

**CANTERBURY MALE HAIRDRESSERS AND TOBACCONISTS'
ASSISTANTS—AWARD**

In the Court of Arbitration of New Zealand, Canterbury Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925, and its amendments; and in the matter of an industrial dispute between the Christchurch Hairdressers' and Tobacconists' Assistants' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

Cartwright, G. N., 128 East Street, Ashburton.

Griffiths, R. T. J., 53 East Street, Ashburton.

Johnston, K. S., Burnett Street, Ashburton.

McElhinney, B., 56 Tancred Street, Ashburton.

Sherbourne, E. G., 92 Burnett Street, Ashburton.

Taylor, H. E., 82 East Street, Ashburton.

Wafer, J. B., Alford Forest Road, Allenton, Ashburton.

Ansley Bros., 106 Cashel Street, Christchurch.

Barlow, A. A., 283 High Street, Christchurch.

Breen, A. T., 11 North Road, Papanui, Christchurch.

Brown, B. C., 4A Papanui Road, Christchurch.

Brown, R. W., 135 Armagh Street, Christchurch.

Carpenter, F. H., 2 Burnside Road, Fendalton, Christchurch.

Cockerell, A. B., 111D Riccarton Road, Riccarton, Christchurch.

- Collie, D. G., 651 Colombo Street, Christchurch.
 Colligan, J. L., 135A Cashel Street, Christchurch.
 Cottam, E. F., 628 Ferry Road, Woolston, Christchurch.
 Dale, A. H., Cathedral Square, Christchurch.
 Darroch, J., 159 Cashel Street, Christchurch.
 Edmonds, C. D., 211 Manchester Street, Christchurch.
 Egan, A., 58 Warrington Street, St. Albans, Christchurch.
 Eslick's, Ltd., 720 Colombo Street, Christchurch.
 Fearon, E., 91 Manchester Street, Christchurch.
 Finney's, Ltd., 276 High Street, Christchurch.
 Finney's, Ltd., 136A Hereford Street, Christchurch.
 Finney's, Ltd., 5 Cathedral Square, Christchurch.
 Fowke, D. J., 235 Riccarton Road, Riccarton, Christchurch.
 Gibson, C., 86 Seaview Road, New Brighton, Christchurch.
 Gifford, R. G., 221 Cashel Street, Christchurch.
 Guy, L. O., 427 Colombo Street, Sydenham, Christchurch.
 Hampton, V. R., 302 Selwyn Street, Spreydon, Christchurch.
 Horgan, J. B., 335A Stanmore Road, Christchurch.
 Jones, J. R., 111b Hereford Street, Christchurch.
 Kershaw, S. B., 287 Lincoln Road, Christchurch.
 Kidd, B. C., 57A Lincoln Road, Christchurch.
 Kidd, H. C., 106 Riccarton Road, Riccarton, Christchurch.
 Lamont, C., 346 Lincoln Road, Christchurch.
 Lennie, L. A., 75 Manchester Street, Christchurch.
 Lloyd & Bell, 253 High Street, Christchurch.
 McAuley, D., 182 Manchester Street, Christchurch.
 McClatchy & Son, 181A High Street, Christchurch.
 Maddren, J. P., 434 Colombo Street, Sydenham, Christchurch.
 Mitchell's, 173 Manchester Street, Christchurch.
 Neill, M. R., 76A Malcolm Avenue, Beckenham, Christchurch.
 Noble, W. J., 84A Cashel Street, Christchurch.
 Norrell, A. C., 393 Worcester Street, Linwood, Christchurch.
 Nunes, J., 222 Kilmore Street, Christchurch.
 O'Sullivan, J. M., 268 Cashel Street, Christchurch.
 Pearce, G., 177 Colombo Street, Christchurch.
 Pendrigh Bros., 118 Oxford Terrace, Christchurch.
 Pepper, F. R., 2B Buckleys Road, Bromley, Christchurch.
 Phillips, F. R., 173 Victoria Street, Christchurch.
 Phillips, D., 183 Ferry Road, Christchurch.
 Radcliffe, R. J., 163A Cranford Street, St. Albans, Christchurch.
 Reid, K., 6 Manchester Street, Christchurch.
 Robertson, R., 95 Sumner Road, Redcliffs, Christchurch.
 Rosewell, E., 132 Manchester Street, Christchurch.
 Rule, Hector, 279 Shirley Road, Shirley, Christchurch.
 Rule, H. W., 221 Papanui Road, Christchurch.
 Sanderson, J. D., 202A High Street, Christchurch.
 Shanahan, J. P., 464 Worcester Street, Linwood, Christchurch.
 Skinner, P., 122 Manchester Street, Christchurch.
 Smale, A., 204 Ferry Road, Christchurch.
 Smith, G. A., 19 Wakefield Avenue, Sumner, Christchurch.
 Smith, K. R., 1062 Colombo Street, St. Albans, Christchurch.
 Stalker, H. J., 4 Normans Road, Papanui, Christchurch.
 Townsend, J. W., 477 Ferry Road, Woolston, Christchurch.
 Vernall, H. W., 141 Manchester Street, Christchurch.
 Vincent, F. G., 10 Wakefield Avenue, Sumner, Christchurch.
 Waine, G. E., 116 Hereford Street, Christchurch.
 Watson, L. V., 354 Lincoln Road, Christchurch.
 White, O. C., 613 Colombo Street, Christchurch.

