

(10967.) CANTERBURY BUTCHERS.—AWARD.

In the Court of Arbitration of New Zealand, Canterbury Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925; and in the matter of an industrial dispute between the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

Christchurch and Suburbs.

Canterbury Butchers' Industrial Union of Employers
 Bain, D., Waltham Road, Christchurch
 Bennett, S., Lincoln Road, Christchurch
 Bettle, A., Butcher, Heathcote
 Blackler, H., Butcher, Lyttelton
 Bull, A. G., 275 Colombo Street, Christchurch
 Bull, F., Elizabeth Street, Riccarton
 Carver, R. A., Fendalton Road, Fendalton
 Cook and Son, Barbadoes Street, St. Albans
 Cook, T. J., Lincoln Road, Christchurch
 Dury, R., Colombo Street South, Christchurch
 Dixon, F., Colombo Street, St. Albans
 Dockery, V., Riccarton Road, Riccarton
 Draper, E. S., 311 Lincoln Road, Riccarton
 Fairburn, G., 57 Ferry Road, Christchurch
 Gray, T., Edgeware Road, Christchurch
 Haydon, H., Worcester Street, Linwood
 Hibbard, E., 271 Stanmore Road, Christchurch
 Hider, J., Lincoln Road, Christchurch
 Higgs, J., Colombo Street, Sydenham
 Hill and Kempton, 58 Clissold Street, Christchurch
 Hughes and White, 145 Colombo Street, Sydenham
 Imeson, R., Edgeware Road, Christchurch
 Kerr, A., Shakespeare Road, Christchurch
 Kerr Bros., 276 Colombo Street, Christchurch
 Kincaids Ltd., Colombo Street, Christchurch
 Meakin, F., 414 Colombo Street, Christchurch
 N.Z. Farmers Co-op. Assn., Ltd., Cashel Street, Christchurch
 Owen, J., Colombo Street, St. Albans
 Owen, W. J., Cranford Street, Christchurch
 Pope, W., Warrington Street, St. Albans
 Roberts, R., Cashel Street, Linwood
 Sharman, A. E., 775 Colombo Street, Christchurch
 Sheriday, North Avon Road, Richmond, Christchurch
 Smith, C., Papanui
 Wardell Bros., Ltd., Cashel Street, Christchurch
 Were, C., Colombo Street, Sydenham
 Wright, A. E., Sydenham
 Alexander, S. A., 458 Ferry Road, Woolston
 Anderson, P. O., 370 Riccarton Road, Riccarton
 Ashworth, J., 15 Picton Avenue, Lower Riccarton
 Barrow, T. W., 132 Armagh Street, Christchurch
 Bloor, T., City Cash Meat Co., Cashel Street, Christchurch
 Bradley, J., 468 Colombo Street, Christchurch
 Bromley, H., 199 Papanui Road, Christchurch
 Bryson, H., 341 Madras Street, Christchurch
 Bundy, J. D., 30 Brittan Terrace, Lyttelton
 Carlton Butchery, 181 Victoria Street, Christchurch

