

Hon. Mr. Millar.

FACTORIES AMENDMENT.

ANALYSIS.

Title.	3. Hours of employment in laundries.
1. Short Title.	4. Miscellaneous amendments of principal Act.
2. Wages and overtime book.	Schedule.

A BILL INTITULED

AN ACT to amend the Factories Act, 1908.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Factories Amendment Act, 1909, and it shall form part of and be read together with the Factories Act, 1908 (hereinafter referred to as the principal Act).

Short Title.

2. (1.) In every factory the occupier shall at all times keep in the prescribed form, or in such other form as may be approved by the Inspector, a record in English (called the wages and overtime book) showing, in the case of each employee,—

Wages and overtime book.

(a.) The name of the employee, together with his age if under twenty years of age ;

(b.) The kind of work on which he is employed ;

(c.) The hours of his employment during each week ;

(d.) The wages paid each week ; and

(e.) Such other particulars as are prescribed by regulations.

(2.) The said book shall at all times be open to inspection by the Inspector.

(3.) The Inspector may at any time require the occupier to verify the entries in the said book in such manner and form as may be prescribed by regulations.

3. (1.) In every laundry in which two or more persons (whether employees or not) are engaged the following provisions shall apply :—

Hours of employment in laundries.

(a.) Except as hereinafter mentioned, the hours that any male person over the age of sixteen years may be employed shall not exceed forty-eight hours (excluding meal-times) in any one week, nor eight hours and three-quarters in any one day ; nor shall any such person who is an employee be employed for more than five hours continuously without an interval of at least three-quarters of an hour for a meal.

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- (b.) Except as hereinafter mentioned, the hours that any woman or boy may be employed shall not exceed forty-five hours (excluding meal-times) in any one week, nor eight hours and a quarter in any one day; nor shall any such person who is an employee be employed for more than four hours and a quarter continuously without an interval of at least three-quarters of an hour for a meal. 5
- (c.) The number of working-hours may from time to time be extended, but such extension shall not be—
- (i.) For more than three hours in any day; or 10
- (ii.) On more than two consecutive days in any week; or
- (iii.) For more than ninety hours in any year, except in any exceptional case arising, in the opinion of the Inspector, from any unforeseen circumstance, in which case he may grant a warrant as hereinafter provided to work extended hours after the ninety hours in a year have been worked by any employee, but such additional extended hours shall not in any case exceed thirty in any year; or 15 20
- (iv.) In the case of any person who is an employee, on any holiday or half-holiday.
- (d.) Except when extended hours are being worked as hereinbefore provided, no person shall be engaged in laundry-work in a laundry between the hours of seven in the evening of any day and a quarter to eight in the morning of the following working-day. 25
- (e.) It shall not be lawful to do any work in a laundry during such extended hours unless the occupier of the laundry has obtained from an Inspector a warrant in the prescribed form. 30
- (f.) Written application for such warrant shall be made to the Inspector by the occupier previous to the commencement of the proposed extension, specifying the names of the persons (whether employees or not) to whom the extension is intended to apply, and the period of the extension. 35
- (g.) If the Inspector is of opinion that any such extension would be dangerous or hurtful to the health of any woman or boy named in the application, he shall refuse to grant a warrant in respect of such woman or boy. 40
- (h.) The occupier shall cause the warrant to be posted in some conspicuous part of the laundry during the extended hours specified in the warrant.
- (i.) The Inspector shall keep a record of the names of all persons in respect of whom a warrant is granted, and shall note against the name of each the extended hours worked by him, so that the full amount of overtime permitted by this section shall not in any case be exceeded. 45
- (j.) Notice shall, during some part of the working-day immediately preceding that on which the extension is intended to apply, be given to every employee to whom such extension is intended to apply; or, where such notice is 50

- 5 impracticable, the occupier shall, in addition to any pay-  
ment for overtime, provide every such employee who  
resides at a further distance than one mile from the  
laundry either with a sufficient meal between the hour  
at which the laundry ordinarily closes and the hour at  
which the extension is to commence, or with an allowance  
of not less than one shilling, such allowance to be paid  
on the day on which such extension is to apply not later  
than the hour at which the laundry ordinarily closes.
- 10 (k.) Every person who (being an employee) is employed during  
any hours other than those prescribed by paragraphs (a),  
(b), and (d) of this section shall be paid therefor not less  
than one-fourth as much again as the ordinary rate :
- 15 Provided that where the ordinary rate is by time and  
not by piecework, the overtime rate shall be not less than  
sixpence per hour for those persons whose ordinary wages  
do not exceed ten shillings a week, and ninepence per  
hour for all other persons so employed, and shall be paid  
at the first regular pay-day thereafter.
- 20 (2.) This section shall not apply in the case of any laundry in  
which the occupier and his wife, or her husband, as the case may be,  
are the only persons engaged in laundry-work.
- (3.) Sections eighteen, nineteen, twenty-two, and twenty-four  
of the principal Act shall not apply to laundries.
- 25 4. The principal Act is hereby amended in the manner and to  
the extent mentioned in the Schedule hereto.

