

NEW ZEALAND BRICKLAYING 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 Bricklaying Industry Apprenticeship Order, dated the 1st day of July 1970, and recorded in 70 Book of Awards 2158.

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 Bricklaying Trades Apprenticeship Committee for amendment of the New Zealand Bricklaying Industry Apprenticeship Order, dated the 1st day of July 1970: And whereas the Court has considered the recommendations made to it by the said Committee: 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 clause 8 and substituting therefor the following clause:

“8. Term of Apprenticeship—(a) Except as otherwise provided in subclause (b) of this clause the term of apprenticeship for an apprentice who commenced his apprenticeship before 11 November 1971 shall be 10,000 hours divided into ten 1,000-hour periods.

(b) The term of apprenticeship for an apprentice who commenced his apprenticeship before 11 November 1971 and who has obtained a pass in School Certificate subjects giving admission to Form VI under Education Department criteria or in that examination has obtained not less than 50 percent of the possible marks in mathematics and either English or technical drawing shall be 9,000 hours divided into 1,000-hour periods.

(c) The term of apprenticeship for an apprentice who commences his apprenticeship on or after 11 November 1971 shall be 8,000 hours divided into eight 1,000-hour periods.

(d) Where during any period of his apprenticeship except the final period an apprentice who commenced his apprenticeship before 11 November 1971 passes the Trade Certificate Examination of the New Zealand Trades Certification Board, his term of apprenticeship shall be reduced by 1,000 hours, but where an apprentice qualifies by that examination during the final period of his apprenticeship his term of apprenticeship shall be deemed to be completed on the date of notification of his passing the examination.

(e) 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.

(f) 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 1,000-hour 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.

(g) An apprentice working overtime shall have such time added to the ordinary

time in calculating the respective 1,000-hour period of the apprenticeship. Each hour worked as overtime shall be deemed to be one hour for the purpose of computing each 1,000-hour period of apprenticeship.

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

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

(j) 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."

(2) By deleting subclause (b) of clause 10 (Proportion) and substituting therefor the following subclause:

"(b) Notwithstanding the provision of subclause (a) of this clause one additional apprentice may be employed by any employer when there is an apprentice who has completed six periods of his apprenticeship, but only one such apprentice additional to the number permitted by subclause (a) of this clause may be employed by any employer at any time. The apprentice whose entry into the seventh period has permitted the engagement of an additional apprentice shall not be reckoned as a journeyman for the purpose of calculating the proportion."

(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 percentage of an amount equal to 40 times the minimum hourly wage rate for journeymen in the industry, as prescribed by the award or agreement relating to the employment of such journeymen in the locality in which the apprentice is employed in force for the time being and from time to time—

(i) For apprentices serving a 10,000-hour term of apprenticeship under clause 8 (a) of this order:

	Percent
First 1,000-hour period	35
Second 1,000-hour period	40
Third 1,000-hour period	45
Fourth 1,000-hour period	50
Fifth 1,000-hour period	55
Sixth 1,000-hour period	60
Seventh 1,000-hour period	65
Eighth 1,000-hour period	70
Ninth 1,000-hour period	100
Tenth 1,000-hour period	100

(ii) For apprentices serving a 9,000-hour term of apprenticeship under clause 8 (b) of this order:

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	70
Eighth 1,000-hour period	100
Ninth 1,000-hour period	100

(iii) For apprentices serving an 8,000-hour term of apprenticeship under clause 8 (c) of this order:

	Percent
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	65
Sixth 1,000-hour period	75
Seventh 1,000-hour period	85
Eighth 1,000-hour period	95

(b) (i) Where an apprentice who commences his apprenticeship on or after 11 November 1971 and has obtained a pass in School Certificate subjects giving admission to Form VI under Education Department criteria or in that examination has obtained not less than 50 percent of the possible marks in mathematics and either English or technical drawing, he shall for the purpose of calculating his wage rate in accordance with paragraph (iii) of subclause (a) of this clause, be credited with 500 hours on the wage scale.

(ii) Every apprentice who produces to his employer a notification from the New Zealand Trades Certification Board that he has passed the First Qualifying Examination of that Board, shall from that date of that notification, for the purpose of calculating his wage rate in accordance with subclause (a) of this clause, be credited with 500 hours in addition to the number of hours he has already served under his apprenticeship.

(iii) Every apprentice who produces to his employer a notification from the New Zealand Trades Certification Board that he has passed the Second Qualifying Examination of that Board, shall from the date of that notification, for the purpose of calculating his wage rate in accordance with subclause (a) of this clause, be credited with 500 hours (further to the 500 hours mentioned in paragraphs (i) and (ii) of this subclause) in addition to the number of hours he has already served under his apprenticeship.

(iv) Where an apprentice commencing his apprenticeship on or after 11 November 1971 produces to his employer a notification from the New Zealand Trades Certification Board that he has passed the Trade Certificate Examination of that Board he shall from the date of notification be paid not less than 100 percent of journeymen's rates as defined in subclause (a) of this clause, for the remaining period of his contract.

(v) Except for the said purpose of wage calculation, nothing in paragraphs (i) to (iv) of this subclause shall affect the term of apprenticeship of the apprentice.

(vi) Where by virtue of the application of the provisions of paragraphs (i) to (iv) of this subclause there ceases to be any prescribed minimum weekly wages payable to an apprentice who has not completed his term of apprenticeship, such apprentice shall for the remainder of his term of apprenticeship be paid not less than 100 percent of the minimum wage rate for journeymen."

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

Dated this 11th day of November 1971.

(L.S.)

A. P. BLAIR, Judge.