

(8085.) OTAGO ELECTRICAL WORKERS.—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 an industrial dispute between the Dunedin and Suburban General Electrical Workers' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

- Barth Electrical Supplies Company, 61 Princes Street, Dunedin.
British Electrical and Engineering Company, 219 Moray Place,
Dunedin.
Brown, H. J., Electrical Engineer, 33A Forth Street, Dunedin.
Burns, T., Electrical Engineer, 181 Cargill Road, Dunedin.
Burt, A. and T. (Limited), Electrical Engineers, Cumberland
Street, Dunedin.
Central Otago Electrical Power Board, Alexandra, Central
Otago.
Christie, J., and Co., Electrical Engineers, 222 George Street,
Dunedin.
Dunedin City Corporation, Town Hall, Dunedin.
Hall, J., and Sons, Electrical Engineers, 19 Filleul Street,
Dunedin.
Keen and Weddell (Limited), Engineers, Balclutha.
McDonald, A. D., Contractor, Otokia, Otago.
Martin, J., Electrical Contractor, 17 Bowen Street, Musselburgh,
Dunedin.
Maskgill, W., Electrical Engineer, 266 Princes Street, Dunedin.

Matthews, S., Electrical Contractor, 30 Eglinton Road, Dunedin.
National Electrical and Engineering Company (Limited), Stuart
Street, Dunedin.

North Otago Electrical Power Board, Oamaru.

Otago Battery Service Company, 266 Princes Street, Dunedin.

Otago Electrical Power Board, Dunedin.

Otago Harbour Board, Dunedin.

Richardson and Jago, Electrical Contractors, 68 Macandrew
Road, South Dunedin.

Ross and Glendining (Limited), Roslyn Woollen-mills, Dunedin.

Simpson and Barnes, Electrical Contractors, 238 George Street,
Dunedin.

Sontagg, C., Electrical Engineer, 16 Carroll Street, Dunedin.

Teviot Electrical Power Board, Roxburgh, Central Otago.

Thomson, J. A., Electrician, George Street, Port Chalmers.

Turnbull and Jones (Limited), Electrical Engineers, Stuart
Street, Dunedin.

Union Steamship Company of New Zealand (Limited), Dunedin.

Waitaki Electrical Power Board, Oamaru.

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 from the 9th day of March, 1925, and shall continue in force until the 9th day of March

1927, and thereafter as provided by subsection (1) (d) of section 90 of the Industrial Conciliation and Arbitration Act, 1908.

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 23rd day of February, 1925.

[L.S.]

F. V. FRAZER, Judge.

SCHEDULE.

Interpretation.

1. (a.) Electricians: "Electricians' work" shall mean and include the constructing, erecting, installing, and repairing of all classes of electric lighting and power appliances, and of any other appliance which requires a practical knowledge of electricity.

(b.) "Linemen's work" shall mean and include the complete installation of overhead and underground electric-light mains from the supply station to the point of connection to the consumer, and the erection and connecting-up of transformers and street lamps.

(c.) "Linemen's assistants' work" shall mean and include the carrying-out of all necessary work in assisting linemen and under their direction.

Wages.

2. (a.) The minimum rate of wages for journeymen electricians shall be 2s. 2d. per hour.

(b.) The minimum rate of wages for linemen shall be 2s. 1½d. per hour.

(c.) The minimum rate of wages for assistant linemen shall be 1s. 11d. per hour.

(d.) The minimum rate of wages for helpers in power-stations shall be 1s. 11d. per hour, and for battery-charging station attendants 2s. 1½d. per hour.

(e.) Any worker who is placed in charge of work on which three or more workers (other than apprentices) are employed shall, in addition to the above wages, receive 1s. 6d. per day, provided the job shall extend three days or more.

(f.) If linemen's assistants are temporarily employed as linemen they shall be paid at linemen's rate of pay for such time as they are so employed: Provided that if they are so engaged for any period they shall be paid not less than two hours at the linemen's rate of pay.

Dirt-money.

3. Dirt-money at the rate of 1s. per day or portion of a day shall be paid for all work done by any worker covered by the provisions of this award in cement-works, chemical-works, soapworks, foundries, tunnels, or storage-battery work, or on such other work as may be mutually agreed upon as coming under the term "dirty work."

