

Section 7 (5) of the Industrial Conciliation and Arbitration Amendment Act, 1932, provides that where no settlement is arrived at in the case of a dispute in an industry or industries where female workers are employed the Court of Arbitration may, on application, make an order fixing the minimum rates of wages that may be paid to the female workers in the industry or industries concerned, such order to operate and be enforceable as an award, and to continue in force for a period of not less than six or more than twelve months, as may be specified therein.

Up to 31st March, 1935, only four such orders have been made, two covering private-hotel employees throughout the Dominion (both expired), one covering shop-assistants in certain trades in the Otago and Southland Industrial District not covered by the existing Shop-assistants' award (expired), and the remaining one, which is still in force, covering shop-assistants in Hawke's Bay.

LEGAL DECISIONS OF INTEREST.

Minimum Rates of Wages under Factories Act, 1921-22.

The award provided for minimum rates for dressmakers and milliners of 15s. per week for the first six months, with half-yearly increments of 2s. 6d. per week until the seventh six months, when the wage was to be 30s. a week, and then in the eighth six months the increment was to be 5s. per week. These rates were subject to a reduction of 10 per cent. in accordance with the Court's General Order of 29th May, 1931, but such Order was not to operate to reduce the rates of remuneration below the minimum rates fixed by any Act of Parliament. The employers claimed that they were entitled, pursuant to the General Order, to deduct 3s. per week from the weekly wage of 30s. payable under the award to girls in the seventh half-year of their employment, while the union contended that such deduction was contrary to section 32 (a) of the Factories Act, which provides for such payment *as is agreed on*, being not less than 10s. in any one week, with annual increments of 5s. a week until a wage of 30s. is reached, and thereafter not less than 30s. a week. On a case stated for the opinion of the Court of Appeal as to the minimum weekly rate fixed by section 32 (a) of the Factories Act for workers in the seventh half-year of their employment it was held that the minimum rates fixed by the said section were 10s. per week for the first year, with annual increments of 5s. per week until a wage of 30s. is reached, and that it was permissible to reduce the wages of workers in their seventh half-year as contended by the employers.

Employment of Workers as "Improvers."

Where an award provided that an apprentice having completed his apprenticeship may be employed as an improver for not more than twelve months at a wage of 1s. 5d. per hour and that the said period of improvership may be spread over a period of two years commencing from the date of the completion of the apprenticeship, the Court of Arbitration held that there was nothing in the award to prevent a worker who, having completed his apprenticeship, has been paid journeyman's wages from being employed as an improver, provided that such employment does not exceed an aggregate of twelve months and does not extend beyond two years from the date of the completion of apprenticeship.

REGISTRATION OF INDUSTRIAL ASSOCIATIONS AND UNIONS.

The usual statutory return (to the 31st December, 1934) of the associations and unions registered under the Act, with their membership at that date, is published herewith as an appendix. Comparison with the previous year shows that the total number of workers' unions has decreased by 3 (to 404), and the total membership has increased by 2,503 (from 71,888 to 74,391).

INSPECTIONS, ETC.

During the year 2,065 complaints of alleged breaches of the Act and of awards and industrial agreements, &c., were received, but it was found on investigation that in 708 cases no breach had been committed. In 142 cases proceedings were taken, and in 1,077 warnings were given. No action was considered necessary in the remaining cases. Apart from the complaints mentioned above, a large proportion of the inspections of factories, shops, &c., included an inspection to ascertain whether the awards and agreements were being complied with in respect of wages, overtime, &c., and, as a result of these inspections, 62 prosecutions were taken and warnings were given in other cases. Of the 204 prosecutions, 175 were against employers and 29 against workers; 171 convictions were recorded, 148 against employers and 23 against workers. Total penalties, £291 10s. 6d.

Eleven of the prosecutions were for offences connected with the keeping of the wages and overtime book, seven being for wilfully making false entries. Great difficulty has been experienced by the Department in securing the necessary evidence to support prosecutions against employers for failing to keep their wages and overtime books correctly and to pay the prescribed rates of wages, and in some cases it has been found that workers have been aiding in the commission of the offences by accepting less than the correct rate and signing as having received the full amount. The Magistrates were asked to impose substantial penalties in such cases. Instances have occurred also of employers requiring their workers to pay back arrears of wages collected for them by the Department, and in one in which proceedings were taken for such an offence a heavy penalty was imposed.