

(8486.) WELLINGTON CITY TRAMWAYS AND POWER-HOUSES
EMPLOYEES.—AWARD.

In the Court of Arbitration of New Zealand, Wellington 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 Wellington City Tramways and Power-houses Employees Industrial Union of Workers (hereinafter called “the union”) and the Mayor, Councillors, and Citizens of the City of Wellington (hereinafter called “the employers”).

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 as hereinafter provided, and shall continue in force until the 9th day of December, 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 14th day of December, 1925.

[L.S.]

F. V. FRAZER, Judge.

SCHEDULE.

Hours of Work.

1. The following shall be the hours of work on each of the six working-days of the week :—

(a.) Motormen and conductors : Eight hours per day. Overtime to commence after eight hours. Straight shifts in traffic to be completed within eight hours fifty minutes, excepting 8 per cent. for " last cars " and cars run for the convenience of employees ; $2\frac{1}{2}$ per cent. of straight shifts may be worked up to nine hours.

(b.) Linesmen, linesmen's assistants, and tractor and lorry drivers : Eight hours and three-quarters on five days, and four hours and a quarter on Saturdays. Time of commencement, 7.45 a.m. ; and of cessation, 5 p.m., except on Saturdays, when work shall cease at 12 noon. These starting and finishing hours shall not apply to drivers employed in the freight department.

(c.) Emergency linesmen : To work shifts up to nine hours daily on week-days, but time worked after eight hours to be paid at overtime rates.

(d.) Permanent - way repairers : Forty-six hours and thirty minutes per week. On five days, eight hours and a half ; on Saturdays, four hours. On week-days (except Saturdays) the ordinary working-day shall commence not earlier than 7.45 a.m. and cease at 5. pm. On Saturdays the ordinary working-day shall commence not earlier than 7.45 a.m. and shall cease at 11.45 a.m.

(e.) Trackmen : Forty-five hours per week of six days.

(f.) Track-cleaner or grinder employees : Eight hours per shift. Night work shall commence at 11 p.m., excepting on Saturdays.

(g.) Day pitmen and shed labourers : Eight hours and three-quarters per day on five days, and four hours and a quarter on Saturdays. Time of commencement, 7.45 a.m. each day. These hours shall not apply when on shift duty.

(h.) Tower-wagon drivers (overhead) : To work shifts up to nine hours daily on week-days, but time worked after eight hours shall be paid for at overtime rates.

(i.) Car-shed employees on night shift : Eight hours on six nights of each week, as per roster.

(j.) Car-examiners : Eight hours per shift.

(k.) Firemen, greasers, and trimmers shall work forty-eight hours per week of seven days in six shifts of eight hours each. Shifts shall be changed weekly.

(l.) Handymen : Forty-six hours shall constitute an ordinary week's work, and eight-hours and a half an ordinary day's work.

(m.) Night shifts : When the exigencies of tramway work so require, night shifts may be worked under conditions to be mutually agreed upon. In the event of non-agreement the provisions of clause 19 shall apply hereto.

(n.) Blacksmiths' strikers and white-metal workers : Forty-four hours per week of six days.

Wages.

2. The following shall be the minimum rates of wages payable to the several classes of employees:—

			Per Hour.	
			s.	d.
Motormen, first year	..	..	1	10 $\frac{1}{2}$
Motormen, after first year	..	..	2	0
Conductors, first year	..	..	1	9 $\frac{1}{2}$
Conductors, after first year	..	..	1	10
Linesmen .. .. .	..	..	2	13 $\frac{3}{4}$
Linesmen's assistants	..	..	2	0 $\frac{1}{4}$
Permanent-way repairers	..	..	1	11 $\frac{1}{2}$
Trackmen .. .. .	..	..	1	10 $\frac{1}{4}$
Emergency linesmen	..	..	2	0 $\frac{1}{4}$
Tower-wagon drivers	..	..	1	10 $\frac{3}{4}$
Motor-bus drivers .. .	..	..	2	0
			Per Week of Six Shifts.	
			£	s. d.
Motormen engaged on track-cleaner or grinder			5	3 0
Track-cleaner attendant	..	..	4	11 0
			Per Hour.	
			s.	d.
Car-examiners .. .. .	..	..	2	0 $\frac{1}{4}$
Car-equipment adjusters, first grade	..	..	1	11 $\frac{1}{2}$
Car-equipemnt adjusters, second grade	..	..	1	10 $\frac{3}{4}$
Shed labourers .. .. .	..	..	1	10 $\frac{1}{4}$
Pitmen .. .. .	..	..	1	10 $\frac{3}{4}$
Arc-welders .. .. .	..	..	2	1 $\frac{1}{4}$
Arc-welders' attendants	..	..	1	11 $\frac{3}{4}$
Car-cleaners .. .. .	..	..	1	10 $\frac{1}{4}$
Blacksmiths' strikers	..	..	2	0 $\frac{3}{4}$
White-metal workers	..	..	2	0 $\frac{3}{4}$
Leading firemen .. .. .	..	..	2	0 $\frac{3}{4}$
Firemen .. .. .	..	..	1	11 $\frac{3}{4}$
Greasers .. .. .	..	..	2	0 $\frac{3}{4}$
Handymen .. .. .	..	..	1	11

