

NEW ZEALAND PAINTING AND DECORATING INDUSTRY—AMENDMENT OF
APPRENTICESHIP ORDER

In the Court of Arbitration of New Zealand—In the matter of the Apprentices Act 1948; and in the matter of the New Zealand Painting and Decorating Industry Apprenticeship Order, dated the 8th day of March 1961, and recorded in 61 Book of Awards 179.

WHEREAS by section 13 (2) of the Apprentices Act 1948, the Court is empowered to amend any apprenticeship order: and whereas application has been made to the Court by the New Zealand Painting and Decorating Industry Apprenticeship Committee for amendment of the New Zealand Painting and Decorating Industry Apprenticeship Order, dated the 8th day of March 1961, and recorded in 61 Book of Awards 179: And whereas the Court has considered the recommendations made to it by the said committee and has heard the employers, workers, and other persons concerned: Now, therefore, the Court, in pursuance and exercise of the powers vested in it by the said Act, doth hereby order as follows:

1. That the said apprenticeship order shall be amended in the manner following:

(1) By deleting subclause (b) of clause 4 (Prior Consent of Committee) and substituting therefor the following subclause:

“(b) An employer, before taking an apprentice to learn a branch or branches of the industry, shall furnish in writing to the local committee the names and qualifications of the journeymen employed full time for periods of not less than six months immediately preceding the date of the application and also the names and particulars of the apprentices employed and of the apprentice to be employed, and shall satisfy the 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 an apprentice the branch or branches of the industry.”

(2) By deleting clause 8 and substituting therefor the following clause:

“8. *Term of Apprenticeship*—(a) In the painting and paperhanging branch the term of apprenticeship shall be 8,000 hours divided into eight 1,000-hour periods.

(b) In the signwriting branch the term of apprenticeship of an apprentice who commences his apprenticeship before his eighteenth birthday shall be 10,000 hours divided into ten 1,000-hour periods.

(c) In the signwriting branch the term of apprenticeship of an apprentice who commences his apprenticeship on or after his eighteenth birthday shall be 8,000 hours divided into eight 1,000-hour periods.

(d) In the signwriting branch the term of apprenticeship of an apprentice who has obtained a School Certificate and who commences before his eighteenth birthday shall be 9,000 hours divided into nine 1,000-hour periods.

(e) In the glazing branch the term of apprenticeship of an apprentice who commences his apprenticeship before his eighteenth birthday shall be 8,000 hours divided into eight 1,000-hour periods.

(f) In the glazing branch the term of apprenticeship of an apprentice who commences his apprenticeship on or after his eighteenth birthday shall be 6,000 hours divided into six 1,000-hour periods.

(g) (i) Where an apprentice in the painting and paperhanging branch passes the First Qualifying Examination of the New Zealand Trades Certification Board he shall, from the date on which he produces to his employer a notification that he has passed the examination, be credited with 500 hours in calculating the respective period or periods of his apprenticeship.

(ii) Where an apprentice in the painting and paperhanging branch passes the Second Qualifying Examination of the New Zealand Trades Certification Board he shall, from the date on which he produces to his employer a notification that he has passed the examination, be credited with a further 500 hours in calculating the respective period or periods of his apprenticeship.

(h) 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 the time deemed to be time served.

(i) All time lost by an apprentice through his own default or sickness in any period of his employment shall be made up before such apprentice shall be considered to have entered upon the next succeeding period of his employment, and the total period of his employment shall be extended by a period equivalent to such lost time; but an apprentice working overtime shall have such time added to his ordinary time in calculating the respective period of his employment.

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

(k) 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."

(3) By deleting clause 11 and substituting therefor the following clause:

"11. *Wages*—(a) The minimum weekly rates of wages payable to apprentices shall be the undermentioned percentages of an amount equal to 40 times the minimum hourly wage rate for journeymen painters and decorators, 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.

For apprentices to signwriting commencing their apprenticeship under 18 years of age with 10,000-hour term:

				Per Cent
First 1,000-hour period	..	..	..	40
Second 1,000-hour period	..	..	..	45
Third 1,000-hour period	..	..	..	49
Fourth 1,000-hour period	..	..	..	53
Fifth 1,000-hour period	..	..	..	57
Sixth 1,000-hour period	..	..	..	61
Seventh 1,000-hour period	..	..	..	65
Eighth 1,000-hour period	..	..	..	69
Ninth 1,000-hour period	..	..	..	73
Tenth 1,000-hour period	..	..	..	77

For apprentices to signwriting commencing their apprenticeship under 18 years of age with 9,000-hour term as provided in subclause (d) of clause 8:

				Per Cent
First 1,000-hour period	..	..	..	45
Second 1,000-hour period	..	..	..	49
Third 1,000-hour period	..	..	..	53
Fourth 1,000-hour period	..	..	..	57
Fifth 1,000-hour period	..	..	..	61
Sixth 1,000-hour period	..	..	..	65
Seventh 1,000-hour period	..	..	..	69
Eighth 1,000-hour period	..	..	..	73
Ninth 1,000-hour period	..	..	..	77

