

MINIMUM WAGE ACT, 1945

This Act came into operation on 1st April, 1946. It applies to all male and female workers of twenty-one years of age and upwards, except (a) apprentices under the Apprentices Act, 1923, or bound by an indenture of apprenticeship made under the Master and Apprentice Act, 1908; and (b) persons of any class, prescribed by regulations under the Act, who are employed under contracts of service under which they are required to undergo any training, instruction, or examination for the purpose of becoming qualified for the occupation to which the contract of service relates. Every worker of twenty-one and over is entitled to receive from his or her employer payment for his or her work at not less than the following appropriate rates—namely, (a) if paid by the hour or by piecework, 2s. 9d. an hour for males and 1s. 8d. an hour for females, or an amount equivalent thereto, having regard to the rate of production of the worker; (b) if paid by the day, £1 2s. a day for males and 13s. 4d. a day for females; (c) in all other cases, £5 5s. a week for males and £3 3s. a week for females.

Where board or lodging is provided by the employer, regard shall be had in determining whether the appropriate rate is paid to the value of such board or lodging as fixed under any Act, award, or agreement relating to the worker's employment or, if not so fixed, at the rate of 15s. for board and 5s. for lodging. The only deduction that may be made from the appropriate rate payable under the Act shall be for time lost by default of the worker or by reason of illness or accident. An Inspector of Awards is empowered to issue an under-rate permit in any case where the worker satisfies him that he or she is for any reason incapable of earning wages at the rate provided in the Act; but this is not to affect the provisions of any other Act or any award or agreement relating to the issue of permits to accept a wage below the wage fixed by such Act, award, or agreement. Any under-rate permit issued under the Act is to specify therein the period for which it is to remain in force. For any default by an employer in payment of wages pursuant to the Act, such employer shall be liable to a fine not exceeding £20 and a further fine not exceeding 5s. for every day such default continues.

This Act, apart from some possible exceptional cases, will not result in any increase in wages under awards and industrial agreements. It is interesting to note, however, that under it minimum wages of certain classes of workers, such as domestic workers and others employed otherwise than for the pecuniary gain of the employer, are fixed for the first time. The Act will also entail some adjustment in respect of workers covered by certain of the Extension Orders made under the Agricultural Workers Act, 1936.

The Minimum Wage Regulations 1946 (Serial number 1946/36) prescribe the classes of workers excepted from the provisions of the Act. The regulations also prescribe the forms to be used in connection with the issue by an Inspector of under-rate permits.

INTERNATIONAL LABOUR ORGANIZATION

The twenty-seventh session of the International Labour Conference was held in Paris during October–November, 1945. Forty-eight States—virtually all the States members of the organization and including three (viz., Iceland, Italy, and Guatemala) just admitted or readmitted—sent delegations. New Zealand was represented by the following delegation:—

Delegates representing the Government—

The Hon. P. C. Webb, Minister of Labour.

Mr. H. E. Moston, Secretary of Labour and Chief Inspector of Factories.

Delegate representing the employers of New Zealand—

Mr. V. Duff, Secretary of the Taranaki Employers' Association.

Delegate representing the workers of New Zealand—

Mr. P. M. Butler, Secretary of the Wellington, Nelson, Westland, and Marlborough Local Bodies' other Labourers and Related Trades' Industrial Union of Workers.

Messrs. R. E. Kemp and A. R. Perry acted as Advisers to the Government delegates and Mr. R. Stanley as Adviser to the workers' representative.