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**NEW ZEALAND RETAIL MEAT 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 Retail Meat Industry.

WHEREAS application has been made to the Court by the New Zealand Retail Meat Industry Apprenticeship Committee for an apprenticeship order governing the conditions of apprenticeship in the retail meat 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 an 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 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 retail meat industry.

2. *Application of Order*—The provisions of this order shall apply to all employers of apprentices in the retail meat 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 contract of apprenticeship without the prior consent in writing of the appropriate local committee.

(b) An employer, before taking an apprentice to learn the industry, shall first satisfy the local committee that he is a suitable employer, is in a position to continue in business as an employer, and has the facilities for properly teaching the apprentice the industry.

5. *Contracts to be Registered*—The parties to any contract of apprenticeship to which this order applies shall, within 28 days of the commencement of the employment of the apprentice or the making of an alteration, as the case may be, submit the contract or the alteration to the District Commissioner for the locality concerned for registration. If the contract or alteration is not submitted for registration within the prescribed time, the parties thereto shall be severally liable to a penalty not exceeding £20.

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

7. *Term of Apprenticeship*—(a) The term of apprenticeship shall be 8,000 hours divided into eight 1,000 hour periods. Except as elsewhere provided in this clause, only working hours shall be reckoned.

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

(c) An apprentice shall make up any time lost by him in any 1,000 hour period through his own default or sickness, or through accident 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 the apprenticeship, or, if in the final period, to have completed the 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.

(d) Except for annual holidays under the Annual Holidays Act 1944, all holidays provided for in the award or agreement referred to in clause 10 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 the time deemed to be time served.

(e) Where the New Zealand Apprenticeship Committee is of the opinion that time served in a related occupation prior to the date of application for engagement of an apprentice should be credited to the apprentice, it may, on application by or through a local committee fix the term of apprenticeship.

(f) A person who has attained the age of 18 years and who desires to enter into a contract of apprenticeship may apply for a special contract of apprenticeship under section 25 of the Apprentices Act 1948.

8. *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.

9. *Proportion*—(a) (i) The proportion of the total number of apprentices to the total number of journeymen employed by an employer shall be not more than one apprentice to every three or fraction of three journeymen employed.

(ii) Notwithstanding the foregoing provision the New Zealand committee, on the recommendation of a local committee, may approve of a proportion in excess of one to three or fraction of three in cases where the local committee has been satisfied that the employer has the necessary facilities for teaching the industry.

(b) The proportion of apprentices to journeymen employed by an 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 in that establishment in the industry full time for a period of not less than six months preceding that date, but a local committee may vary this provision in special cases.

(c) For the purposes of this order an employer who himself substantially works at the industry shall be entitled to count himself as a journeyman.

(d) For the purposes of this order "journeyman" shall mean a worker who has completed a contract of apprenticeship or who has had sufficient experience in the industry to satisfy the local committee of his competence.

(e) Notwithstanding the foregoing provisions of this clause, an employer shall not be entitled to employ an apprentice until he has been in business for 12 months, but the local committee may vary this provision in special cases.

(f) 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, provided that the District Commissioner and the local committee are satisfied that there is no other employer who is willing and able to carry out the obligations of the original employer and who is not already employing the full proportion of apprentices.

10. *Wages*—The minimum weekly rates of wages payable to apprentices shall be the undermentioned percentages of the minimum weekly rate for journeymen butchers as prescribed by the award or agreement relating to the employment of such journeymen butchers for the time being and from time to time in force in the establishment in which the apprentice is employed; provided that if there is no reference to such journeymen butchers in such award or agreement then the minimum weekly rates of wages payable to apprentices shall be the undermentioned percentages of the minimum weekly rate for journeymen butchers as prescribed by the South Island Butchers' award.

	Per Cent
For the first 1,000 hours .....	42
For the second 1,000 hours .....	47
For the third 1,000 hours .....	52
For the fourth 1,000 hours .....	57
For the fifth 1,000 hours .....	62
For the sixth 1,000 hours .....	67
For the seventh 1,000 hours .....	72
For the eighth 1,000 hours .....	77

11. *Technical Education*—(a) The New Zealand Committee may order an apprentice to attend for not more than three weeks in a year at a school or institution which the New Zealand Committee is satisfied can provide courses of instruction on a syllabus approved by the New Zealand Committee.

