

Under-rate Workers.

9. (a.) Any worker who considers himself incapable of earning the minimum wage in paragraph 2 hereof fixed may be paid such lower wage as may from time to time be fixed, on the application of the worker after forty-eight hours' notice to the union, by the local Inspector of Awards, or such other person as the Court may appoint for that purpose, having regard in so fixing such wage to the worker's capability, the branches of the trade in which he is proficient, his past earnings, and such other circumstances as such Inspector or person may think fit to consider after hearing such evidence and argument as the union and worker shall offer.

(b.) Whenever occasion arises for so fixing a worker's wage it shall be fixed for such period, not exceeding six months, as such Inspector or other person shall determine, and after the expiration of the said period until fourteen days' notice shall have been given to him 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.) It shall, notwithstanding the foregoing, be competent for a worker to agree 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 Factories of every agreement made with a worker pursuant hereto.

(e.) It shall be the duty of every employer, before employing a worker at such lower wage, to examine the permit or agreement by which such wage is fixed.

Preference.

10. (a.) It shall be the duty of every employer when engaging a journeyman to ask him to produce his members' card, and if unable to produce same, the employer shall notify the secretary within seven days as from the date of employing such journeymen.

(b.) It shall be the duty of every non-unionist so engaged to join the union within one week after receiving from the secretary of the union a request in writing to do so.

(c.) Compliance by the employer with the provisions of this clause shall relieve him from all liability under the provisions of this award relating to preference.

(d.) The provisions of the foregoing clause shall operate only if and so long as the rules of the union shall permit any journeyman painter or decorator of good character and sober habits to become a member of the union upon payment of an entrance fee not exceeding 5s., upon a written or verbal application, without ballot or other election, and to continue a member upon payment of subsequent contributions not exceeding 6d. per week.

Scope of Award.

11. This award shall apply only to employers who carry on business in the Poverty Bay portion of the Northern Industrial District, being the area lying to the south and east of a line commencing at the East Cape and following the main dividing range until it reaches the boundary of the Wellington Industrial District.

Exemption.

12. Nelson Bros. (Limited) are exempted from the operation of this award so far as relates to their works and buildings and barges, but so that they shall not be exempt from the operation of this award so far as relates to the painting of any new buildings which may be erected hereafter by them.

Term of Award.

13. The term of award shall be three years, but so that if during the said term a Dominion award shall be made in relation to the painting and decorating awards, such award shall thereupon supersede this award, which thenceforth shall cease to have any force or effect.

T. HARLE GILES,
Conciliation Commissioner.