

TARANAKI, WELLINGTON, MARLBOROUGH, NELSON, WESTLAND, AND
CANTERBURY LADIES' HAIRDRESSERS—AWARD

[Filed in the Office of the Clerk of Awards, Wellington]

In the Court of Arbitration of New Zealand, Taranaki, Wellington, Marlborough, Nelson, Westland, and Canterbury Industrial Districts—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of an industrial dispute between the New Zealand Federated Shop Assistants Industrial Association of Workers (hereinafter called “the union”) and the undermentioned persons, firms, and companies (hereinafter called “the employers”):

TARANAKI INDUSTRIAL DISTRICT

Angelique Beauty Salon, 563 Devon Street, New Plymouth.
Phyllis Beech, Regent Street, Hawera.
Brijetta Hair Styling Salon, Eltham.
Cameo Beauty Salon, Broadway, Stratford.
Cook's Beauty Salon, High Street, Hawera.
Denver Beauty Salon, 172 Devon Street East, New Plymouth.
Juliette Beauty Salon, 76 McLean Street, Waitara.
Maeder Beauty Salon, 56 Liardet Street, New Plymouth.

WELLINGTON INDUSTRIAL DISTRICT

Alexandra Beauty Salon, Greytown.
Brickmans Beauty Salon, 114 Willis Street, Wellington.
Chard's Beauty Salon, Dickens Street, Napier.
Charm Beauty Salon, Wanganui.
Coronet Beauty Salon, Feilding.
Cooper's Beauty Salon, Oxford Street, Levin.
Chanel Beauty Salon, Masterton.
Duncan's Beauty Salon, 380 High Street, Lower Hutt.
Freer's Beauty Salon, Main Street, Carterton.
Hollywood Beauty Salon, Feilding.
Jennifer Gray Salon Ltd., Mayfair Buildings, Upper Hutt.
La Vanity Beauty Salon, Stortford Lodge, Hastings.
Maeder Salon, Palmerston North.
Meulins Continental Hair Stylists, 100 Oriental Parade, Wellington.
Naenae Beauty Salon, 27 Everest Street, Naenae, Lower Hutt.
Nada Beauty Salon, Emmerson Street, Napier.
Ronda, Lambton Quay, Wellington.
Rosalie Beauty Salon, Masterton.
Salon Avilyn, Waipukerau.
Terrace End Beauty Salon, Palmerston North.
Villa D'Ests, Heretaunga Street, Hastings.
Wellington Ladies' Hairdressing Salon Proprietors Industrial Union of Employers, 8 The Terrace, Wellington.
Wilkinson's Beauty Salon, Oxford Street, Levin.
Woodville Salon, Woodville.

MARLBOROUGH INDUSTRIAL DISTRICT

Colleen Maree Beauty Salon, 8 Wynen Street, Blenheim.
Dorian Beauty Salon, 10 High Street, Blenheim.
Pandora Beauty Salon, Market Street, Blenheim.
Roselane Salon, Dean Court, Picton.
Rose Marie Beauty Salon, Queen Street, Blenheim.
Strand Beauty Salon, The Strand, Blenheim.
Vogue Beauty Salon, 6 George Street, Blenheim.

NELSON INDUSTRIAL DISTRICT

Brown, Miss A. E., Hairdresser, 192 Hardy Street, Nelson.
Salon Celia, 159 Trafalgar Street, Nelson.
Charm Beauty Salon, High Street, Motueka.
Salon Cherie, Waimea Stores Building, Queen Street, Richmond.
Salon Classique, 128 Main Road, Tahunanui.
Elizabeth Ann Salon, High Street, Motueka.
Judith Mary Salon, Miss P. Satherley, Takaka.
Salon Maree, 140 Bridge Street, Nelson.
Salon Nelson, 276 Trafalgar Street, Nelson.
Salon Rose Marie, 517 Main Road, Stoke.

WESTLAND INDUSTRIAL DISTRICT

Henry, Roy, Mawhera Quay, Greymouth.
 Jasmin Beauty Salon, 106 Tainui Street, Greymouth.
 Nottles Hairdressing Salon, Palmerston Street, Westport.
 Victoria Salon, Albert Street, Greymouth.
 Victoria Salon, 67 Revell Street, Hokitika.
 Vogue Salon, 31 Albert Street, Greymouth.