- Coleby, P., 134A Colombo Street, Christchurch
 Dingle, J. T., 301 Bealey Avenue, Christchurch
 Dixon Bros., Cashel Street, Christchurch
 Fairburn, W., 699 Ferry Road, Christchurch
 Fitzgerald, W., Seven Oaks Butchery, Papanui
 Franklin, L., 137 High Street, Christchurch
 Grimmer, A. W., and Sons, 73 Victoria Street, Christchurch
 Hall, W. T., Selwyn Street, Addington
 Harris, W., 789 Colombo Street, Christchurch
 Higgs and Son, 387 Worcester Street, Christchurch
 Hartnell Bros., Prebbleton
 Horwell, F. A., Sockburn
 Jones, R., 247 Armagh Street, Christchurch
 Kerr, A. and F., Nayland Street, Sumner
 Knight, J., 172 High Street, Christchurch
 McTainsh, A., Hornby
 McDonald, F., 187 Papanui Road, Papanui
 McCaffery, W., 292 Selwyn Street, Spreydon
 Munro Bros., 193 North Road, Papanui
 Nightingale, F. W., 415 Colombo Street, Christchurch
 O'Cain, A. G., 328 Selwyn Street, Christchurch
 Pearston, W. D., 199 High Street, Christchurch
 Pitcaithly and Co., Lyttelton
 Shaw, J. H., Colombo Street, Christchurch
 Shaw, R., 130 Opawa Road, Opawa
 Sleeman, G., 647 Worcester Street, Linwood
 Smith, J. W., 251 Ferry Road, Linwood
 Steel, G. H., 702 Colombo Street, Christchurch
 Stephenson, T. W., corner of Armagh and Manchester Streets,
 Christchurch
 Tintori, F. J., Burnside Road, Fendalton
 Walkinshaw, J., 1 Canon Street, St. Albans
 Wallis Food Products, Ltd., 724 Colombo Street, Christchurch
 Webb, F., 422 Colombo Street, Christchurch
 Rimmer and Turner, Warrington Street, St. Albans
 Carpenter, C., Colombo Street, Christchurch
 Cooper, L. W., 3A Brougham Street, Sydenham
 Tayler, E. W., 811 Colombo Street, Christchurch
 Skelton, J., corner of Milton and Barrington Streets, Christchurch
 Hamblin and Sons, 346 Ferry Road, Christchurch
 Ross, W., and Co., Dallington Bridge, Linwood
 McBrayne, Wm., corner of Draper Street and Stanmore Road,
 Christchurch
 Wilson and Edwards, Colombo Street North and Ferry Road,
 Woolston, Christchurch
 Blanchard, J. W., 760 Colombo Street, Christchurch
 Buckler, S., Ferry Road, Christchurch
 Miles, W., Redeliffs
 Moore-Smith, F., 111 Riccarton Road, Riccarton
 Denham, J. M., corner of St. Asaph Street and Fitzgerald Avenue,
 Christchurch
 Hill, J. F., 14 North Road, Papanui
 Kerrison, S., 220 Kilmore Street, Christchurch

North Canterbury Miscellaneous.

- Appleton, A. E., Woodend
 Boyes, W., Amberley
 Brown, C. E., East Oxford

Cone Bros., Cheviot
 Cone, C. F., Waiau
 Cridge, S., Darfield
 Ford, F. H., Sefton
 Free, J. C., Leeston
 Hartnell, J., Rolleston
 Jamieson, L. G., Balcairn
 Knowles, P. J., West Oxford
 McIntyre and Twiss, Leeston
 Oddy, J., Lincoln
 Robb, J., Doyleston
 Fitzgibbons, J., Rangiora
 Rangiora Meat Co., Rangiora
 Stevenson, C., Rangiora
 Simpson and Bristow, Kaiapoi
 Pollard, G. J., Kaiapoi
 Wood, S., Cust
 Fellow, R. W., Hororata R.M.D.
 Griggs, G., Darfield
 Waikai Meat Co. (Robinson), Hawarden
 Lelivere, A., Akaroa

Timaru.

Bracefield, M. S., Church Street, Timaru
 Brown, N., Waimaititi
 Cague, S., King Street, Timaru
 Caroline Bacon Co., Timaru
 Clark, A., Church Street, Timaru
 Gibson, D., Elizabeth Street, Timaru
 Green, R., Arthur Street, Timaru
 Hetherington, A., Evans Street, Timaru
 Hewitt, R., Hassall Street, Timaru
 Jones, A. J., Rosewill
 Kinsman, A. S., North Street, Timaru
 Little, M., North Street, Timaru
 McDonald, J., Canon Street, Timaru
 McIver, A., Stafford Street North, Timaru
 Morrison and Sons, J., Stafford Street, Timaru
 Seaton and Son, T., Stafford Street South, Timaru
 Seaton Bros., Stafford Street, Timaru
 Thickett Bros., Stafford Street South, Timaru
 Toynbee, A., Church Street, Timaru

South Canterbury Miscellaneous.

