

## (5679.) OTAGO PROVINCIAL DISTRICT GARDENERS.—ORDER AMENDING AWARD.

In the Court of Arbitration of New Zealand, Otago and Southland Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1908, and its amendments; and in the matter of the War Legislation and Statute Law Amendment Act, 1918; and in the matter of the Otago Provincial District Gardeners' award dated the 22nd day of April, 1918, and recorded in Book of Awards, Vol. xix, p. 334; and in the matter of an order amending the said award dated the 1st day of September, 1919, and recorded in Book of Awards, Vol. xx, p. 927.

UPON reading the application of the union party to the said award filed herein on the 14th day of February, 1920, and upon hearing the duly appointed representatives of the said union and of the employers parties to the said award, this Court, having regard to all the relevant considerations and being of opinion that it is just and equitable to amend the said award, and by virtue and in exercise of the powers conferred by the said Acts and of every other power in that behalf enabling it, doth hereby order that the said award shall be amended in manner following, that is to say—

1. The said order dated the 1st day of September, 1919, is hereby cancelled, and this order is substituted therefor.

2. Clause 2 of the said award shall be deleted, and the following provisions substituted therefor:—

“2. (a.) Competent nurserymen or landscape gardeners, if not engaged by the week, shall be paid not less than 1s. 7½d. per hour, and if engaged by the week they shall be paid a weekly wage of not less than £3 12s.

“(b.) Any worker not competent to perform general nursery and landscape-gardening work shall be termed a ‘nursery and landscape gardener’s labourer,’ and shall be paid not less than 1s. 3½d. per hour for casual work. If engaged by the week he shall be paid a weekly wage of not less than £3 5s. ‘Casual work’ shall mean employment lasting less than one week and terminated by the employer.

“(c.) No deduction shall be made from the weekly wage of any worker for holidays or for any time lost other than time lost through the worker’s own sickness or default.

“(d.) In addition to the above rates there shall be paid to such workers a bonus of 3½d. per hour for hourly workers and 9s. per week to weekly workers unless and until the Court shall otherwise order.”

3. Clause 4 of the said award shall be deleted, and the following provisions substituted therefor:—

“4. (a.) All work performed in excess of the hours mentioned in clause 1 hereof shall be considered overtime, and shall be paid for at the rate of time and a half for the first three hours of such excess, and at the rate of double time for all further time worked.

“(b.) All work done on Christmas Day, Good Friday, or on Sunday shall be paid for at double-time rates, and work done on any of the other holidays hereinafter mentioned shall be paid for at the rate of time and a half, provided nevertheless that all work done in attendance to forcing-stoves or greenhouses on Sundays or holidays shall be paid for at ordinary rates.

“(c.) In computing the rates of overtime payable under this clause the bonus hereinbefore mentioned shall not be taken into account.”

4. Clause 7 of the said award shall be deleted, and the following provisions substituted therefor:—

“7. (a.) Work done at such a distance from the employer’s place of business that the worker cannot return to the place of business of his employer or to his own place of abode on the same day shall be considered country work.

“(b.) Every worker engaged on country work shall be paid, in addition to his ordinary wages, a further sum of 3s. 4d. for every day while he is so employed, and his travelling-expenses in going to and returning from such work shall be paid by his employer. Travelling-time shall be paid for at ordinary rates, but not to a greater amount than eight hours.

“(c.) Notwithstanding anything in this award contained any employer and his worker may agree that in respect of any specified country work the hours of work shall be other than those hereinbefore prescribed without payment of overtime, but so that not less than the minimum wages prescribed in this award for any ordinary work shall be paid to such worker.”

5. This order shall operate and take effect as from the 1st day of January, 1920.

Dated this 24th day of March, 1920.

T. W. STRINGER, Judge.