Hours.

4. Forty-four hours shall constitute a week's work. The working hours shall be between the hours of 8 a.m. and 5 p.m. on five days of the week, and between the hours of 8 a.m. and noon on Saturday of each week.

Overtime.

5. (a.) All time worked in any one day outside or in excess of the hours provided in clause 4 hereof shall be paid for at the rate of one and a half for the first four hours, and double time for all further time so worked.

(b.) If a worker is called from his home to work outside or in excess of his working-hours he shall be paid for time reasonably occupied by him in travelling from and returning to his home, with a minimum of one hour's pay.

(c.) If a worker is required to work outside the hours provided in clause 4 hereof he shall be paid in respect of such work an additional sum equal to 10 per cent. of the wages earned by him, but shall not receive overtime rates of payment unless and until the daily number of hours (whether worked partly or wholly outside the prescribed hours) is exceeded.

(d.) Employers shall allow meal-money at the rate of 1s. 6d. per meal when workers are called upon to work overtime after 6 p.m. provided that such workers cannot reasonably get home to their meals.

(e.) Any worker having performed his ordinary day's work and having worked overtime at rates as provided herein until the end of the time for commencing work next day, and being then required to continue working, shall be paid double-time rates so long as he continues to work continuously thereafter.

Holidays.

6. For all time worked on Sunday, Christmas Day, Boxing Day, New Year's Day, Labour Day, Good Friday, Easter Monday, Whit Monday, or Sovereign's Birthday double time shall be paid.

Improvers.

7. An "improver" shall mean an apprentice who has served a term of five years, but may continue to serve his present employer for a further term of six months at the rate of 1s. 9d. per hour.

Suburban Work.

8. (a.) "Suburban work" means work performed by a worker at a distance of over a mile and a half from his employer's place of business (or some central place to be agreed upon), but which does not come within the definition of "country work."

(b.) Workers shall be at the place where the work is to be performed at the hour appointed for the commencement of work.

if such place is distant more than one and a half miles from the employer's office or place of business, or the central place selected (or, if he has no office or place of business, then his residence), workers employed thereon shall be allowed and paid for the time reasonably occupied by them in travelling to and from such work beyond the one mile and a half, or they shall be conveyed to and from such work at the cost of the employer; but no worker residing less than a mile and a half by a convenient mode of access for foot-passengers from the place where the work is to be performed shall be entitled to the allowance mentioned in this clause. All time travelled beyond the first mile and a half shall be allowed for at the rate of four miles per hour.

Country Work.

9. (a.) "Country work" means work performed by a worker which necessitates his lodging elsewhere than at his usual place of residence.

(b.) A worker employed on country work shall be conveyed by his employer to and from such work free of charge, or his travelling-expenses going to and returning from such work shall be paid by his employer, but once only during the continuance of the work if the work is continuous and the worker is not in the meantime recalled by his employer.

(c.) The employer shall provide every worker employed on country work with suitable board and lodging while so employed, but the employer in lieu of providing board and lodging may pay the worker at the rate of £1 10s. per week.

(d.) Time occupied in travelling shall be paid for at ordinary rates, but no worker shall be paid more than an ordinary day's pay for any day occupied by him in travelling, even though the hours occupied may exceed eight hours, unless he is on the same day occupied in working for his employer.

(e.) When a worker is employed on country work at such a distance that he is unable to return to his home at night, he may agree with his employer to work at ordinary rates in excess of the hours prescribed by clause 4 hereof.

General Provisions.

10. All necessary tools, excepting knives, shall be provided by the employer, but the employee who receives the same shall sign for them, and he shall be held responsible for their safety. In the event of tools being lost they shall be replaced by the employee responsible for their safety.

Under-rate Workers.

11. (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

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(b.) If a worker is called from his home to work outside ordinary working-hours he shall be paid for time reasonably occupied by him in travelling from and returning to his home, with a minimum of two hours' pay.

(c.) If a worker is required to work outside the hours provided in clause 4 hereof he shall be paid in respect of such work an additional sum equal to 10 per cent. of the wages earned by him, but shall not receive overtime rates of payment unless and until the daily number of hours (whether worked partly or wholly outside the prescribed hours) is exceeded.