Morrison and Sons, Temuka
 Nicholas Bros., Temuka
 Norton, C., Temuka
 Seaton and Simmers, Temuka
 Langford, T. H., Winchester
 Opie Bros., Winchester
 Hughes Bros., Orari
 Craig, R., Geraldine
 McColl, W., Geraldine
 Malins, A., Geraldine
 Friel, F., Pleasant Point
 Lake, F., Fairlie
 Hoskin Bros., St. Andrews
 Craig, W., Wakikihi
 Jones and Sons, Waimate
 Lyll and Wright, Waimate

Ashburton and Mid-Canterbury.

Barber, T. P., 119 Burnett Street, Ashburton
 Broker, J., Ashburton
 Glossop, G. E., Triangle, Ashburton
 Hunt, W. H., Burnett Street, Ashburton
 Rowe and Denley, East Street, Ashburton
 Black, F., Rakaia
 Bennett, J., Southbridge

and

The Christchurch Operative Butchers' Industrial Union of Workers (hereinafter called "the union").

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, and having also heard the witnesses called and examined and cross-examined by and on behalf of the said parties respectively, 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 a penalty as by law provided shall be payable by any party or person in respect thereof. And the Court doth further order that this award shall take effect from the 1st day of January, 1936, and shall continue in force until the 31st day of December, 1936, and thereafter as provided by subsection (1) (d) of section 89 of the Industrial Conciliation and Arbitration Act, 1925.

In witness whereof the seal of the Court of Arbitration hath hereto been affixed, and the Judge of the Court hath hereunto set his hand this 20th day of December, 1935.

[L.S.]

E. PAGE, Judge.

SCHEDULE.

Hours of Work.

1. The ordinary hours of work shall not exceed forty-eight per week, and they shall be worked as follows:—

(a) *As to Premises within a Radius of Ten Miles of the Chief Post-office, Christchurch.*—Between the hours of 7.30 a.m. and 4 p.m., or the hours of 8.30 a.m. and 5 p.m. on one day of the week; between the hours of 7 a.m. and 4.30 p.m., or the hours of 7.30 a.m. and 5 p.m., on three days of the week; between the hours of 7 a.m. and 5 p.m. on one day of the week; and between the hours of 7 a.m. and 12.45 p.m. on the statutory closing-day.

(b) *As to Premises outside such Radius.*—Between the hours of 7 a.m. and 4.30 p.m., or the hours of 7.30 a.m. and 5 p.m. on five days of the week; and between the hours of 7 a.m. and 12.45 p.m., or the hours of 7.30 a.m. and 12.45 p.m., on the statutory closing-day.

In respect of premises coming within this subclause (b) the following provisions shall apply:—

- (i) A worker may be required to commence work at 6 a.m. on one day in each week, and on such day he shall be allowed half an hour for breakfast.
- (ii) A worker may be required to commence work on any day one hour before the ordinary time for the purpose of carting meat from the abattoir or slaughterhouse, and he shall be allowed an equivalent time off at the end of the day, or, in the case of a slaughterman, an adjustment shall be made weekly.
- (iii) In no case shall a slaughterman be required to work after 4.30 p.m. or 5 p.m., as the case may be, without payment of overtime.

(c) On the statutory closing-day a worker may be required to work up till 1 p.m. for the purpose of cleaning up the shop without payment of overtime, subject, however, to the weekly number of hours not being exceeded.

(d) Workers shall be allowed one hour for dinner on each day except the statutory closing-day.

(e) Where a worker is required to commence work before 6.30 a.m., he shall be allowed half an hour for breakfast.

(f) For the purpose of calculating the hours of work, each of the holidays hereinafter mentioned shall be deemed to be a day worked for the number of hours usually worked on that day of the week, although no work shall have been actually done on such holiday.

(g) Each employer shall post and keep posted on the premises in some suitable place accessible to the workers a notice showing the starting and finishing hours of each worker, and such hours when so fixed shall continue until altered.

No alteration shall be made for a period of at least three months, and if any alteration is made it shall continue for at least three months, and so on from time to time.

