

(8130.) NELSON INDUSTRIAL DISTRICT CARPENTERS AND JOINERS.—APPRENTICESHIP ORDER.

In the Court of Arbitration of New Zealand, Nelson Industrial District.—In the matter of the Apprentices Act, 1923; and in the matter of the conditions of apprenticeship in the carpentering and joinery industry within the Nelson Industrial District.

Monday, the 23rd day of March, 1925.

WHEREAS, pursuant to section 4 (1) of the Apprentices Act, 1923, an Apprenticeship Committee has been set up for the Nelson Industrial District in connection with the carpentering and joinery industry: And whereas the Court has heard the employers, workers, and other persons concerned, and has considered the recommendations made to it by the said committee: And whereas the Court has deemed it expedient to make an order under section 5 of the said Act prescribing the wages, hours, and other conditions of employment to be incorporated in contracts of apprenticeship in the said industry in the said district, and prescribing such other matters and things as the Court is required and authorized by the said section to prescribe: Now, therefore, the Court doth hereby order and prescribe as follows:—

1. The locality in which this order shall have effect is the Nelson Industrial District.

2. The trade or industry to which this order shall apply is the carpentering and joinery industry.

3. Every contract of apprenticeship and every alteration or amendment thereof shall be in writing, signed by the employer and the apprentice, and, if the apprentice is under the age of twenty-one years, by the parent or guardian (if any) of the apprentice, and shall be registered by the employer in the prescribed manner, within fourteen days of the date thereof, with the District Registrar.

4. The minimum age at which a person may commence to serve as an apprentice shall be fourteen years.

5. The term of apprenticeship shall be five years.

6. The proportion of the total number of apprentices to the total number of journeymen employed in the industry in the district shall be not more than one to three. The proportion of the total number of apprentices to the total number of journeymen employed by any employer shall be not more than one to two.

7. For the purpose of determining from time to time the total number of journeymen employed by any employer or in the trade or industry in the district, each employer shall, during the month of April in each year, furnish to the District Registrar a statement of the number of journeymen employed by him for at least two-thirds full time during the six months ended on the 31st day of March last preceding. For the purposes of this order an employer who himself works at the trade shall be entitled to count himself as a journeyman.

8. The minimum rates of wages payable to apprentices shall be—
 For the first year, 15s. ; for the second year, £1 2s. 6d. ; for the third
 year, £1 10s. ; for the fourth year, £1 17s. 6d. ; for the fifth year,
 £2 5s.

9. If ordered to do so by the Court or committee, every apprentice
 residing within a radius of three miles from a technical college or
 school or other approved institution shall, during the first three years
 of his apprenticeship, or until he shall have obtained the certificate
 hereinafter mentioned, attend classes in such college, school, or institu-
 tion in carpentering and joinery, and in such case the employer shall
 refund to the apprentice the amount of the fees for each term in which
 his attendance is not less than 70 per cent. of the maximum possible :
 Provided that should any apprentice residing beyond such radius
 voluntarily attend such classes he shall also have the amount of his
 fees refunded by the employer for each term in which his attendance
 is not less than 70 per cent. of the maximum possible.

10. Every apprentice who shall have obtained from the Principal
 of the college, school, or institution in which he has attended classes
 as before mentioned a certificate that he has passed an examination
 equivalent to that required to be passed in order to obtain a certificate
 in carpentering and joinery in Grade 2 of the City and Guilds of
 London Institute shall, upon production of such certificate to his
 employer, be paid during the fourth year of his apprenticeship at
 the rate of not less than 5s. per week in excess of the minimum rate
 provided in clause 8 hereof, and during the fifth year of his apprentice-
 ship at the rate of not less than 7s. 6d. in excess of such minimum
 rate.

11. The period of probation to be prescribed in any contract of
 apprenticeship to enable the employer of any apprentice to determine
 his fitness shall not exceed three months in the case of a first appren-
 ticeship to the trade, and shall not exceed one month in any other
 case.

12. A person under twenty-one years of age who has served part
 of his apprenticeship to the trade in any other part of the Empire
 outside New Zealand may complete his term of apprenticeship herein
 provided for with an employer in the district on furnishing to the
 District Registrar a certificate from his former employer and/or such
 other evidence (if any) as the District Registrar may require in order
 to show the time served by such person as an apprentice outside of
 New Zealand. The District Registrar may refuse to register any such
 contract of apprenticeship entered into under the provisions of this
 clause until such evidence has been furnished to him and until such
 contract has been approved by the Apprenticeship Committee (if
 any) for the industry and locality. Any party aggrieved by the
 decision of the District Registrar or such committee may, within
 fourteen days, appeal to the Court, whose decision shall be final and
 conclusive. The period of probation in cases coming within the scope
 of this clause shall not exceed one month.

13. An apprentice shall make up all time lost by him in any year through his own fault or sickness, 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 year of his apprenticeship, or, if in the final year, to have completed his apprenticeship.

14. An employer shall be entitled to make a rateable deduction from the wages of an apprentice for any time lost by him through sickness in excess of two weeks in any year, or through his own default.

15. The hours worked by an apprentice shall, subject to the provisions of any statute, be those normally worked by journeymen in accordance with the provisions of the award or industrial agreement relating to the employment of journeymen for the time being in force in the district.

16. An employer shall not require or permit an apprentice under seventeen years of age to work more than seven hours' overtime in any week except on work covered by the country conditions clause of the award or industrial agreement referred to in clause 15 hereof.

