

Document: 1036

Published and issued by the Arbitration Commission of New Zealand

**NEW ZEALAND SHEETMETAL ENGINEERING INDUSTRY - AMENDMENT TO  
APPRENTICESHIP ORDER**

Dated: 28/7/88

IN THE ARBITRATION COMMISSION  
OF NEW ZEALAND

IN THE MATTER of the Apprenticeship  
Act 1983;

AND IN THE MATTER of the New  
Zealand Sheetmetal Engineering  
Industry Apprenticeship Order  
dated the 3rd day of February  
1986 and recorded in 86 Book of  
Awards page 6577.

WHEREAS by section 33(1)(b) of the Apprenticeship Act 1983, the Arbitration Commission is empowered to amend any apprenticeship order:

AND WHEREAS application has been made to the Commission by the New Zealand Sheetmetal Working, Tinsmithing and Copper Smithing Apprenticeship Committee for amendment of the New Zealand Sheetmetal Engineering Industry Apprenticeship Order dated the 3rd day of February 1986:

AND WHEREAS the Commission has considered the recommendations made to it by the said committee:

NOW, THEREFORE, THE COMMISSION, 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 inserting in the appropriate position in the table of Contents the figures, symbol, and words "22. Training Record Books".
- (2) By renumbering the existing clause numbers 22, 23, 24, and 25 in the table of Contents to read 23, 24, 25, and 26 respectively.
- (3) By deleting clause 8 (Term of Apprenticeship) and substituting therefor the following clause:

"8.

**TERM OF APPRENTICESHIP**

8.1 Except as provided for in subclause 8.3 the term of apprenticeship for an apprentice who commenced before the 28th day of July 1988 shall be 9,000 hours divided into nine 1,000 hour periods.

8.2 The term of apprenticeship for an apprentice who commenced on or after the 28th day of July 1988 shall be 8,000 hours divided into eight 1,000 hour periods.

8.3 In the case of an apprentice who commenced before the 28th day of July 1988 and who has obtained not less than 50 percent of the possible marks or a grade of B2 or better in any two of the following School Certificate subjects: English, Mathematics, Technical Drawing, and Engineering Shopwork, the term of apprenticeship shall be 8,000 hours, divided into eight 1,000 hour periods.

8.4 In the case of an apprentice who commenced on or after the 28th day of July 1988 and who passes the Trade Certificate examination conducted by the New Zealand Trades Certification Board, the term of apprenticeship shall be reduced by 1,000 hours from the date of production to the employer of the notification of such pass.

8.5 In the case of an apprentice who commenced on or after the 28th day of July 1988 and who produces evidence of a pass in the Trade Certificate examination conducted by the New Zealand Trades Certification Board and also has satisfactorily completed the prescribed skills in the training record book, the apprenticeship shall be deemed to be completed.

Any dispute between the parties over whether an apprentice has satisfactorily completed the prescribed skills shall be determined by the local committee.

8.6 Except for annual holidays, under the Holidays Act 1981, 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, reckoning eight hours for any one day. Time worked on such holidays shall be added to the time deemed to be served.

8.7 All time lost by an apprentice through the apprentice's own default, sickness or accident, not arising out of or in the course of employment, as defined by the Accident Compensation Act 1982, in any period of the employment shall be made up before such apprentice shall be considered to have entered upon the next succeeding period of the apprenticeship, and the total period of the apprenticeship shall be extended by a period equivalent to such lost time.

8.8 Time lost by an apprentice through accident arising out of and in the course of employment shall be made up by an extension of the final period of the apprenticeship with wages at the rate prescribed for that period.

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

8.10 Except where otherwise provided, only working hours shall be reckoned as time served.

8.11 Notwithstanding the foregoing provisions of this clause, where the local committee is of the opinion that time served in a related or similar occupation prior to the date of engagement of an apprentice should be credited to the apprentice, it may fix the term of apprenticeship."

- (4) By deleting subclause 11.5 of clause 11 (Wages) and substituting therefor the following subclause:

"11.5 Except for the said purpose of wage calculation, nothing in this clause shall affect the term of apprenticeship of any apprentice. Provided, however, an apprentice who has qualified for a reduction of 1,000 hours by virtue of a pass in Trade Certificate in accordance with the provision of subclause 8.4 of this order shall also be entitled to the appropriate advance on the wage scale as prescribed in subclause 11.3 above."

- (5) By inserting after clause 21 (Obligations of Employer) the following new clause:

"22.

#### TRAINING RECORD BOOKS

22.1 Notwithstanding the provisions contained in clause 21 it shall be the employer's responsibility to provide a training record book as prescribed by the New Zealand Committee, such training record book to record training in both the on-job and off-job training situations.

22.2 It shall be the responsibility of the apprentice and the employer to ensure the accuracy and regularity of entries in the training record book and the apprentice shall make the book available for inspection by the District Commissioner, local committee or any other authorised person."

- (6) By renumbering the existing clauses 22, 23, 24, and 25 to read 23, 24, 25, and 26 respectively.
- (7) By deleting from the existing clause 23 (Variation in Contracts) the figures and symbol "23.1".

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

DATED AT WELLINGTON this 28th day of July 1988.

(L.S.)

I M Mackay  
CHIEF COMMISSIONER