Wages.

2. (a) Workers shall be paid not less than the wages specified in the following scale:—

		Per Week.		
		£	s.	d.
First shopman or man in charge	..	5	5	6
First small-goods man	..	5	5	6
Second shopman	..	4	14	6
Second small-goods man	..	4	14	6
Slaughterman	..	4	14	6
Other adult workers	..	4	6	6

(b) Such wages are weekly wages, and no deduction shall be made from them save for time lost through the default or illness of the worker, or for his failure to attend the butchers' annual picnic.

Casual Labour.

3. Casual workers shall be paid at the rate of 2s. 3d. per hour with a minimum of four hours on the statutory closing-day and six hours on any other day. A casual worker shall mean a person whose engagement is for a period of less than five and a half consecutive days.

Boys and Youths.

4. (a) Employers may employ boys and youths at not less than the following rates:—

		Per Week.		
		£	s.	d.
Under sixteen years of age	..	0	15	0
From sixteen to seventeen years of age	..	1	0	0
From seventeen to eighteen years of age	..	1	10	0
From eighteen to nineteen years of age	..	2	0	0
From nineteen to twenty-one years of age	..	2	14	0

Provided, however, that a youth between nineteen and twenty-one years of age who has served not less than three years at the trade shall receive not less than £3 3s. per week.

(b) The proportion of boys and youths shall be one to every three or fraction of three adult male workers.

Overtime.

5. (a) Work done in any day outside of or in excess of the hours prescribed herein shall be paid for at the rate of time and a half for the first four hours and double time thereafter.

(b) Work done on Sunday, Christmas Day, Good Friday, or Anzac Day shall be paid for at the rate of double time, and work done on any of the other holidays mentioned in clause 6 hereof shall be paid for at the rate of time and a half.

(c) Overtime less than half an hour shall count as half an hour, and overtime exceeding half an hour but less than an hour shall count as an hour.

(d) Payment of overtime shall be in addition to the ordinary weekly wages.

Special Holidays.

6. (a) The following shall be observed as holidays: New Year's Day, 2nd January, Good Friday, Easter Saturday, Easter Monday, Anzac Day, The Sovereign's Birthday, Labour Day, Show Day, Christmas Day, Boxing Day, and the operative butchers' picnic day (the date of which is to be agreed upon between the Master Butchers' Association and the Workers' Union).

(b) If any day shall be generally observed as a holiday in lieu of any of the foregoing holidays, such day shall for the purposes of this award be observed in lieu of the specified holiday.

(c) Should any of the above holidays fall on a Sunday such holiday shall be observed on the succeeding Monday.

Annual Holiday.

7. (a) A holiday of one week on full pay, or, at the option of the employer, a week's wages in lieu thereof, shall be granted to each worker on completion of each year of service.

(b) Such holiday shall be in addition to any holiday mentioned in clause 6 hereof.

(c) Where a worker's employment ceases after completion of more than six months but less than a year of service, he shall be granted a payment of wages in lieu of holidays proportionate to the length of such period of service, but this subclause shall not apply to the case of a worker discharged for wilful misconduct.

Weekly Half-holiday.

8. No worker shall be employed after 1 p.m. on the statutory closing-day.

Closing of all Shops.

9. In exercise of the powers vested in the Court by section 69 of the Shops and Offices Act, 1921-22, as amended by section 17 of the Shops and Offices Amendment Act, 1927, it is ordered that all butchers' and pork butchers' shops in the Canterbury Industrial District occupied by any party to this award, situate within any district to which section 31 of the Shops and Offices Act, 1921-22, applies, shall be closed as follows:—

(a) As to butchers' shops situate within a radius of ten miles of the Chief Post-office, Christchurch: At the hour of 5 p.m. on five days of the week and at the hour of 12.45 p.m. on the statutory closing-day.

(b) As to pork butchers' shops situate within such radius of ten miles: At the hour of 6 p.m. on four days of the week, at the hour of 9 p.m. on one day of the week, and at the hour of 1 p.m. on the statutory closing-day.