CANTERBURY INDUSTRIAL DISTRICT

Ballantyne, J., and Co. Ltd., 314 Stafford Street, Timaru.
 Beath and Co. Ltd., corner Cashel and Colombo Streets, Christchurch.
 Carswell Salon, 221 Stafford Street, Timaru.
 Christchurch Beauty Centre, 95B Cashel Street, Christchurch.
 Colette Beauty Salon, 89 Stanmore Road, Christchurch.
 Continental Beauty Salon, 1 Sophia Street, Timaru.
 Diane Beauty Salon, Burnett Street, Ashburton.
 Exclusive Salons (B. M. Drake), 4 Ramahana Road, Christchurch.
 Hays Limited, 107 Gloucester Street, Christchurch.
 Hyslops Ladies Hairstylists, 135 Cashel Street, Christchurch.
 Jenelle Hair Fashions, 143 Victoria Street, Christchurch.
 Judith Anne Salon, 2 Hoon Hay Road, Christchurch.
 Juliette Salon, 35 London Street, Lyttelton.
 Keiths Hair Fashions, 229 Manchester Street, Christchurch.
 Kowhai Salon, Main North Road, Amberley.
 Langers Coiffures International, 283 High Street, Christchurch.
 Mademoiselle Beauty Salon, 470 Colombo Street, Christchurch.
 New Brighton Beauty Shoppe, 5A Seaview Road, New Brighton, Christchurch.
 Peter Pan Hairdressing Salon, 145 Riccarton Road, Christchurch.
 Rosina Beauty Salon, 152A High Street, Rangiora.
 Shirley of London Salon, 108 Seaview Road, Christchurch.
 Sumner Hairdressing Salon, 19 Wakefield Street, Christchurch.

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 2nd day of January 1967 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 2nd day of July 1965.

[L.S.]

A. P. BLAIR, Judge.

SCHEDULE

Industry to Which Award Applies

1. This award shall apply to the ladies' hairdressing industry.

Interpretation

2. This award shall also relate to assistants whose duties include all or any of the following classes of work, namely, hair-washing, cutting, shampooing, permanent waving, tinting, bleaching, setting and/or attending to the needs of a customer, or instructing in the skills of hairdressing.

Hours of Work

3. (a) The ordinary hours of work shall not exceed 40 per week and shall be worked between the hours of 8.30 a.m. and 5.45 p.m. on four days of the week and between the hours of 8.30 a.m. and 9 p.m. on the day of the late night which shall be Thursday or Friday at the employer's option: Provided that in the case of salons or shops which have been exempted from closing on Saturday by order of the Shops and Offices Exemption Tribunal pursuant to section 10 of the Shops and Offices Act 1955, Saturday may be substituted as an ordinary working day in lieu of one other day in each week.

(b) The daily hours under this award shall be worked continuously from the time of starting each day without any breaks other than those provided herein for meals and refreshments.

(c) Subject to the requirements of section 14 of the Shops and Offices Act 1955 a meal interval of one hour for lunch shall be allowed on five days of the week between 11.30 a.m. and 2.30 p.m. On the late night an interval of one hour for tea shall be allowed between 4.30 p.m. and 7 p.m. This subclause shall not apply in the case of casual workers who are working for less than four hours a day.

(d) Assistants shall be allowed a 10 minute rest interval to partake of refreshments at a convenient time during each morning and afternoon.

(e) For the purpose of calculating the hours of work, each of the holidays herein-after 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 may have been actually done on that day: Provided that where the observance of any such holidays results in the transfer of the late night to a day other than the day on which it is normally observed, no additional amount over and above the weekly wage shall be payable in respect of the ordinary week's work.

(f) The clock hours prescribed in subclause (a) of this clause are modified to the extent that any assistant may be employed up to 10 p.m. on that last working day immediately preceding Christmas Day and New Year's Day: Provided that any time worked in excess of 10 hours on such day or days shall be paid for at overtime rates.

(g) Each employer shall notify the union within seven days of the coming into operation of this award and immediately after the employment of any new worker, of the names of all such assistants, together with the daily starting and finishing time each day; the hours when so fixed shall continue in force for a period of not less than six months, and thereafter until an alteration is notified to the union. Such notices shall be in writing and transmitted not less than seven days before the alteration becomes effective. The operation of all notices under this clause shall be for six-monthly periods unless otherwise agreed to between the union and the employer.

