

NEW ZEALAND LEATHER, SADDLERY, AND CANVAS-GOODS  
INDUSTRIES—APPRENTICESHIP ORDER

In the Court of Arbitration of New Zealand.—In the matter of the Apprentices Act, 1948; and in the matter of the conditions of apprenticeship in the Leather, Saddlery, and Canvas-goods Industries.

WHEREAS application has been made to the Court by the New Zealand Saddlery and Canvas-goods-making Apprenticeship Committee for an apprenticeship order governing the conditions of apprenticeship in the leather, saddlery, and canvas-goods industries for the whole of New Zealand: And whereas the Court of Arbitration has delegated its powers in respect of the said application to Douglas James Dalglish, a Deputy Judge of the Court: And whereas the said Deputy Judge has heard the employers, workers, and other persons concerned, and has considered the recommendations made by the said Committee: And whereas the said Deputy Judge has deemed it expedient to make an order under section 13 of the Apprentices Act, 1948, prescribing wages, hours, and other conditions of employment to be incorporated in contracts of apprenticeship in the said industries for the whole of New Zealand, and prescribing such other matters and things as the Court of Arbitration is required and authorized by the said section or elsewhere to prescribe: Now, therefore, the said Deputy Judge doth hereby order and prescribe as follows:—

*Industries to which Order Applies*

1. The industries to which this order shall apply are those included in the following branches as defined in the schedule hereto: leather- and/or fibre-bag making; saddle-making and/or saddle-repairing and bridle and harness making and repairing; collarmaking; fancy-bag making; machine-belt making; sailmaking; canvas-goods making (hereinafter referred to as "the industries").

*Application of Order*

2. The provisions of this order shall apply to all employers of apprentices in the industries throughout New Zealand (whether bound by an award or agreement relating to the industries or not), and to all apprentices employed by such employers in such industries, and to all contracts of apprenticeship (including those in force at the time of coming into force of this order) between such employers and apprentices, whether or not such contracts have been reduced to writing. (An "agreement" is an industrial agreement filed under

section 28 of the Industrial Conciliation and Arbitration Act, 1925, or an agreement filed under section 8 of the Labour Disputes Investigation Act, 1913.)

#### *Prior Consent of Committee*

3. (a) No employer shall engage any person as an apprentice on probation or enter upon any contract of apprenticeship without the prior consent in writing of the appropriate local Apprenticeship Committee (hereinafter called the "local Committee") or, where there is no such Committee, of the District Commissioner or Apprenticeship (hereinafter called the "District Commissioner").

(b) An employer, before taking an apprentice to learn a branch of the industry, shall first satisfy the Committee or the District Commissioner, as the case may be, that he is a suitable employer, is in a position to continue in business as an employer, and has the facilities for properly teaching him the branch of the industry to which he is apprenticed.

#### *Contracts to be Registered*

4. Every contract of apprenticeship, and every alteration or amendment thereof, shall be registered with the appropriate District Commissioner within a period of twenty-eight days after the commencement of the employment of the apprentice (in the case of an original contract) or within fourteen days of the making of the alteration (in the case of an altered contract). If the contract or alteration is not presented for registration as aforesaid, the parties thereto shall be severally liable to a fine not exceeding £10 under the Apprentices Act, 1948.

#### *Minimum Age*

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

#### *Term of Apprenticeship*

6. (a) The term of apprenticeship in leather-bag making, in saddlemaking and/or saddle-repairing and bridle and harness making and repairing, in sailmaking, and in canvas-goods making shall be 10,000 hours, divided into ten 1,000-hour periods.

(b) The term of apprenticeship in fibre-bag making, in fancy-bag making, and in machine-belt making shall be 8,000 hours, divided into eight 1,000-hour periods.

(c) In collarmaking, the term of apprenticeship for a person who commences his apprenticeship when under seventeen years of age shall be 10,000 hours, divided into ten 1,000-hour periods, and for a person who commences when seventeen years of age or over shall be 8,000 hours, divided into eight 1,000-hour periods.