Whiting, D., 142 High Street, Christchurch.
 Whiting, G., Victoria Street, Christchurch.
 Woodham, G., 368A Riccarton Road, Riccarton, Christchurch.
 Woodward's, Ltd., 95 Cathedral Square, Christchurch.
 McLean, G., Main Street, Fairlie.
 Wade, J., Main Street, Fairlie.
 Chappell, R., 68 Cookson Street, Kaiapoi.
 Johnson, E. J., High Street, Kaiapoi.
 Fever, F. W., High Street, Leeston.
 Bruce, D., 21 London Street, Lyttelton.
 Clark, G., 12 Oxford Street, Lyttelton.
 Sharr, L. R., 38 Norwich Quay, Lyttelton.
 Wales, S. W., Norwich Quay, Lyttelton.
 Whiting, A., Mayfield.
 Brown, D., Railway Terrace, Rakaia.
 Pulley, G. W., 102 Victoria Street, Rangiora.
 Pulley, V. H., 76 High Street, Rangiora.
 Lawson, G., 189 Main South Road, Sockburn.
 McIntyre, D., Southbridge.
 Cornwall, C. H., King Street, Temuka.
 Martin, M. F., King Street, Temuka.
 Clark, H. J., 136 Stafford Street, Timaru.
 Dineen, J., 206 Stafford Street, Timaru.
 Ford, G. E., 185 Stafford Street, Timaru.
 Gibson, E. S., 8 Church Street, Timaru.
 Langridge, W. G., 186A Stafford Street, Timaru.
 Loach, R., 15 Arcade, Timaru.
 Mackay, J. M., 24 George Street, Timaru.
 Neilson, A. F., 199 Stafford Street, Timaru.
 Pratt, E., Junior, 214 Stafford Street, Timaru.
 Walker, N. T., 44 Stafford Street, Timaru.
 Watson, R. D., 328 Stafford Street, Timaru.
 Whitehouse, Geo., 280 Stafford Street, Timaru.
 Wurm, F. H., 157 Stafford Street, Timaru.
 Convery, P. J., Queen Street, Waimate.
 Jones, J. G., Queen Street, Waimate.
 Lane, W. G., High Street, Waimate.

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 8th day of September, 1950, 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 8th day of September, 1949.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Definition

1. This award shall apply to workers employed at one or more of the following classes of work—namely, haircutting, shaving, razor-setting, shampooing, face-massaging, and/or attending to the needs of the customer. This award shall also apply to employees engaged in the retail sale of hairdressing and tobacconists' supplies, other than occupiers either permanently or temporarily appointed as such while such appointment remains in force.

Hours of Work

2. (a) The hours of work shall not exceed forty per week exclusive of meal intervals, and shall be worked between the hours of 8.30 a.m. and 5.30 p.m. on four days of the week (Monday to Thursday inclusive), and between 8.30 a.m. and 8.30 p.m. or between 9 a.m. and 9 p.m. on one day of the week (Friday). The hours at which work shall cease are subject to the provisions of clause 3 hereof. Notwithstanding the foregoing limitations, assistants in saloons which observe two half-holidays weekly may commence work at 8 a.m. on three days of the week.

(b) The day's work shall be continuous from the hour of starting, save only for intervals for meals.

(c) Except in that portion of the industrial district lying south of the Rangitata River, the working-hours during Carnival Week shall end as follows: Monday, Tuesday, Wednesday, 5.30 p.m.; and Thursday, 8.30 p.m.

(d) The working-hours on Christmas Eve and New Year's Eve shall end not later than 9 p.m.

(e) In the event of a full holiday falling on a Friday the working hours of the previous Thursday shall end not later than 9 p.m.

(f) A statement setting out the hours of work, including starting, finishing, and meal hours of each worker, shall be posted in each saloon.