Opening and Closing of Shops

4. (a) In exercise of the powers vested in the Court by the Shops and Offices Act 1955, and subject to section 5 of that Act, it is ordered that any shop in which is substantially carried on (within the meaning of section 2 (5) of the same Act) the class

of business to which this award relates in the industrial districts throughout which this award operates shall be opened on five working days of the week at an hour being not earlier than 8.30 a.m. and shall be closed on four days of the week at 6 p.m. and on one day of the week at 9 p.m.; provided that on the evening on which overtime may be worked as provided in subclause (a) of clause 5 hereof it shall not be a breach of this award to admit clients by appointment up to 8.45 p.m.

(b) The said shops, except those shops which have been exempted from closing pursuant to section 10 of the Shops and Offices Act 1955, shall not be open for business on Saturdays and on the holidays mentioned in subclause (a) of clause 6 hereof.

(c) Notwithstanding anything to the contrary herein contained shops may remain open until 10 p.m. on Christmas Eve and until 10 p.m. on the late night observed between Christmas Day and New Year's Day.

(d) In any week where a holiday falls on the day of the late night it shall be competent for shops to be open and staff to be employed on the previous working day of that week until 9 p.m.

Overtime

5. (a) In salons where only ladies' and/or children's work is carried on, assistants may be required to work overtime, when necessary, one evening in the week. Such overtime shall not exceed three hours and shall be paid for at time and a half rates or 4s. 3d. per hour, whichever rate is higher, provided that if the overtime worked exceeds three hours on such day, double time rates shall be paid for the time worked in excess of the three hours. Where a separate room in any establishment is used solely for ladies' and/or children's work, such rooms shall be regarded as a salon for the purposes of this subclause. The employer shall determine which evening of the week such overtime is to be worked and shall notify the union accordingly in conjunction with the notice as provided for in subclause (g) of clause 3 hereof.

(b) Work done outside the hours prescribed in subclause (a) of clause 3 shall not be compensated for by the allowance of time off within the hours so prescribed.

(c) Work in hand at the closing hour of the establishment shall be completed by an assistant before leaving work, provided that such time worked does not exceed 15 minutes after the assistant's hour of ceasing work for the day. This shall not operate so as to prevent the working of overtime by any assistant retained or brought back on the extra late night allowed by clause 4 hereof in so far as work done between 6 p.m. and 8.45 p.m. is concerned.

(d) Assistants required to work overtime for more than one hour after the ordinary finishing time shall either be provided with a meal or paid a meal allowance of 5s. 6d.

Holidays

6. (a) The following days shall be observed and allowed as full holidays to assistants without deduction from wages: New Year's Day, 2 January, Good Friday, Easter Monday, Anzac Day, Labour Day, the birthday of the reigning Sovereign, Christmas Day, Boxing Day, and Anniversary Day or one other day may be substituted therefor by agreement between the employers' organisation and the workers' union.

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

(c) Except where otherwise provided, any work done on Saturday shall be paid for at the rate of time and a half for the first three hours and double time thereafter and any work done on Sunday or on any of the abovementioned holidays or holidays observed in lieu thereof shall be paid for at double rates. The said payments shall be in addition to the ordinary weekly wages.

Any work done on Saturday as part of the ordinary week's work pursuant to the proviso of subclause (a) of clause 3 of this award shall be paid for at one half the ordinary time rate in addition to the ordinary weekly wage, provided that any work done on Saturday which is in excess of the weekly limit of 40 hours shall be paid for at double rates.

(d) Notwithstanding anything in the foregoing it shall be competent for the executive committee of the local union to agree (which agreement shall not be unreasonably or arbitrarily withheld) that in any year in which New Year's Day falls on a Tuesday 31 December and 1 January may be observed in any area by parties to this award in lieu of New Year's Day and the day following.

Annual Holidays

7. (a) (i) An annual holiday of two weeks on full pay shall be granted to each worker under this award on the completion of each year of service. A worker not completing a year of service with an employer shall be granted payment in accordance with the provisions of the Annual Holidays Act 1944.

(ii) For the tenth and subsequent years of continuous service with the same employer workers under this award shall be granted three weeks instead of two weeks as aforesaid. A worker not completing a year of service under this provision shall be granted proportionate payment in accordance with the length of service for that year.