(d) A person who has attained the age of eighteen years and who desires to enter into a contract of apprenticeship may apply for a special contract of apprenticeship under section 25 of the Apprentices Act, 1948.

(e) Except as provided in subclauses (f) and (g) of this clause, only working-hours shall be reckoned as time served.

(f) Except for annual holidays under the Annual Holidays Act, 1944, all holidays provided for in the award or agreement referred to in clause 9 of this order which are taken by an apprentice shall be deemed to be time served under his contract, with a maximum of eight hours for any one day. Time worked on such holidays shall be added to the time deemed to be time served.

(g) All time lost by an apprentice through his own default or sickness in any period of his employment shall be made up before such apprentice shall be considered to have entered upon the next succeeding period of his employment, and the total period of his employment shall be extended by a period equivalent to such lost time; but an apprentice working overtime shall have such time added to his ordinary time in calculating the respective period of his employment. Any time lost through accident arising out of and in the course of the employment shall be made up by an extension of the final period, at the wages for that period.

(h) Where the New Zealand Apprenticeship Committee is of the opinion that time served in a related occupation prior to the date of application for engagement of an apprentice should be credited to the apprentice it may, on application made to it by or through a local Committee, fix a term of not less than 6,000 hours.

(i) Every apprentice whose contract of apprenticeship is in force at the time of coming into force of this order and whose term is hereby completed, or shortened so that he will have less than one year to serve, shall, notwithstanding the provisions of subclauses (b) and (c) above, serve for 1,000 hours in excess of the 8,000 prescribed, or such less term as is required to complete his present contract, receiving for that period journeymen's rates of pay.

*Period of Probation*

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

*Proportion*

8. (a) 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 every journeyman employed in the branch in which the apprentice is apprenticed.

(b) Where an employer is entitled, by the provisions of subclause (a) of this clause to only one apprentice, and when that apprentice has served for 6,000 hours, an additional apprentice may be taken on, provided that the prior consent of the local Committee or, where there is no Committee, the District Commissioner has been obtained.

(c) The proportion of apprentices to journeymen employed by any employer shall, for the purpose of determining whether or not such employer is entitled to enter into a contract of apprenticeship with an apprentice, be based upon the number of journeymen who at the date of making application to the local Committee or the District Commissioner, as the case may be, had been employed in that establishment for not less than six months preceding that date.

(d) For the purposes of this order an employer who himself works substantially at the trade shall be entitled to count himself as a journeyman.

(e) The powers and discretions provided for in section 29 of the Apprentices Act, 1948, may be exercised by the District Commissioner and the local Committee, notwithstanding that the employer to whom it is proposed to transfer an apprentice is already employing the full quota of apprentices as determined by the apprenticeship order.

*Wages*

9. The minimum weekly rates of wages payable to apprentices shall be the undermentioned percentages of an amount equal to forty times the minimum hourly wage rate for journeymen in the branch of the industry to which the apprentice is apprenticed as prescribed by the award or agreement relating to the employment of such journeymen for the time being and from time to time in force in the establishment in which the apprentice is employed or, if there is no such award or agreement, as prescribed by the

award or agreement relating to the employment of such journeymen for the time being and from time to time in force in a locality including the City of Wellington:—

(i) For apprentices serving a 10,000-hour term:—

Those commencing their apprenticeship when under seventeen years of age—

	Per Cent.
First 1,000 hour period ..	23
Second 1,000 hour period ..	29
Third 1,000 hour period ..	35
Fourth 1,000 hour period ..	41
Fifth 1,000 hour period ..	47
Sixth 1,000 hour period ..	53
Seventh 1,000 hour period ..	59
Eighth 1,000 hour period ..	65
Ninth 1,000 hour period ..	71
Tenth 1,000 hour period ..	77