				Per Hour.	
				s.	d.
Trimmers .. .. .	..	..	..	1	10 $\frac{1}{4}$
Engine-room cleaners	..	..	..	1	11 $\frac{3}{4}$
Tractor-drivers	..	..	..	1	11
Lorry-drivers—					
Up to 30 cwt.	..	..	..	1	10 $\frac{3}{4}$
Over 30 cwt. up to 3 tons	..	..	..	1	11 $\frac{3}{4}$

* These rates shall remain in force until a new agreement is entered into between the Wellington City Council and the Wellington Drivers' Union, when the rates in such new agreement shall operate during the term of this award.

Overtime.

3. The following shall be the rates of overtime payable to the several classes of employees stated in the schedule of wages:—

(a.) *On Week-days*:—

(1.) Except as otherwise herein provided, time and a half for all employees included in this award, up to midnight, and double time thereafter.

(2.) The provisions as to overtime on working-days worked before or after midnight shall not apply to employees whose ordinary employment consists wholly or partly of night-work or night shifts.

(3.) Motormen and conductors working p.m. straight shifts to be entitled to time and a half for time worked after midnight, but all time worked in addition to rostered time after midnight up to 5.30 a.m. shall be paid for at double-time rates.

(4.) Call-back or call-forward duty to be paid for at overtime rates.

(5.) Motormen and conductors when called back or called forward shall receive a minimum of two hours.

(6.) All time worked by employees at power-houses in excess of the hours provided in clause 1 (k) and (l) hereof shall be paid for at time-and-a-half rates. In the event of a man not being relieved at the finish of his shift at midnight he shall, if so requested, continue his work, and shall in such case receive not less than two hours' pay. When men are employed during peak-load hours and in addition to their ordinary shift the present custom shall continue.

(7.) On public holidays men whose "call-backs" have been cancelled owing to wet weather shall be entitled to a minimum payment of two hours at ordinary rates of pay.

(8.) "Call-backs" or "call-forwards" shall be worked when required, but no employee shall be required to work more than two "call-backs" or "call-forwards" in any one week.

(9.) Early "call-forwards" shall not be made compulsory without representations having been made and agreed upon between the tramway manager and the union.

(b.) On Sundays :—

(1.) Men whose regular employment falls on six week-days shall be paid double time for work done on Sundays, but where work is confined to six days per week the rate shall be time-and-a-half for Sunday work.

(2.) Traffic employees shall not be required to work on the six-days-per-week system except by mutual agreement of both parties to this award.

(3.) Motormen and conductors booked for Sunday duty shall receive a minimum payment of four hours. When required to work broken shifts they shall receive a minimum payment of two hours on the a.m. portion of the shift.

(4.) Motormen and conductors booked as extra stand-bys shall receive a minimum of four hours at double time.

(5.) (a.) Straight-shift motormen and conductors who receive twenty-four hours' notice that they are not required for rostered Sunday duty may be signed off with a minimum of four hours, and, in the event of notice not being given, rostered time to be paid for.

(b.) Employees at car-sheds to work additional time when required, up to ten hours.

(c.) On Good Friday, Anzac Day, and Christmas Day, double ordinary rates, if working.

(d.) Overtime shall be computed on the rates of pay as set out herein or in clause 2 of the agreement made between the parties and filed on the 20th day of July, 1921, and recorded in the Book of Awards, Vol. XXII, p. 1427, whichever is the greater.

