

NELSON INDUSTRIAL DISTRICT.

(4261.) NELSON BUILDERS', CONTRACTORS', PLASTERERS', QUARRY-OWNERS', AND GENERAL LABOURERS.—AWARD.

In the Court of Arbitration of New Zealand, Nelson Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1908, and its amendments; and in the matter of an industrial dispute between the Nelson General Labourers' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

- Baigent, Henry, timber-merchant, Waimea Street, Nelson.
- Batchelor, C., plumber, Nelson.
- Bisley Bros., lime-kilns, Hardy Street, Nelson.
- Blundell, J., builder, Nile Street West, Nelson.
- Bogle, Andrew, builder, Kawai Street, Nelson.
- Carlisle, E., plumber, Hardy Street, Nelson.
- Carter, Alfred Henry, contractor, Harley Street, Nelson.
- Chamberlain and Stannard, Collingwood Street, Nelson.
- Coleman, H. W., plasterer, Post-office, Nelson.
- Flatt, H. J., plumber, Bridge Street, Nelson.
- Graham Bros., plumbers, Bridge Street, Nelson.
- Grimmett, E. A., plasterer, 32 Hampden Street, Nelson.
- Grimmett, Thomas P. J., Ngatitama Street, Nelson.
- Grimmett, William Henry, contractor, Milton Street, Nelson.
- Haase, John Edward, St. Vincent Street, Nelson.
- Haggitt, Charles, contractor, Shakespeare Walk, Nelson.
- Hobbs, H. A., plumber, Hardy Street, Nelson.
- Hunter, Leonard, carter, Washington Valley, Nelson.
- Johnson, H. H., contractor, Bridge Street, Nelson.
- Johnston and Manssen, builders and contractors, Alton Street, Nelson.
- Laird, William, contractor, Nelson.
- Leaper Bros., builders, Selwyn Place, Nelson.

McArtney, R., plumber, Bridge Street, Nelson.
 Marriss, John, builder, Waimea Street, Nelson.
 Miller, Andrew, contractor, Trafalgar Street North, Nelson.
 Miller, George, and Co., bricklayers, Hardy Street, Nelson.
 Neale and Haddow, merchants, &c., Vanguard Street, Nelson.
 Nelson City Council, Nelson.
 Nelson Harbour Board, The Port, Nelson.
 Nelson Tinware Company, Nelson.
 Newport, James, nightsoil contractor, Brook Street, Nelson.
 Orsman, John Alexander, contractor, St. Vincent Street,
 Nelson.
 Pettitt and Layton, bricklayers, Waimea Road, Nelson.
 Plum, Frederick, contractor, Grove Street, Nelson.
 Robertson Bros., contractors, Hardy Street, Nelson.
 Robertson Bros., wool-works, Halifax Street, Nelson.
 Ruffell, H., contractor, Wainui Street, Nelson.
 Scott, David, Washington Valley, Nelson.
 Scott, John, builder, Bridge Street, Nelson.
 Shone, Alfred, builder, Collingwood Street, Nelson.
 Stratford, A., bricklayer, The Wood, Nelson.
 Stringer, John A., builder, Bridge Street, Nelson.
 Tasker and Levien, merchants, Hardy Street, Nelson.
 Tibble, T., bricklayer, Vanguard Street, Nelson.
 Tibble, William, bricklayer, Hastings Street, Nelson.
 Walker, Thomas, Waimea Street, Nelson.
 Webley and Sons, builders, Collingwood Street, Nelson.
 Westley, William Edward, carter, Milton Street, Nelson.
 Wilmott and Cross, plumbers, Wakatu Lane, Nelson.
 Wise, George, contractor, Manuka Street, Nelson.
 Woodward, Edward, contractor, Grove Street, Nelson.

THE Court of Arbitration of New Zealand (hereinafter called "the Court"), having taken into consideration the matter of the above-mentioned dispute, and having heard the union by its representatives duly appointed, and having also heard such of the employers as were represented either in person or by their representatives duly appointed, 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 the sum of £100 shall be the maximum penalty payable by any party or person in respect thereof. And the Court doth further order that this award shall take effect from the 24th day of April, 1916, and shall continue in force until the 24th day of April, 1917, and thereafter as provided by subsection (1) (d) of section 90 of the Industrial Conciliation and Arbitration Act, 1908.

