 5, 6, and 9, the consequential modifica-

tion of hours of work and of their distribution shall be made as follows:

(i) If any one holiday occurs in a fortnight, the hours of work excluding any time worked on the holiday shall not exceed 72, arranged on not more than nine days, other than the holiday, in that fortnight.

(ii) If two or more holidays occur in any fortnight the total number of hours of work, excluding any time worked on the holidays, during the four weeks beginning on the first day of the week in which the first of the holidays occurs, shall not exceed, when two holidays occur, 144 arranged on not more than 18 days other than the holidays, and when three holidays occur, 136 arranged on not more than 17 days, other than the holidays in the period of four weeks.

Definition of "Day" and "Holiday"

17. For the purpose of the provisions of this award in their application to night workers, the term "Sunday" shall mean the period from noon on Sunday until noon on the following day and a reference to any other day shall be read as a reference to the period from noon on that day until noon on the following day. The term "holiday" shall, where the newspaper is published on the holiday, mean the period from noon on the day of the holiday until noon on the following day and shall, where the newspaper is not published on a holiday, mean the period from noon on the day preceding the holiday until noon on the day of the holiday.

Typewriters and Cameras

18. A worker who by arrangement with his employer regularly uses his own typewriter shall be paid an annual allowance of £3 10s. and be supplied with ribbons as required. A photographer who by arrangement with his employer regularly uses his own camera and other photographic equipment shall be paid an annual allowance of £3 10s.

Sickness and Default

19. No deduction shall be made from the weekly wages fixed by this award except for time lost through the worker's sickness or default or through accident to the worker not arising out of and in the course of the employment.

Termination of Employment

20. The employment of a subeditor, a reporter, a photographer, a first reader or a reader who has been employed as such for 12 months, may be terminated by not less than four weeks' notice on either side. In the case of other workers the period shall be not less than two weeks, except that in the case of a copyholder who has been employed for less than 12 months, the engagement may be terminated on one week's notice: Provided that nothing herein contained shall affect the right of an employer to dismiss without notice any worker guilty of such misconduct as would justify the immediate dismissal of such worker.

Casual Workers

21. Casual workers shall be paid at an hourly rate computed by dividing the prescribed weekly salary (being that for their appropriate grade of work as agreed on with the accredited representative of the union in any case of dispute) by the number of hours constituting a week's work with a minimum of four hours' pay.

Temporary Employment

22. Temporary workers may be employed in addition to the regular staff, provided that in no case shall the period of employment be less than one week. Should a temporary worker be retained after twelve weeks' continuous employment, such worker shall be deemed to be on the regular staff and shall be placed on the graded list. The rate of pay of a temporary worker shall be at the rate for the appropriate grade of work, agreed on between the accredited representative of the union and the employer in any case of dispute.

Workers in Branch Offices

- 23.(a) Workers employed in branch offices shall not be subject to the provisions of this award except in respect of salaries, holidays, and the limitations upon the total number of hours that may be worked in a fortnight and (except where only one worker is employed) the distribution of hours.
- (b) A cadet or a junior reporter transferred from a main office staff to a branch office shall be entitled to the same salary increments as if he were on the main office staff, and on his return to the main office staff he shall receive full credit for such period of service. If by his transfer to a branch office a cadet or a married junior reporter is required to change his residence he shall be paid an expenses allowance of £2 10s. per week while employed in the branch office.

Disputes

24. (a) If any dispute shall arise between the parties bound by this award or any of them, as to the construction or meaning, or as to any other matter whatever arising out of or connected therewith, every such dispute or difference as the case shall arise shall be referred to a committee consisting of two representatives of the employers and two representatives of the union 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. If the committee is unable to decide the question the chairman shall give a decision or refer the matter to the Court. Either side shall have the right to appeal to the Court against a decision of such committee or chairman, upon giving to the other side written notice of such appeal within 14 days after such decision has been made known to the parties desirous of appealing.

(b) In each newspaper office a member of the union appointed by agreement between the employer and the union shall be recognised by both parties as the representative of the union in that office for the discussion of matters affecting the operation of this award.

Workers to be Members of Union

- 25. (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 to do so by his employer or any officer or representative of the union, commits a breach of this award, and shall be liable accordingly.

(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

- 26. (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.

Scope of Award

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

Term of Award

28. 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 first day of the working week in each establishment beginning on or after the 6th day of February 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 31st day of August 1962.

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 18th day of December 1961.

[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.

[End of Volume 61]