Those commencing their apprenticeship when seventeen years of age or over—

	Per Cent.
First 1,000 hour period ..	29
Second 1,000 hour period ..	35
Third 1,000 hour period ..	41
Fourth 1,000 hour period ..	47
Fifth 1,000 hour period ..	53
Sixth 1,000 hour period ..	59
Seventh 1,000 hour period ..	65
Eighth 1,000 hour period ..	71
Ninth 1,000 hour period ..	77
Tenth 1,000 hour period ..	83

(ii) For apprentices serving an 8,000-hour term:—

Those commencing their apprenticeship when under seventeen year of age—

	Per Cent.
First 1,000 hour period ..	23
Second 1,000 hour period ..	30
Third 1,000 hour period ..	38
Fourth 1,000 hour period ..	46
Fifth 1,000 hour period ..	54
Sixth 1,000 hour period ..	62
Seventh 1,000 hour period ..	70
Eighth 1,000 hour period ..	77

Those commencing their apprenticeship when seventeen years of age or over—

	Per Cent.
First 1,000 hour period .. ..	30
Second 1,000 hour period .. ..	38
Third 1,000 hour period .. ..	46
Fourth 1,000 hour period .. ..	54
Fifth 1,000 hour period .. ..	62
Sixth 1,000 hour period .. ..	70
Seventh 1,000 hour period .. ..	77
Eighth 1,000 hour period .. ..	83

#### *Apprentices from Overseas*

10. A person under twenty-one years of age who has served part of his apprenticeship to the industries outside of New Zealand may complete the term of apprenticeship herein provided for with any employer on furnishing to the District Commissioner a certificate from his former employer and such other evidence (if any) as the District Commissioner and the local Committee may require in order to show the time served by such person as an apprentice outside of New Zealand. The District Commissioner shall refuse to register any contract of apprenticeship entered into under the provisions of this clause until such evidence has been furnished to the satisfaction of himself and the Committee. Any party affected by the decision of the District Commissioner may, within fourteen days, appeal to the Court, whose decision shall be final and conclusive.

#### *Deductions by Employer*

11. An employer shall be entitled to make a rateable deduction from the wages of an apprentice for any time lost through sickness in excess of five working-days in any 1,000-hour period or any time lost through his own default. Accidents not arising out of and in the course of the employment shall be deemed to be sickness and the provisions of this order relating to payment of and deductions from wages and making up time in case of sickness shall apply also. The employer may require the production of a medical certificate before payment is made for time lost through sickness or accident.

#### *Hours*

12. The hours worked by an apprentice shall, subject to the provisions of any statute, be those normally worked by journeymen as prescribed by the award or agreement referred to in clause 9 of this order.

*Overtime*

13. (a) Apprentices under sixteen years of age shall not be required or permitted to work overtime.

(b) Apprentices under eighteen years of age shall not be required or permitted to work more than seven hours in any one week, and then only if under the supervision of a journeyman.

(c) Apprentices over eighteen years of age shall not be required or permitted to work overtime more than ten hours in any one week, and then only if under the supervision of a journeyman.

(d) An employer shall not permit an apprentice to work overtime on any night on which he has to attend classes at a school.

(e) Payment for overtime shall be calculated in the manner prescribed for journeymen in the award or agreement referred to in clause 9 of this order and at the wage-rate received by the apprentice: Provided that the minimum payment shall be 1s. 9d. an hour in any case.

*Conditions of Award to Apply*

14. The conditions of the award or agreement referred to in clause 9 hereof, in so far as they relate to the method and time of payment of wages, holidays, meal-money, and other matters (other than membership of union) relating generally to the employment and not in conflict with this order, shall be applicable to apprentices.

*Contracts to Accord with Act*

15. Every contract of apprenticeship shall accord with the provisions of the Apprentices Act, 1948, and with 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 provisions 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.

*Obligations of Apprentice*

16. 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, that he will not absent himself from the employer's service during working-hours without the leave of the employer (subject to appeal to the local Committee or, where there is no Committee, to the District Commissioner) or except as permitted by this order, and that he 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 if known to him, but will do everything in his power to prevent the same.