Miscellaneous  
amendments of  
principal Act.

## SCHEDULE.

Schedule.

### AMENDMENTS OF THE PRINCIPAL ACT.

Section of Principal Act.	Nature and Extent of Amendment.
Section 2 ...	By inserting, after the word "sale" in paragraph (a) of the definition of "factory," the words "and includes any building, office, or place in which work such as is ordinarily performed in a factory is performed for or on behalf of any public body, whether for trade or sale or not"; and omitting the definition of "medical authority."
Section 5 ...	By omitting the section.
Section 13, (3) ...	By inserting, after the word "shall," the words "on compliance with the decision on such appeal."
Section 17, (1) ...	By omitting the subsection.
Section 17, (2) ...	By omitting the words "He shall also," and substituting the words "The occupier of a factory shall"; and omitting paragraph (f).
Section 22, (1) ...	By omitting paragraph (c), and substituting the following:— “(c.) More than ninety hours in any year, except in any exceptional case arising, in the opinion of the Inspector, from any unforeseen circumstance, in which case he may grant a warrant as hereinafter provided to work extended hours after the ninety hours in a year have been worked by any employee, but such additional extended hours shall not in the case of any employee exceed thirty in any year; or.”

SCHEDULE—*continued*.  
AMENDMENTS OF THE PRINCIPAL ACT—*continued*.

Section of Principal Act.	Nature and Extent of Amendment.
Section 22, (4), (5), and (6)	By omitting these subsections.
Section 27 ...	By omitting all words of paragraph (a) after the word "authorisation," and substituting the words "shall be given only in the case of boys or girls over thirteen years of age who have passed the Fifth Standard prescribed under the Education Act, 1908, if the Inspector is satisfied that the circumstances of the case require such authorisation: Provided that no boy or girl whose employment is so authorised shall be employed in any workroom in which machinery is used."
Section 32 ...	By omitting the word "such" before the word "payment"; and inserting, after the word "work" in paragraph (a), the words "at such rate"; and omitting all words of the same paragraph after the words "and so on," and substituting the words "until a wage of twenty shillings a week is reached, and thereafter not less than twenty shillings a week."
Section 36, (1) ...	By omitting the words "every borough or town district," and substituting the words "the district of every local authority"; and omitting the words "borough or town" wherever they thereafter occur in the subsection.
Section 36, (2) ...	By omitting the words "Borough Council or Town Board, as the case may be," and substituting the words "local authority"; omitting the words "borough or town" wherever they occur; and adding at the end of the subsection the words— "Provided that, notwithstanding the said notice, the occupier of a factory may allow a half-holiday on Saturday, in lieu of the day appointed as the statutory closing-day for shops, on giving to the Inspector notice in writing of his desire so to do."
Section 36, (4) ...	By omitting the words "Borough Council or Town Board, as the case may be," and substituting the words "local authority"; and omitting the words "borough or town."
Section 36, (7) ...	By omitting the words "borough or town" wherever they occur.
Section 36, (9) ...	By omitting the words "borough or town"; and omitting the words "Borough Council or Town Board" and the words "Council or Board," and substituting in each case the words "local authority."
Section 36, (10) ...	By omitting the words "borough or town" wherever they occur; and omitting the words "Council or Board" wherever they occur, and substituting the words "local authority."
Section 38 ...	By omitting the words "five days during the month next preceding the half-holiday," and substituting the words "four days during the week ending on the day on which the half-holiday occurs."
Section 41 ...	By omitting the words "and also the medical authority (if any)" in paragraph (a); omitting the words "the medical authority, and also" in paragraph (c); omitting paragraphs (d), (e), and (f); and by adding the following paragraph:— "(h.) For the purposes of this section an Inspector may take with him into a factory any Health Officer, and any Health Officer may at all reasonable times enter and inspect any factory."
Section 47, (2) ...	By omitting the words "a medical authority," and substituting the words "some registered medical practitioner."
Section 47, (4) ...	By omitting the words "the medical authority," and substituting the words "some registered medical practitioner."