(b) The annual holiday granted to workers under the foregoing provisions shall be exclusive of the holidays specified in clause 6 of this award.

(c) Workers shall be paid for the annual holiday on or before its commencement.

Definitions

8. (a) A "journeywoman or journeyman" shall mean an assistant who has had not less than four and a half years' experience in the industry or who is in receipt of not less than the rate of wages prescribed for journeywomen or journeymen.

(b) A "junior" shall mean an assistant who has served less than four and a half years in the industry or who is in receipt of less than the rate of wages payable to journeywomen or journeymen as defined in subclause (a) of this clause.

(c) Where any room in an establishment is used for ladies and/or children's work and/or instructing in the skills of hairdressing, such room shall be regarded as a salon for the purposes of this award.

Proportion

9. (a) The proportion of juniors shall be one junior to each journeywoman or journeyman, provided that this proportion may be increased to two juniors, one of whom must have completed 18 months' service, to each journeywoman or journeyman.

(b) A proprietor actively engaged in the management of his business and actually performing the work required of a journeywoman shall count as a journeywoman or journeyman, in respect of one shop only.

(c) Where any employer carried on the business of more than one shop, each shop shall for the purpose of this award be deemed to be a separate business.

Wages

10. (a) The minimum weekly rates payable to female assistants shall be:

					Per Week		
					£	s.	d.
First six months	..	..	..	..	3	15	0
Second six months	..	..	..	..	4	6	8
Third six months	..	..	..	..	5	0	0
Fourth six months	..	..	..	..	5	13	4
Fifth six months	..	..	..	..	6	10	0
Sixth six months	..	..	..	..	7	15	0
Seventh six months	..	..	..	..	8	10	0
Eighth six months	..	..	..	..	9	10	0
Ninth six months	..	..	..	..	10	0	0
Thereafter for journeywomen	..	..	..	..	11	0	0

- (b) A manageress shall be paid £1 11s. 10d. per week in addition to the journeywomen's rate.

Employment of Journeymen and Male Assistants

11. (a) Journeymen shall be paid not less than £15 11s. 8d. per week.

- (b) Junior male assistants shall be paid the following percentages of the journeymen's rate of wages:

					Per Week	
					Per Cent	
First six months	32
Second six months	38
Third six months	45
Fourth six months	52
Fifth six months	59
Sixth six months	66
Seventh six months	73
Eighth six months	79
Ninth six months	85

Casual Workers

12. Casual workers may be employed from day to day and shall be paid *pro rata* the appropriate wage rate plus 20 per cent for a minimum period of three hours on any one day on which such workers are employed.

Payment of Wages

13. (a) All wages and overtime shall be paid weekly during working hours and in cash not later than Thursday in each week. Should a holiday fall on any regular pay day, wages shall be paid for that week on the working day immediately preceding the holiday.

- (b) Assistants shall be supplied on request with a statement setting out the computation of the wages paid together with any deductions made therefrom.

- (c) Any assistant who, at the date of the coming into force of this award is in receipt of wages in excess of those prescribed by this award shall not have such wages reduced by reason of the coming into operation of this award.

Weekly Employment

14. (a) Except in the case of casual workers, the engagement shall be deemed to be a weekly one and no deduction shall be made from the weekly wages except for time lost through the worker's sickness, accident, or default.

(b) One week's notice of termination of employment shall be given by either employer or worker. Where the employment is terminated without the requisite notice one week's wages shall be paid or forfeited as the case may be. This, however, shall not prevent the summary termination of employment for serious misconduct. The period of notice in either case shall be exclusive of the whole or any part of the annual holiday required to be given in pursuance of this award.

References

15. (a) Each assistant, on leaving or being discharged from his or her employment, shall, on request, be given within 48 hours thereafter a reference in writing stating the position held and the length of service.

(b) Original references shall be the property of the applicant and shall be returned within 48 hours of the engagement or rejection of the application.

Uniforms

16. Where an employer requires an assistant to wear any uniform other than an ordinary white uniform the same shall be supplied by the employer and laundered at his expense. Uniforms supplied by the employer shall remain the property of the employer.

General

17. (a) Each employer shall, upon written request, supply to the secretary of the union, but not more often than once every six months, a list of names of the assistants employed by him under this award, and in the case of assistants under the age of 18 years the age of each assistant shall also be supplied.

