

WELLINGTON AND OTAGO AND SOUTHLAND INDUSTRIAL  
DISTRICTS **FELT-HATTERS.**—AWARD.

*[Filed in the Office of the Clerk of Awards, Dunedin.]*

In the Court of Arbitration of New Zealand, Wellington and Otago and Southland Industrial Districts.—In the matter of the Industrial Conciliation and Arbitration Act, 1925; and in the matter of an industrial dispute between the New Zealand Felt-hatters' Industrial Association of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

National Hat-mills, Ltd., 15 Adelaide Road, Wellington.

Phyphian, J. F., 58 Victoria Street, Wellington.

Ross and Glendining, Ltd., High Street, Dunedin.

Triester and Co., Ltd., 193 Vivian Street, Wellington.

Union Felt Hat Co., Ltd., 686 King Street, Dunedin.

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 as hereinafter provided and shall continue in force until the 31st day of December, 1938, 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 July, 1938.

[L.S.]

P. J. O'REGAN, Judge.

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SCHEDULE.

*Industry to which Award applicable.*

1. The industry to which this award applies is the manufacture of felt hats of every description.

*Hours of Work.*

2. Forty hours shall constitute a week's work, to be worked between the hours of 8 a.m. and 5 p.m. from Monday to Friday, both days inclusive.

*Overtime.*

3. All time worked outside or in excess of the hours prescribed in clause 2 hereof shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

*Holidays.*

4. (a) The following shall be the recognized holidays: Christmas Day, Boxing Day, New Year's Day, Anzac Day, Good Friday, Easter Monday, Labour Day, and the birthday of the reigning Sovereign. Should any of the foregoing holidays fall on an ordinary working-day—*i.e.*, Monday to Friday, both days inclusive—payment shall be made therefor at ordinary rates.

(b) Work performed on any of the holidays prescribed in subclause (a) hereof shall be paid for at double time rates.

*Annual Holiday.*

5. (a) An annual holiday of one week on full pay shall be allowed to all female workers on completion of each year of service, such holiday to be given at a time suitable to the employer but to commence not later than one month from such completion, except when otherwise arranged with the union. Such holiday shall be in addition to the holidays specified in subclause (a) of clause 4 hereof. In computing the yearly period broken time shall be counted as time worked.

(b) If the employment of any worker is terminated by either party for any reason, other than by the employer for misconduct of the worker, before the completion of the first year of service but after three months' service being part thereof has been completed, or at any time after the first year of service has been completed, a holiday of proportionate duration for the broken period served shall be allowed or paid for.

*Wages.*

6. The minimum rate of wages shall be 2s. 9d. per hour for the following classes of work: Blocking (steam or water); open or box framing; finishing (hand or machine); shaping in its entirety; flanging; cutting; velouring (before or after trimming); pressing; proofing in its entirety; felt hats of all descriptions.

*Employment of Females.*

7. (a) The minimum rates of wages payable to females shall be as follows:—

	Per Week.		
	£	s.	d.
For the first six months . . .	0	17	0
For the second six months ..	1	1	0
For the third six months ..	1	5	0
For the fourth six months ..	1	9	0
For the fifth six months ..	1	13	0
For the sixth six months ..	1	17	0
For the fourth year ..	2	3	0
Thereafter .. .. .	2	10	0

Provided that a worker of the age of twenty-one years or upwards shall be paid not less than the basic wage for the time being prevailing.

(b) Any employer shall be entitled to make a rateable deduction from the wages of any worker for any time lost by her through sickness or default or on account of the temporary closing of the factory for cleaning or repairing the machinery.

(c) In addition to the deductions provided for in the preceding subclause, an employer shall be entitled to make a rateable deduction from the wages of any worker eighteen years of age or over for any time lost by reason of the closing of the factory, or any part of it, for stocktaking, or for cleaning, repairing, or altering the premises, or for the annual factory holidays.

(d) When work is not available at the factory and notice has not been given to a worker on the previous day, any worker who attends at the factory for the purpose of working shall be paid for at least four hours' work. When such worker is required to attend in the afternoon, such worker shall be paid for four hours' work although no work is available. When a worker has commenced work and, by reason of a stoppage of the machinery, is unable to continue working, payment shall be made as though such worker had worked for the half-day period.

*Piecework by Females.*

8. Piecework by females is permitted provided that the workers on piecework shall receive not less than the minimum time rate prescribed in this award.

*Matters not provided for.*

9. Any dispute in connection with any matter not provided for in this award shall be settled between the particular employer concerned and the president or secretary of the union,

and in default of any agreement being arrived at, then such dispute shall be referred to the local 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 fourteen days after such decision shall have been communicated to the party desiring to appeal.

*Workers to be Members of Union.*

10. (a) It shall not be lawful for any employer bound by this award to employ or to continue to employ in any position or employment subject to this award any adult person who is not for the time being a member of an industrial union of workers bound by this award or who is not for the time being a member of a trade-union which was registered as such before the 1st day of May, 1936, and which is bound by this award: Provided, however, than any non-unionist may be continued in any position or employment by an employer bound by this award during any time while there is no member of a union bound by this award who is available to perform the particular work required to be done and is ready and willing to undertake it.

(b) For the purposes of subclause (a) of this clause a person of the age of eighteen years or upwards, and every other person who for the time being is in receipt of not less than the minimum rate of wages prescribed by this award for workers of the age of twenty-one years and upwards, shall be deemed to be an adult.

(NOTE.—Attention is drawn to subsection (4) of section 18 of the Industrial Conciliation and Arbitration Amendment Act, 1936, which gives to workers the right to join the union.)

*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 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.

*Application of Award.*

12. This award shall apply to the original parties named herein, and shall extend to and bind as subsequent party hereto every trade-union, industrial union, industrial association, or employer who, not being an original party hereto, is, when this award comes into force or at any time whilst this award is in force, connected with or engaged in the industry to which this award applies within the industrial districts to which this award relates.

*Scope of Award.*

13. This award shall operate throughout the Wellington and Otago and Southland Industrial Districts.

*Term of Award.*

14. This award in so far as it relates to the wages of males as provided in clause 6 hereof shall be deemed to have come into force on the 1st day of February, 1938, and in so far as it relates to the wages of females referred to in clause 7 hereof shall be deemed to have come into force on the 27th day of June, 1938, and so far as all the other conditions of this award are concerned it shall come into force on the day of the date hereof; and this award shall continue in force until the 31st day of December, 1938.

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 July, 1938.

[L.S.]

P. J. O'REGAN, Judge.

## MEMORANDUM.

The only matter referred to the Court was the claim for an annual holiday. The Court finds that in the Northern Industrial District Hatters' award, which relates to male workers only, no annual holiday is allowed, but that the female workers in this industry in Auckland are covered by the Dressmakers and Milliners' award, which provides for an annual holiday. The Court has accordingly allowed a similar provision for female workers in this award, which will expire at the same time as the Northern Industrial District Hatters' award. The question thereafter can be reconsidered, and the Court hopes that any future dispute will be on a Dominion basis.

P. J. O'REGAN, Judge.