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(b.) Workers shall be at the place where the work is to be performed at the hour appointed for the commencement of work, but

if such place is distant more than one and a half miles from the employer's office or place of business, or the central place selected (or, if he has no office or place of business, then his residence), workers employed thereon shall be allowed and paid for the time reasonably occupied by them in travelling to and from such work beyond the one mile and a half, or they shall be conveyed to and from such work at the cost of the employer; but no worker residing less than a mile and a half by a convenient mode of access for foot-passengers from the place where the work is to be performed shall be entitled to the allowance mentioned in this clause. All time travelled beyond the first mile and a half shall be allowed for at the rate of four miles per hour.

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11. (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 the employer, before employing a worker at such lower wage, to examine the permit or agreement by which such wage is fixed.

(f.) The proportion of under-rate workers shall be not more than one to three journeymen or fraction of three. For the purpose of determining the proportion of under-rate workers to journeymen in taking any new under-rate worker the calculation shall be based on a two-thirds full-time employment of the journeymen employed for the six previous calendar months.

Preference.

12. (a.) If any employer shall hereafter engage any worker coming within the scope of this award who shall not be a member of the union, and who shall not become a member thereof within seven days after his engagement and remain such member, the employer shall dismiss such worker from his service if requested to do so by the union, provided there is then a member of the union equally qualified to perform the particular work required to be done, and ready and willing to undertake the same.

(b.) The provisions of this clause shall operate only if and so long as the rules of the union shall permit any worker coming within the scope of this award 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 application, without ballot or other election, and to continue a member upon payment of subsequent contributions not exceeding 6d. per week.

(c.) Employers, when requested by the secretary of the union shall supply a list of the workers employed coming within the scope of this award ; such list need not be supplied more often than once in each month.

Exemptions.

13. The following special provisions shall apply to the Union Steamship Company of New Zealand (Limited) :—

(a.) The said company shall pay not less than the wages herein prescribed, and shall pay the overtime rates prescribed by this award for any work done by any worker in excess of the forty-four hours in any one week, and shall pay the rates prescribed by this award for work done on Sundays or on any of the holidays herein mentioned. In all other respects the said company is exempted from the operation of this award except clause 12 hereof.

(b.) This award shall not apply to any electrician or engineer who is employed from time to time on electrical work of any character on board any steamer belonging to or controlled by the said company so long as any such electrician or engineer is on the articles of any ship or is standing by the ship on seagoing wages during repair and overhaul.

(c.) Ross and Glendining (Limited) shall be bound by such only of the provisions of this award as relate to the payment of the minimum rates of wages and overtime and the observance of Sundays and holidays.

Matters not provided for.

14. 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 Conciliation Commissioner, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Conciliation Commissioner, may appeal to the Court upon giving written notice of such appeal to the other party within seven days after such decision shall have been communicated to the party desiring to appeal.

Scope of Award.

15. This award shall operate throughout the Provincial District of Otago.

Term of Award.

16. This award shall come into force on the 9th day of March 1925, and shall continue in force until the 9th day of March, 1927.

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 23rd day of February, 1925.

[L.S.]

F. V. FRAZER, Judge.

MEMORANDUM.

The Court has settled the disputed portions of the wages clause. The Court heard argument and evidence regarding a proposed clause

which was to provide that no worker should be required to work on wires carrying a potential in excess of 650 volts until the current had been cut off and the lines grounded and short-circuited. After careful consideration of the material submitted, we are of the opinion that the Court should not attempt to deal with the matter of safety regulations, but should leave all such questions to be determined by the Public Works Department, which can obtain the most competent expert advice and deal comprehensively with the whole subject.

A question arose as to the definition of linemen's assistants' work. The definition in this award is similar to that in force in other district awards, and we have recently been informed in Auckland and Wellington that the definition is satisfactory to both parties. We suggest that if any difference of opinion exists between the parties in Otago their best course is to ascertain the practice in other districts, and then, if necessary, apply to the Court for interpretation.

[L.S.]

F. V. FRAZER, Judge.