(b) Where an apprentice has been ordered to attend at a school or institution as provided in subclause (a) of this clause, the employer shall permit him to attend such school.

(c) 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 13 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.

(d) An apprentice ordered to attend as provided in subclause (a) of this clause may also be ordered to attend evening classes working on a syllabus approved by the New Zealand Committee for not more than two evenings a week.

(e) As an alternative to attendance at evening classes as mentioned in the preceding subclause, the New Zealand Committee may order any apprentice ordered to attend as in subclause (a) of this clause to enrol for and carry on with the Education Department's Technical Correspondence School a course in theory relating to his trade.

(f) Where an apprentice is required to attend a school or classes by virtue of the preceding subclauses of this clause, the employer shall refund to him the amount paid in fees in each year in which his attendance is not less than 75 per cent of the maximum time.

12. *Apprentices From Overseas*—A person who has served part of his apprenticeship to the trade outside of New Zealand may complete the term of apprenticeship herein provided for with an employer in New Zealand 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.

13. *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 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 deduction from wages and making up time in case of sickness shall apply also. The employer may require the production of a medical certificate before payment is made for time lost through sickness or accident.

14. *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 10 of this order.

15. *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) Payment for overtime shall be calculated in the manner prescribed for journeymen in the award or agreement referred to in clause 10 of this order, and at the wage rate received by the apprentice.

16. *Conditions of Award to Apply*—The conditions of the award or agreement referred to in clause 10 hereof, in so far as they relate to the method and time of payment of wages, holidays, meal money, and other matters (other than to membership of union) relating generally to the employment and not in conflict with this order, shall apply to apprentices.

17. *Contracts to Accord With Act*—Every contract of apprenticeship shall accord with the provisions of the Apprentices Act 1948, and with 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.

18. *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 (subject to appeal to the local committee) or except as permitted by this order; and that he will not commit or permit or be an 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.

19. *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, as a competent journeyman in accordance with the provisions of the Apprentices Act 1948 and of this order and any amendments thereof.

(b) In every contract there shall be included the title of the person who is to undertake or supervise the actual training of the apprentice. The responsibility of the person so included by his title shall be limited to actual training or supervision thereof, and shall not be held to relieve the employer as contracting party of his contractual responsibilities.

(c) Every contract shall contain a list of the operations and skills to be taught the apprentice in accordance with the schedule to this order and approved by the local committee.

20. *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.

21. *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.

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

#### SCHEDULE

##### *Operations and Skills*

A. The employer shall teach the following: thorough all round knowledge of and experience in:

1. Personal cleanliness and hygiene in handling of meat.
2. The correct manner of hanging carcasses on arrival from abattoir.
3. Correct use of knives, choppers, and saws.
4. Care, maintenance, and sharpening of butchers' tools.
5. Safety and accident precautions.
6. The efficient and economical breaking up, boning, and rolling of the various cuts of beef and veal.
7. The chopping down and cutting up of mutton, lamb, and pork.
8. Window display: arrangement of the various cuts and joints in an attractive manner.
9. Serving of customers.
10. Weighing, pricing, wrapping.
11. Storage: the manner in which the cool stores should be packed so as to keep various meats separated to facilitate easy and efficient handling; understanding of operation of cool storage plant.
12. The preparation of meat and of brine for meat curing.

B. The employer may also teach:

13. The trimming and preparation of the various meats for the manufacture of smallgoods, including mincing, chopping, filling, and cooking.
14. Preparation and cooking of pressed meats.
15. Boning, curing (both wet and dry), rolling out, and smoking of pigs for bacon and hams.
16. The cooking of hams.
17. The making of dripping and tallow.

Dated this 8th day of November 1963.

[L.S.]

A. TYNDALL, Judge.

#### MEMORANDUM

The New Zealand Committee asks that it should be recorded that in fixing the term of apprenticeship at 8,000 hours it did so without any experience to guide it. It therefore proposes to review the length of the term in two years' time.

A. TYNDALL, Judge.