(c) As to butchers' and to pork butchers' shops situate outside such radius of ten miles: At the hour of 12.45 p.m. on the statutory closing-day.

(d) As to butchers' and to pork butchers' shops whether situate within such radius of ten miles or outside of it: At the hour of 7 a.m. on each of the holidays provided for in clause 6 of this award:

Provided that on such holidays workers may be employed in the delivery of meat to institutions, hotels, boardinghouses, and restaurants up to 8 a.m., but this shall not permit the sale of meat over the counter.

Termination of Engagement.

10. One week's notice shall be given by either party of the termination of the employment.

Payment of Wages.

11. All wages, including overtime, shall be paid in full immediately before the closing-hour on any day other than Saturday.

Time and Wages Book.

12. Each employer shall keep a time and wages book, and shall enter or cause to be entered therein the names of each of

his workers to whom this award applies, the class of work performed, and the time during which each such worker has been employed each day.

Under-rate Workers.

13. (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 Awards 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.

Preference.

14. (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 fourteen 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 this 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 application, without ballot or other election, and to continue a member upon payment of subsequent contributions not exceeding 1s. per week for the first month's membership, and thereafter 13s. per quarter, or £2 per annum, at the option of the member, and upon payment of such fines as may be lawfully imposed on him for non-attendance, without reasonable excuse, at a specially called meeting of the union of which written notice has been given to him or sent to him by post at his last address as notified by him to the union, or for misconduct at a meeting of the union, or for being more than three months in arrear, without reasonable excuse, in his contributions to the union: Provided that the maximum fine shall not exceed 2s. 6d. for non-attendance at a meeting of the union or for being in arrear with his contributions, and £1 for misconduct at a meeting of the union. The contribution of 13s. per quarter or £2 per annum shall not be payable until after the expiration of one month after joining the union.

Matters not provided for.

15. Any dispute in connection with any matter not provided for in this award shall be settled between the particular employer concerned and the secretary or president of the union, and in default of any agreement being arrived at, then such dispute shall be referred to the Conciliation Commissioner, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Commissioner, may appeal to the Court upon giving written notice of such appeal to the other party within seven days after such decision shall have been communicated to the party desiring to appeal.

General.

16. (a) Any employer who substantially performs the work of a shopman in his own shop shall be classed as first shopman, but where three or more employees are employed in any such shop as shopmen one of them shall be paid first shopman's wages.

(b) In the case of weekly employment a worker shall be paid the rate of wages laid down for that class of employment in which he is substantially employed.

(c) In shops and factories the rotation of employment shall be as follows: First shopman, second shopman, other workers; or first small-goods man, second small-goods man, other workers.

(d) A copy of this award shall at all times be affixed in some conspicuous place at or near the entrance to the shop or factory in such a position as to be easily accessible to the workers employed therein.

(e) At all establishments accommodation shall be provided for hanging up and for changing clothes.

(f) No worker who has charge of or who drives any motor-vehicle for his employer and accommodates such vehicle on his own premises shall be permitted to do any work to such vehicle at his premises either before or after the hours for starting or finishing work as set out in the award, or on any holiday or on a Sunday.

(g) No boy under the age of sixteen years shall be employed in charge of any cart or motor-vehicle in which meat is delivered or sold.

(h) No female shall be employed in any capacity in this industry.

Exemptions.

17. Nothing herein contained shall be deemed to relate to the employment of clerks or other persons engaged exclusively in the office work or at the cash registers of the employer.

Scope of Award.

18. This award shall operate throughout the Canterbury Industrial District.

Term of Award.

19. This award shall come into force on the 1st day of January, 1936, and shall continue in force until the 31st day of December, 1936.

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 20th day of December, 1935.

[L.S.]

E. PAGE, Judge.

MEMORANDUM.

The principal matters referred to the Court included hours of work, wages, proportion, overtime, and closing hours. As to the other matters, portion of them were agreed on in Conciliation Council and portion at conferences between the parties.

E. PAGE, Judge.