In witness whereof the seal of the Court of Arbitration hath hereto been put and affixed, and the Judge of the Court hath hereunto set his hand, this 19th day of April, 1916.

T. W. STRINGER, Judge.

SCHEDULE.

Hours of Work.

1. (a.) Except where otherwise specified the working-hours per week shall not exceed forty-seven hours, and shall not exceed eight hours and a half for the first five working-days of the week and four hours and a half for Saturday.

(b.) Work shall commence not earlier than 7.30 a.m., and shall cease not later than 5 p.m., and not less than an hour shall be allowed for dinner, except on Saturday, when work shall cease at 12 noon.

(c.) When it is necessary to prepare material for work before the ordinary hours for commencing work the employer may employ workers to do such necessary work for not more than half an hour before that time at the ordinary rate of pay.

(d.) In tunnel-work the hours shall not exceed eight per shift from bank to bank, with half an hour for crib-time.

(e.) "Tunnel-work" means any underground excavation over a chain in length or which requires timbering overhead.

(f.) When workers are working in water over their ordinary boot-tops they shall be paid 1s. per day extra.

(g.) A full week's work for labourers employed in connection with building operations shall be forty-four hours.

Rates of Wages.

2. (a.) Labourers employed in connection with the erection, alteration, or demolition of any building, or in excavating or preparing ground for the same, shall be paid not less than 1s. 3d. per hour.

(b.) Labourers substantially engaged in the construction of scaffolds shall, for the time they are so employed on such work, be paid not less than 1s. 3d. per hour.

(c.) Plasterers' labourers shall be paid not less than 1s. 3d. per hour.

(d.) Tunnel-work: Tunnelmen and timbermen, 10s. per shift; all other workers employed underground, 10s. per shift.

(e.) Quarry-work : Workers engaged in getting out stone roughly squared to measurement, 1s. 3d. per hour; powdermen, hammer-and-drill men, and jumpermen, 1s. 3d. per hour; all other workers engaged in quarry-work, 1s. 3d. per hour.

(f.) General Work : Labourers employed on concrete-work, pick-and-shovel work, sewer-work, kerbing and channelling work, laying and cleaning drains and water-tables, and asphalt and tar work, 1s. 3d. per hour.

(g.) Workers employed at handling coal, 1s. 3d. per hour.

(h.) This clause shall not apply to men who are employed on weekly wages and who may be temporarily employed as casual labourers.

Payment of Wages.

3. Wages shall be paid weekly or fortnightly in town and on the job within a reasonable time after work has ceased. Country work shall be paid for as agreed.

Accommodation for Labourers employed in connection with Building Operations.

4. (a.) Each employer shall provide accommodation to the satisfaction of the Inspector of Factories to enable such labourers to change their clothes and have their meals, and he shall also provide proper sanitary accommodation for such labourers.

(b.) Where six or more workers are employed on any job for a period of six continuous working-days the employer shall provide sanitary accommodation for such workers and to the satisfaction of the Inspector of Factories.

Payment is for Time worked.

5. In every case a worker shall be entitled to be paid only for time actually worked by him.

Overtime and Holidays.

6. (a.) All time worked outside of or in excess of the hours mentioned in clause 1 hereof shall count as overtime, and shall be paid for at the rate of time and a quarter for the first two hours, time and a half thereafter up to 10 p.m., and double time between 10 p.m. and the ordinary time for commencing work next morning if worked continuously.

(b.) Workers required to commence work between the hours of 6 a.m. and the ordinary time for commencing work shall be paid at the rate of time and a quarter for such time.

(c.) The following shall be the recognized holidays : New Year's Day, Good Friday, Easter Monday, Labour Day, the birthday of the reigning Sovereign, and Christmas Day. Work done on Good Friday and Christmas Day or on Sunday shall be paid for at the rate of double time. Work done on any of the other holidays shall be paid for at the rate of time and a half.

Employment of Youths.

7. (a.) Youths may be employed at not less than the following rates of wages: Up to seventeen years of age, 18s. per week; up to eighteen years of age, £1 2s. per week; up to nineteen years of age, £1 6s. per week; up to twenty years of age, £1 10s. per week; up to twenty-one years of age, £1 16s. per week.

(b.) The proportion of youths shall be not more than one to every five men employed.

(c.) Youths under twenty-one years of age shall not be permitted to be shot-firers.

