

NORTHERN, WELLINGTON, CANTERBURY, AND OTAGO AND
SOUTHLAND **WOOLLEN-MILLS AND HOSIERY-FACTORIES'**
EMPLOYEES.—AMENDMENT OF AWARD

In the Court of Arbitration of New Zealand.—In the matter of the Industrial Conciliation and Arbitration Act, 1925, and its amendments ; and in the matter of the Northern, Wellington, Canterbury, and Otago and Southland Woollen-mills and Hosiery-factories' Employees' award, dated the 20th day of December, 1946 (recorded in 46 Book of Awards 2030).

In pursuance and exercise of the powers vested in it by section 92 (1) (a) of the Industrial Conciliation and Arbitration Act, 1925, and of every other power in that behalf thereunto enabling it, this Court doth hereby order as follows :—

1. That subclause (*k*) of clause 7 of the Northern, Wellington, Canterbury, and Otago and Southland Woollen-mills and Hosiery-Factories' Employees' award, dated the 20th day of December, 1946 (recorded in 46 Book of Awards 2030) shall be deleted, and the following subclause substituted therefor :—

“ (*k*) Where one weaver attends to two looms, 10 per cent. shall be deducted from the piecework rates.”

2. That this order shall be deemed to have operated and taken effect on and from the 20th day of December, 1946.

Dated this 8th day of April, 1947.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

When the Court made the Northern, Wellington, Canterbury, and Otago and Southland Woollen-mills and Hosiery-factories' Employees' award (46 Book of Awards 2030) on 20th December, 1946, it reserved to itself authority to review subclause (k) of clause 7 at any time during the currency of the award. The reasons for this reservation were set out in the memorandum to the award. The Court has since visited several woollen-mills, and has now decided to amend the subclause in question. In accordance with the statement made in the above-mentioned memorandum, the amendment is to operate retrospectively to 20th December, 1946.

Mr. Monteith is not in agreement, and his dissenting opinion is subjoined.

Mr. Prime desires to place on record the following comment:—

“ In order that a decision may be reached in this matter, I am unable to register a formal dissent. Nevertheless, I am very definitely of the opinion that there are no adequate grounds for reducing from 15 per cent. to 10 per cent. the permissible deduction from the log rates in cases where a worker controls two looms and through the use of the additional machine obtains a greater output, but at a reduction in machine efficiency.

“ The reasons given for the decision are in the main that some mills have not in the past taken advantage of the right to make the deduction either in whole or in part. The facts are that two mills make no deduction; another mill deducts the 15 per cent. from the output of only one of the two looms, but does not pay waiting-time as provided for in the award; in another case, for a period during the war, because of special conditions relating to shifts, the deduction was discontinued in certain cases, but at present 12½ per cent. is being deducted in respect of the total output of the two looms. It has not been alleged that other mills do not make the deductions.

“ Against these facts we have the statement of mill-managers with overseas experience that the general practice in the United Kingdom and in Australia has been to allow a deduction from the one-loom log in cases where two looms are operated by a single worker, the amount of deduction ranging from 25 per cent. to 30 per cent. This statement has not been refuted, nor do I think it can be.

“ The clause allowing the present deduction of 15 per cent. has operated in New Zealand for over a quarter of a century, and until war conditions appeared to cause some unrest in one mill there has been no demand for its abolition or amendment. Indeed, the clause has been agreed upon by the parties on several occasions, and was included by agreement in the last expired award.

“ The conditions relating to piecework require that the rates should be such that an ordinary pieceworker should be able to earn not less than 15 per cent. above the time rate. It is generally accepted that

the output of a two-loom weaver, who is provided with the additional machine to enable her to produce more, will average between 40 and 50 per cent. above that of a weaver controlling one loom. There is thus some loss of efficiency, and there are variations due to different classes of materials as well as to differences in the ability or dexterity of workers. On the assumption that the log rates, based on the output of a single loom, are fixed in accordance with the condition mentioned above, a simple calculation will show that a two-loom weaver can earn 40 to 50 per cent. above the time rate. That seems to be fair remuneration, and is certainly not a reduction in earnings.

"I am unable to agree that this decision is in accordance with the Stabilization Regulations. It does not restore or preserve any past relationship, proper or otherwise, but it creates a new relationship which may give rise to discontent elsewhere.

"We have been informed that, mainly because of requests by workers' organizations for a uniform log, the various mill-managers have, after the expenditure of considerable time, thought, and consultation, succeeded in producing a piecework log which it was hoped could be universally adopted by all mills. It may be a matter for general regret if the alteration in this clause leads to the abandonment of the new log, which gave promise of giving general satisfaction."

A. TYNDALL, Judge.

DISSENTING OPINION OF MR. MONTEITH

I dissent from this decision. I cannot subscribe to the principle that when workers increase production they should get a lesser rate for such production.

The Court visited a number of mills, and the majority of such mills are making a lesser deduction than has been awarded here. To-day we want increased production, and if workers did not operate two looms one would stand idle; but when they do increase production they get a decrease in their rate. Surely no incentive to assist in increased production, and a good reason why workers are suspicious of piecework. Also, when any tribunal that has to fix wages for pieceworkers fixes less than is in operation it cannot be, in my opinion, restoring and preserving the workers' position.

At the hearing the employers' advocate made a written submission as to the basis on which the log was based: upon investigation at a number of mills such submission was not borne out.

I have looked up a number of Australian awards which cover this industry, and in one the piecework added percentage is greater by 5 per cent. than in New Zealand; otherwise they are the same as here; but none contain any clause reducing the piecework rate for two looms.