#### *Obligations of Employer*

17. (a) 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 branch of the industry in which he is apprenticed in accordance with the provisions of the Apprentices Act, 1948, and of this order and any amendments thereof.

(b) Every contract shall contain a list of the operations and skills to be taught the apprentice, based on the schedule to this order, and approved by the local Committee or, where there is no Committee, the District Commissioner.

(c) In every contract made after the coming into force of this order there shall be included the title of the person who is to undertake or supervise the actual training of the apprentice. The responsibility of the person so included by his title shall be limited to actual training or supervision thereof, and shall not be held to relieve the employer as contracting party of his contractual responsibilities.

#### *Premiums Forbidden*

18. 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.

#### *Special Contracts*

19 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 25 of the Apprentices Act, 1948.



*Revocation of Orders*

20. The following apprenticeship orders and any amendments thereto are hereby revoked as from the date of the coming into operation of this order:—

Northern Industrial District Saddlemakers, Bagmakers, &c., apprenticeship order, dated 22nd September, 1924, and recorded in 25 Book of Awards 978.

Wellington Industrial District Saddlery, &c., Making Industry apprenticeship order, dated 10th day of September, 1926, and recorded in 26 Book of Awards 825.

*Date of Operation*

21. This order shall operate and take effect as from the 1st day of February, 1949.

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SCHEDULE

## OPERATIONS AND SKILLS

In each branch of the industry employers are required by clause 17 (b) of this order to include in each contract of apprenticeship a list of operations and skills to be taught the apprentice. The list proposed in each case is to be selected from the operations and skills in each branch given below and is to be approved by the local Committee or, where there is no Committee, the District Commissioner. In each branch an apprentice towards the end of his apprenticeship should be able to make a complete article or articles.

(1) *Leather- and/or Fibre-bag Making*.—Cutting, clicking, hand sewing, machine sewing, corner stitching, riveting, handle-making, strap-making, cutting and making and fitting fancy linings, attaching furnishings and fittings, glueing and covering, trunk-tray-making, as used in the making of suit-cases, attache-cases, hat-boxes, bowls-cases, music-cases, lodge-cases, trunks, kit-bags, brief-bags, and similar articles, in one or more of the following materials—namely, leather, canvas, fibre board, vulcanite, plywood.

(2) *Saddlemaking*.—Machining and making of panels, cutting and creasing flaps and skirts, preparing seats for seaming, building and blocking pads (English and colonial), straining trees, setting bellies and seats, assembling and finishing for the following types—namely, park, police or stock, hunting, polo, breaker, exercise, race.

(3) *Saddle-repairing and Bridle and Harness Making and Repairing*.—A selection from the operations and skills in (2) above, together with cutting and stitching (hand and machine) of various parts of harness, including trotting and dray harness; making of reins, bridles, and plough gear; making of van, dray, and pack saddles; proper cutting of a side of leather.

(4) *Collar-making*.—Cutting, preparing, and stitching of materials used; making rolls and body; flapping and finishing.

(5) *Fancy-bag Making*.—Cutting of leather, linings, and stiffeners; skiving (machine and hand), glueing and assembling, fixing of fasteners, framing, and finishing; machining, quantity measuring, pattern cutting and designing.

(6) *Machine-belt Making*.—Selecting and grading materials for cutting out, making up, splicing, and machine pressing of leather belting; selecting materials for, blocking and finishing of, hydraulic packing, &c.

(7) *Sailmaking and Canvas-goods Making*.—Operating light and heavy sewing-machines, working holes, hand stitching, measuring and cutting of sails and all classes of work in canvas and similar materials, laying out of work, roping and splicing, wire-rope splicing.

Dated this 21st day of December, 1948.

D. J. DALGLISH, Deputy Judge,  
acting in pursuance of an order of delegation of the  
Court of Arbitration.

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