17. The minimum rates of overtime payment for apprentices shall be as follows: Time and a half for the first three hours, and double time thereafter, with a minimum of 1s. per hour.

18. The conditions of the award or industrial agreement referred to in clause 15 hereof in so far as they relate to the method and time of payment of wages, holidays (except in regard to deductions for holidays), travelling-time, suburban work, country work, meal-money, and other matters (other than preference to unionists) relating generally to the employment and not in conflict with this order, shall be applicable to apprentices.

19. Every contract of apprenticeship shall accord with the provisions of the Apprentices Act, 1923, and this order, and shall make provision either expressly or by reference to the said Act or this order, for the several matters provided for therein, and shall not contravene the provisions of any Act relating to the employment of boys or youths. In default of such provision being made in any such contract of apprenticeship, or in so far as such provision is defective or ambiguous, the contract shall be deemed to provide that the conditions of apprenticeship shall be not less favourable to the apprentice than the minimum requirements of this order.

20. It shall be an implied term in every contract of apprenticeship that the apprentice will diligently and faithfully obey and serve the employer as his apprentice for the prescribed term, and will not absent himself from the employer's service during the hours of work without the leave of the employer or except as permitted by this order; and, further, will not commit or permit or be accessory to any hurt or damage to the employer or his property, nor conceal any such hurt or damage to the employer or his property if known to him, but will do everything in his power to prevent the same.

21. It shall be an implied term in every contract of apprenticeship that the employer will during the prescribed term, to the best of his power, skill, and knowledge, train and instruct the apprentice, or cause him to be trained and instructed, as a competent journeyman in the trade of a carpenter and joiner in accordance with the provisions of the Apprentices Act, 1923, and of this order, and any amendments thereof: Provided, however, that if the business carried on by the employer does not comprise all the operations usually included in the training of a journeyman in the trade of a carpenter and joiner, the operations to be taught the apprentice shall be specifically set out in the contract of apprenticeship, and in default thereof the employer shall be deemed to have contracted to train and instruct the apprentice in all the operations usually included in the training of a journeyman in the trade of a carpenter and joiner: Provided that it shall not be competent for an employer to employ a youth as an apprentice until he has been established in business for at least two years, or unless he is able to satisfy the committee that he is in a position to continue as an employer.

22. No premium in respect of the employment of any person as an apprentice shall be paid to or received by an employer whether such premium is paid by the person employed or by any other person.

23. The provisions of this order shall not necessarily apply in the case of a special contract of apprenticeship entered into under the provisions of section 11 of the Apprentices Act, 1923.

24. It shall be an implied term in every contract of apprenticeship that the provisions of the Master and Apprentice Act, 1908, shall not apply thereto.

25. When an apprentice is discharged for cause the employer shall forthwith send notice of the discharge and of the cause thereof to the District Registrar, who shall communicate such notice to the Apprenticeship Committee.

26. The powers conferred on the Court by paragraphs (b) to (l) inclusive of section 5 (4) of the said Act are hereby delegated by the Court to the said committee in so far as those powers relate to the said industry and locality, but reserving nevertheless power to the Court at any time and from time to time to withdraw all or any of such powers.

27. This order shall operate and take effect as from the 1st day of April, 1925.

[L.S.]

— F. V. FRAZER, Judge.

MEMORANDUM.

A suggested form of apprenticeship contract is appended.

[L.S.]

F. V. FRAZER, Judge.

[For suggested form of apprenticeship contract see p. 45.]

SUGGESTED FORM OF APPRENTICESHIP CONTRACT.

THIS DEED, made the day of , 19 , between [Full name of employer], of [Address and occupation], (hereinafter called "the master") of the first part, [Full name of apprentice's parent or guardian], of [Address and occupation], (hereinafter called "the guardian") of the second part, and [Full name and address of apprentice], a minor born on the day of , 19 (hereinafter called "the apprentice") of the third part, witnesseth as follows:—

1. The master hereby covenants with the apprentice, and also as a separate covenant with the guardian, that he will take the apprentice as his apprentice in the trade of a (or that branch of the trade known as), and the apprentice and the guardian hereby jointly and severally covenant with the master that the apprentice will serve the master as such apprentice for the term and upon and subject to the conditions hereinafter set forth.

2. The term of the apprenticeship shall be years, commencing on the day of , 19 , and shall be served at [State place].

3. The master shall pay to the apprentice during the said term wages at the rates hereinafter specified, to wit: during the first year, per week [and so on for each period].

4. The provisions of the Apprentices Act, 1923, and the regulations made thereunder, and the general order of the Court of Arbitration, dated the day of , 19 , governing the conditions of apprenticeship in the trade, are, save as hereinafter expressly provided, deemed to be incorporated in these presents.

5. The period of probation referred to in section 12 of the said Act shall be months.

6. The apprenticeship shall be subject to the minimum conditions provided in and by the said general order, except as follows [Here state conditions agreed to, in so far as they differ from those of the general order].

7. [If the employer does not carry on a business that comprises all the operations usually included in the training of an apprentice as a journeyman in the trade, state specifically the operations to be taught the apprentice.]

In witness whereof these presents have been executed by the parties hereto the day and year first before written.

[Employer's signature.]

Signed by the said in the }
presence of— }

[Witness's signature, occupation, and address.]

[Continue similarly for guardian and apprentice.]