(g) One hour shall be allowed for a meal between 11.30 a.m. and 2 p.m. on each day of the week (Monday to Friday inclusive), and one hour shall be allowed between 4.30 p.m. and 7 p.m. on the day on which the late night is observed.

Work in Hand

3. (a) Work in hand shall be finished before the workers leave their work.

(b) "Work in hand" shall be deemed to mean work in the chair at five minutes before the hour for ceasing work as fixed in clause 2 hereof and shall be limited to one operation.

Classification of Workers

4. (a) For the purposes of this award there shall be two classes of labour—viz., journeymen and shop-assistants.

(b) A journeyman shall be one, other than a shop-assistant, who has been employed in the trade for a total period of four and a half years.

(c) A shop-assistant shall be deemed to be an employee who is engaged in any capacity in connection with the reception, display, sale of goods, or orders for goods in or for the establishment of those employers who are bound by this award.

Wages

5. (a) The minimum rate of wages for journeymen shall be £7 3s. 4d. per week from the 19th May, 1949, to the 31st May, 1949, and £7 16s. 8d. per week on and from the 1st June, 1949.

(b) Shop-assistants may be employed at not less than the following weekly rates:—

Males:—

TABLE "A"—PAYABLE FROM THE 19TH MAY, 1949, TO THE 31ST MAY, 1949

Age Commencing.	First Six Months.	Second Six Months.	Third Six Months.	Fourth Six Months.	Fifth Six Months.	Sixth Six Months.	Fourth Year.	Fifth Year.	There-after.
16 to 17 ..	30/6	36/6	43/6	50/-	57/-	63/6	74/-	123/6	136/2
17 to 18 ..	34/-	39/6	47/-	53/6	60/6	67/6	78/-	128/6	136/2
18 to 19 ..	39/6	45/6	53/6	60/-	67/6	78/-	114/-	128/6	136/2
19 to 20 ..	49/-	55/6	75/-		114/-		125/-	136/2	136/2
20 to 21 ..	61/6	70/-	114/-		125/-		136/2	136/2	136/2
21 and over ..	114/-		125/-		136/2		136/2	136/2	136/2

TABLE "B"—PAYABLE ON AND FROM THE 1ST JUNE, 1949

Age Commencing.	First Six Months.	Second Six Months.	Third Six Months.	Fourth Six Months.	Fifth Six Months.	Sixth Six Months.	Fourth Year.	Fifth Year.	There-after.
16 to 17 ..	33/6	40/-	47/6	55/-	62/6	69/6	81/-	135/2	147/10
17 to 18 ..	37/-	43/6	51/6	58/6	66/6	74/-	85/6	140/2	147/10
18 to 19 ..	43/6	50/-	58/6	66/-	74/-	85/6	125/-	140/2	147/10
19 to 20 ..	53/6	61/-	82/-		125/-		136/8	147/10	147/10
20 to 21 ..	67/6	76/6	125/-		136/8		147/10	147/10	147/10
21 and over	125/-		136/8		147/10		147/10	147/10	147/10

Females:—

TABLE "A"—PAYABLE FROM THE 19TH MAY, 1949, TO THE 31ST MAY, 1949

Age Commencing.	First Six Months.	Second Six Months.	Third Six Months.	Fourth Six Months.	Fifth Six Months.	Sixth Six Months.	Fourth Year.	Fifth Year.	There-after.
16 to 17 ..	26/-	31/6	38/6	44/-	51/-	56/6	63/-	71/-	81/10
17 to 18 ..	29/6	35/-	42/-	47/-	54/6	60/-	66/6	78/-	81/10
18 to 19 ..	34/-	39/6	46/-	53/6	63/-		77/-	81/10	81/10
19 to 20 ..	38/-	44/6	53/6	62/-	76/-		81/10	81/10	81/10
20 to 21 ..	44/-	52/6	68/6	76/-	81/10		81/10	81/10	81/10
21 and over ..	68/6	75/-	81/10		81/10		81/10	81/10	81/10

TABLE "B"—PAYABLE ON AND FROM THE 1ST JUNE, 1949

Age Commencing.	First Six Months.	Second Six Months.	Third Six Months.	Fourth Six Months.	Fifth Six Months.	Sixth Six Months.	Fourth Year.	Fifth Year.	There-after.
16 to 17 ..	28/6	34/6	42/6	48/6	56/-	62/-	69/6	78/-	91/10
17 to 18 ..	32/6	38/6	46/-	51/6	60/-	66/-	73/-	86/-	91/10
18 to 19 ..	37/6	43/6	50/6	59/-	69/6		84/6	91/10	91/10
19 to 20 ..	42/-	49/-	59/-	68/-	83/6		91/10	91/10	91/10
20 to 21 ..	48/6	58/-	75/6	83/6	91/10		91/10	91/10	91/10
21 and over ..	75/6	82/6	91/10		91/10		91/10	91/10	91/10

(NOTE.—Attention is drawn to the provisions of the Minimum Wage Act, 1945.)