For apprentices to signwriting commencing their apprenticeship when 18 years of age or over:

				Per Cent
First 1,000-hour period	..	..	..	49
Second 1,000-hour period	..	..	..	53
Third 1,000-hour period	..	..	..	57
Fourth 1,000-hour period	..	..	..	61
Fifth 1,000-hour period	..	..	..	65
Sixth 1,000-hour period	..	..	..	69
Seventh 1,000-hour period	..	..	..	73
Eighth 1,000-hour period	..	..	..	77

For apprentices to painting and paperhanging

First 1,000-hour period	..	..	..	49
Second 1,000-hour period	..	..	..	53
Third 1,000-hour period	..	..	..	57
Fourth 1,000-hour period	..	..	..	61
Fifth 1,000-hour period	..	..	..	65
Sixth 1,000-hour period	..	..	..	69
Seventh 1,000-hour period	..	..	..	73
Eighth 1,000-hour period	..	..	..	77

For apprentices to glazing commencing their apprenticeship when under 18 years of age:

				Per Cent
First 1,000-hour period	..	..	..	40
Second 1,000-hour period	..	..	..	45
Third 1,000-hour period	..	..	..	50
Fourth 1,000-hour period	..	..	..	55
Fifth 1,000-hour period	..	..	..	60
Sixth 1,000-hour period	..	..	..	65
Seventh 1,000-hour period	..	..	..	71
Eighth 1,000-hour period	..	..	..	77

For apprentices to glazing commencing their apprenticeship when 18 years of age or over:

				Per Cent
First 1,000-hour period	..	..	..	50
Second 1,000-hour period	..	..	..	55
Third 1,000-hour period	..	..	..	60
Fourth 1,000-hour period	..	..	..	65
Fifth 1,000-hour period	..	..	..	71
Sixth 1,000-hour period	..	..	..	77

(b) (i) Every apprentice who has passed the First Qualifying Examination of the New Zealand Trades Certification Board shall be paid an additional 7s. 6d. a week from the date he produces to his employer a notification of his passing the examination; and if he produces to his employer a notification of a pass in Paper A of the (Second Qualifying Examination of that Board he shall be paid a further additional 5s. a week; and if he produces to his employer a notification of a pass in Paper B of the Second Qualifying Examination of that board he shall be paid a further additional 5s. a week.

(ii) The New Zealand Apprenticeship Committee may approve of any other examination conducted by a recognised authority for the purposes of paragraph (i) of this subclause.

(iii) This subclause shall not apply to apprentices to painting and decorating whose term of apprenticeship is reduced in accordance with subclause (g) of clause 8.

(c) Notwithstanding the provisions of subclause (a) of this clause an apprentice who has 1,000 hours or less of his apprenticeship to serve and who has passed the Trade Certificate Examination of the New Zealand Trades Certification Board shall from the date of production to his employer of a notification of a pass in that examination be paid not less than 100 per cent of journeymen's wages as defined in subclause (a) of this clause."

2. That this order shall operate and take effect as from the day of the date hereof.

Dated this 22nd day of December 1965.

[L.s.]

A. P. BLAIR, Judge.

MEMORANDUM

By an application filed on 15 July 1965 the New Zealand Painting and Decorating Apprenticeship Committee made application for amendment of the apprenticeship order. The principal amendments recommended by a majority decision of the committee affect the term of apprenticeship and wages for apprentices in the painting and decorating branch of the industry. It was proposed that the term be fixed at 8,000 hours with a reduction of 500 hours each for passing the First and Second Qualifying Examinations and a further reduction of up to 1,000 hours upon passing the Trade Certificate Examination.

Following an adjournment because of a preliminary issue, the matter was heard by the Court on 15 December 1965, at which hearing the interested parties were afforded an opportunity of fully stating their views and of calling evidence. The proposed reductions in the term of apprenticeship and other amendments recommended by the committee were supported by the Auckland Master Painters, Decorators, and Signwriters Industrial Union of Employers, the New Zealand Federated Painters and Decorators Industrial Association of Workers, and by the Wellington Amalgamated Society of Painters, Decorators, Display and Poster Artists Industrial Union of workers, except that this union did not favour the further reduction in term for passing the Trade Certificate Examination. The New Zealand Federated Master Painters, Decorators and Signwriters Industrial Association of Employers was opposed to any reduction in the term of apprenticeship.

Having considered the submissions and evidence placed before it, the Court has decided to make the above order to give effect to the recommendations of the Committee except in respect of the proposed reduction in the term for passing the Trade Certificate Examination. Here the Court has decided that the existing provision (clause 11 (c)) for an apprentice to be paid 100 per cent of journeymen's wages should be continued. This provision was incorporated in the apprenticeship order in November 1962 with the unanimous support of all concerned.

As the tenor of the information placed before the Court seemed to indicate that the credits of 500 hours for passing the First and Second Qualifying Examinations were in substitution for the monetary payments prescribed in clause 11 (b) and not in addition thereto, a consequential adjustment has been made to this provision.

A. P. BLAIR, Judge.