(b) Females shall not be required to scrub or polish floors other than with wringer mop equipment, polishing mops, or polishing machines.

(c) Suitable accommodation shall be provided for the hanging up and protection of clothing not worn by assistants during working hours.

Tools

18. An assistant in receipt of less than £6 per week shall not be required to supply any tools.

Time and Wages Book

19. (a) The occupier of a shop in which one or more assistants are employed shall at all times keep in the prescribed form, or in such other form as may be approved by the Inspector of Awards, a record in English (called the "Time and Wages Book") showing in the case of each assistant:

- (i) The name of the assistant, together with his age if under 21 years of age;
- (ii) The kind of work on which he is usually employed;
- (iii) The hours during which he has actually been employed on each day, showing the starting and finishing time each day;
- (iv) Wages paid each day, and the date thereof; and
- (v) Such other particulars as are prescribed by regulations.

(b) The entry of the particulars hereinbefore referred to, or a memorandum in writing containing such particulars, shall be signed by the assistant at the time of payment of his wages, and that signature shall operate as a receipt for the payment.

(c) The wages and time book in use for the time being and any such book used within the preceding five years, shall at all times be open to inspection by an Inspector of Awards.

(d) Every assistant who fails to sign the record, or who wilfully signs an incorrect record, shall be liable on summary conviction to a fine not exceeding £5.

(e) An Inspector of Awards may at any time require the occupier to verify the entries in the wages and time book, in such form as may be prescribed.

Right of Entry

20. The secretary or other authorised officer of the union shall, with the consent of the employer (which consent shall not be unreasonably withheld), be entitled to enter at all reasonable times upon the premises or works and there interview any assistants, or collect contributions, but not so as to interfere unreasonably with the employer's business.

Unqualified Preference

21. (a) Any adult person engaged or employed in any position or employment subject to this award by any employer bound by this award shall, if he is not already a member of a union of workers bound by this award, become a member of such union within 14 days after his engagement, or after this clause comes into force, as the case may require.

(b) Subject to subclause (a) hereof, every adult person so engaged or employed shall remain a member of a union of workers bound by this award so long as he continues in any position or employment subject to this award.

(c) Every worker obliged under subclause (a) hereof to become a member of a union who fails to become a member, as required by that subclause, after being requested to do so by an officer or authorised representative of the union, and every worker who fails to remain a member of a union in accordance with subclause (b) hereof commits a breach of this award.

(d) Every employer bound by this award commits a breach of this award if he continues to employ any worker to whom subclauses (a) and (b) apply, after having been notified by any officer or authorised representative of the union that the worker has been requested to become a member of the union and has failed to do so, or that the worker having become a member of the union has failed to remain a member.

(e) For the purposes of this clause "adult person" means a person of the age of 18 years or upwards or a person who for the time being is in receipt of not less than the minimum rate of wages prescribed for adult workers by this award.

(NOTE—Attention is drawn to section 174H of the Industrial Conciliation and Arbitration Act 1954 which gives to workers the right to join the union.)

Disputes

22. Any dispute in connection with this award or any matter not provided for 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 local Conciliation Commissioner, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Conciliation Commissioner, may appeal to the Court upon giving written notice of such appeal to the other party within 14 days after such decision shall have been communicated to the party desiring to appeal.

Under-rate Workers

23. (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 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

24. 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 districts to which this award relates.

Scope of Award

25. This award shall operate throughout the Taranaki, Wellington, Marlborough, Nelson, Westland, and Canterbury Industrial Districts.

Term of Award

26. 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 pay period in each establishment commencing on or after the 1st day of June 1965, 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 2nd day of January 1967.

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 2nd day of July 1965.

[L.S.]

A. P. BLAIR, Judge.

MEMORANDUM

The award, including the operative date of provisions relating to wages, incorporates the terms of settlement arrived at by the parties in the course of an inquiry held before a Council of Conciliation.

Upon being satisfied by supporting documentary evidence that an unqualified preference provision has been agreed to by all the assessors in accordance with section 174B of the Industrial Conciliation and Arbitration Act 1954 (as enacted by the Industrial Conciliation and Arbitration Amendment Act 1961), the Court has inserted clause 21 in the award in the form in which it was agreed upon in the Council of Conciliation.

A. P. BLAIR, Judge.