Casual Workers

6. (a) Casuals may be employed and shall be paid—
 From 19th May, 1949, to 31st May, 1949, 3s. 7d. per hour, with a minimum payment of 10s. 9d.
 On and from 1st June, 1949, 3s. 11d. per hour, with a minimum payment of 11s. 9d.

(b) A "casual" is a worker engaged to be employed for less than the normal working-hours in any weekly period.

Weekly Employment

7. Except in the case of casuals, the employment shall be deemed to be a weekly one, and no deduction shall be made from the weekly wages except for time lost through the worker's own sickness, default, or accident, or for any cause outside the control of the employer.

Holidays

8. (a) Full holidays shall be observed on New Year's Day and the day following, Christmas Day, Good Friday, Easter Monday, Anzac Day, Labour Day, Show Day, the birthday of the reigning Sovereign, and Boxing Day.

(b) Should any of the above holidays, except Anzac Day, fall on a Saturday or a Sunday, then for the purposes of this award, it shall be observed on the following Monday. In the event of Christmas Day and New Year's Day being observed on Mondays in pursuance of the foregoing, Boxing Day and the day following New Year's Day shall be observed on the Tuesday following the respective Mondays.

(c) An annual holiday shall be allowed in accordance with the Annual Holidays Act and its amendments.

Uniforms

9. Where the employer requires an assistant to wear white or coloured uniforms and/or jackets, the same shall be laundered by the employer. An employer who requires a worker to wear any distinctive or special uniform (other than an ordinary white uniform or black alpaca or grey coat) shall pay the cost of such uniform.

General Conditions

10. (a) Workers shall be allowed to partake of refreshment at convenient times during each morning and afternoon.

(b) On each employer's premises a space shall be set apart for the workers to hang their clothing, such places, as far as practicable, to ensure a reasonable degree of safety.

Time and Wages Book

11. Every employer bound by this award shall keep a wages and time book showing in the case of each employee—

- (i) The name of each employee, together with his or her age if under twenty-one years of age.
- (ii) The kind of work on which he or she is usually employed.
- (iii) The hours of work during which he or she has been employed on each day, showing the starting and finishing time each day.
- (iv) The wages paid on each pay-day, and the date thereof.
- (v) Such other particulars as are prescribed by regulations.

Closing of Shops

12. (a) In exercise of the powers vested in the Court by the Shops and Offices Act, 1921-22, it is ordered that all shops in which is carried on any class of business to which this award relates shall be opened on five working-days of the week at an hour being not earlier than 7 a.m. and shall be closed on four working-days of the week at 5.45 p.m. and on one working-day of the week at 9 p.m. The said shops shall not be open for business on Saturdays.

(b) All the said shops shall be closed from the hour of 7 a.m. on each of the days prescribed by this award as whole holidays (including days lawfully observed as holidays in lieu of any prescribed).

(c) This clause shall be read subject to the provisions of section 3 (2) and section 5 of the Shops and Offices Act, 1921-22.

Disputes Committee

13. 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 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

14. (a) Subject to the provisions of subsection (5) of section 18 of the Industrial Conciliation and Arbitration Amendment Act, 1936, 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.

(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.

(c) Every person who, being obliged to become a member of any union by the operation of the foregoing provisions, fails to become a member of that union when requested so to do by his employer or any officer or representative of the union, commits a breach of this award, and shall be liable accordingly.

(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

15. (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

16. 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 district to which this award relates.

Scope of Award

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

Term of Award

18. Except where otherwise provided, this award, in so far as it relates to wages, shall be deemed to have come into force on the 19th day of May, 1949, 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 8th day of September, 1950.

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 8th day of September, 1949.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The matters referred to and settled by the Court were as follows: hours of work, all wage rates, annual holidays, provision of uniforms and laundering same, term of award, and operative date of provisions relating to wages.

In compliance with the direction of the Legislature contained in section 89 (8) of the Industrial Conciliation and Arbitration Act, 1925, as amended by section 21 of the Statutes Amendment Act, 1948, certain rates of wages have been made to take effect from the 19th May, 1949.

A. TYNDALL, Judge.