Suburban Work.

8. (a.) "Suburban work" in the case of employers carrying on work in the City of Nelson means work performed outside a radius of two miles from the intersection of Hardy Street and Trafalgar Street, Nelson, and within a radius of six miles thereof; and in the case of other employers coming within the scope of this award means work performed outside a radius of two miles from the employer's place of business, and within a radius of six miles thereof.

(b.) Workers employed upon suburban work shall be at the place where the work is to be performed at the time appointed for the commencement of work, and shall be paid 6d. per day in addition to their ordinary wages when so employed: Provided that no worker who resides within two miles, by road for foot-passengers, of the place where the work is to be performed shall be entitled to the said allowance.

Country Work.

9. (a.) "Country work" in the case of employers carrying on business in the City of Nelson means work situated more than six miles from the intersection of Trafalgar Street and Hardy Street; and in the case of other employers coming within the scope of this award means work situated more than six miles from the employer's place of business or residence.

(b.) Any worker employed upon country work shall be conveyed by his employer to and from such work free of charge, or his travelling-expenses going to and returning from such work shall be paid by his employer, but once only during the continuance of the work if the work is continuous and the worker is not in the meantime recalled by his employer.

(c.) Time occupied in travelling shall be paid for at the ordinary rate, but no worker shall be entitled to more than an ordinary day's wage for any day occupied by him in travelling unless he is on the same day occupied in working for his employer.

(d.) When workers employed upon country work are required to sleep away from their homes an additional allowance of 1s. per day for the time so occupied shall be paid to them, and they shall be provided with tents or other suitable sleeping-accommodation.

(e.) Notwithstanding anything herein contained, any employer and his workmen may agree that in respect of any specified country

work the hours of work shall be other than those hereinbefore prescribed without payment of overtime, but so that not less than the rate of wages prescribed by this award be paid.

Tools.

10. All tools shall be supplied by the employer.

Under-rate Workers.

11. (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 the 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 fourteen 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 Factories 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.

Piecework.

12. No piecework shall be allowed.

Preference.

13. (a.) If any employer shall hereafter engage any worker coming within the scope of this award who shall not be a member of the union, and who shall not become a member thereof within seven days after his engagement and remain such member, the employer shall dismiss such worker from his service if requested to do so by the union, provided there is then a member of the union equally qualified to perform the particular work required to be done, and ready and willing to undertake the same.

(b.) The provisions of the foregoing clause shall operate only if and so long as the rules of the union shall permit any worker coming within the scope of this award of good character and sober habits to become a member of the union upon payment of an entrance fee not exceeding 5s., upon a written application, without ballot or other election, and to continue a member upon payment of subsequent contributions not exceeding 6d. per week.

(c.) Whenever an employer shall employ any worker who is not a member of the union he shall within twenty-four hours thereafter give notice in writing of such employment to the secretary of the union.

Scope of Award.

14. This award shall be limited to employers carrying on business within a radius of thirty miles from the intersection of Hardy and Trafalgar Streets, Nelson.

Exemptions.

15. The provisions of this award as to hours and wages shall not apply to employers engaged in work affected by the tide in the Port of Nelson: Provided that the conditions as to hours and wages under which workers are employed at this work at the date of this award shall continue.

Term of Award.

16. This award shall come into force on the 24th day of April, 1916, and shall continue in force until the 24th day of April, 1917.

In witness whereof the seal of the Court of Arbitration hath hereto been put and affixed, and the Judge of the said Court hath hereunto set his hand, this 19th day of April, 1916.

T. W. STRINGER, Judge.

MEMORANDUM.

This award embodies without alteration the recommendations of the Council of Conciliation, which the parties agreed to accept. It was stated in such recommendations that "the assessors are agreed that owing to the increase in the cost of living since the last award was made in this class of labour in this district the rates of wages should be increased as recommended, and for a period of twelve months; at the end of that period the matter shall again be considered, and if the official information shows that the cost of living has declined the rates of wages shall again be reviewed."

T. W. STRINGER, Judge.

NOTE.—Section 90, subsection (1) (d), of the Industrial Conciliation and Arbitration Act, 1908, provides that, notwithstanding the expiration of the currency of the award, the award shall continue in force until a new award has been duly made or an industrial agreement entered into, except where the registration of an industrial union of workers bound by such award has been cancelled.