Employees travelling on Cars.

4. Except in the case of men employed in the electricity department, all employees mentioned in this award shall travel free on the cars when going to or from duty. All employees other than those in uniforms shall be provided with passes for this purpose.

Travelling-time.

5. (a.) A sufficient number of motormen and conductors for the working of the cars shall be attached to each car-shed, and motormen and conductors taking up duty at any place other than the car-shed to which they are attached (Lambton Station, General Post Office, and Courtenay Place excepted) shall be paid scheduled travelling-time as under to the point at which they are required to take up duty.

(b.) The exemption of Lambton Station, General Post Office, and Courtenay Place in the preceding clause shall not apply to call-back or call-forward duty, or conflict with the following subclauses of this clause.

(c.) Men on straight shifts who are required to sign on or off at any other place than their home depot more than once shall be entitled to schedule travelling-time,

(d.) Men on broken shifts who are required to sign on or off more than twice shall, if signing on or off at any place other than their depot, be entitled to schedule travelling-time for the third or subsequent time of signing on or off.

(e.) Men on broken shifts attached to Newtown or Kilbirnie sheds, when rostered or required to leave cars at Thorndon shed, shall not be required to sign off at Lambton Depot within thirty minutes of arrival at Thorndon.

(f.) Overtime rates shall not apply to travelling-time, and travelling-time shall not be computed until a shift has reached eight hours or call-back or call-forward has reached two hours.

(g.) The following shall be the schedule of travelling-time :—

	Minutes.
Courtenay Place to Lambton Station, or <i>vice versa</i>	10
Courtenay Place to Thorndon shed, or <i>vice versa</i>	15
Courtenay Place to Newtown, or <i>vice versa</i>	15
General Post Office to Lambton, or <i>vice versa</i>	5
General Post Office to Thorndon shed, or <i>vice versa</i>	10
General Post Office to Newtown, or <i>vice versa</i>	20
Lambton Station to Newtown, or <i>vice versa</i>	25
Lambton Station to Thorndon shed, or <i>vice versa</i>	5
Lambton Station to Kilbirnie, or <i>vice versa</i>	35
Newtown to Thorndon shed, or <i>vice versa</i>	30
Courtenay Place to Kilbirnie, or <i>vice versa</i>	25
Thorndon shed to Kilbirnie, or <i>vice versa</i>	40
Newtown shed to Kilbirnie, or <i>vice versa</i>	15

Signing on and off.

6. (a.) Motormen shall be allowed ten minutes' time for inspection of their cars before taking them out and starting work for the day, and shall be allowed five minutes after finishing work.

(b.) Motormen taking over cars in traffic shall be allowed five minutes for signing on; when taking up p.m. straight-shift duty at Lambton Station, ten minutes.

(c.) Motormen on broken shifts and call-back duty shall be allowed five minutes each time for signing off.

(d.) Conductors to be allowed ten minutes for signing on and taking over their cars, ten minutes for signing off and paying in box, and five minutes for each additional box or wallet paid in.

Holidays.

7. (a.) Motormen, conductors, car-equipment adjusters, car-examiners, car-cleaners, shift-pitmen, linesmen, emergency linesmen, tower-wagon drivers, tractor and lorry drivers, permanent-way repairers, track-cleaners, and power-house employees shall work on public and statutory holidays, and shall receive an annual holiday of fifteen consecutive working-days on full pay.

(b.) Other employees working under this award who are not required to work on public and statutory holidays shall be entitled to seven consecutive working-days in each year as a holiday on full pay.

(c.) The following are the statutory holidays referred to in the preceding clauses: Christmas Day, Boxing Day, New Year's Day, Anniversary Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, and Labour Day.

(d.) Men leaving the department with less than one year's service shall be entitled to the proportion of holidays due, provided their minimum service exceeds six months.

(e.) Not less than seven clear days' notice shall be given by the employer to the employee to go on annual holiday leave.

(f.) On application, holiday pay shall be paid in advance on seven clear days' notice.

(g.) Except under exceptional circumstances, no employee entitled to annual leave shall be granted pay in lieu of such leave.

Meals.

8. Except in cases of emergency or breakdown, no employee shall be worked more than five consecutive hours on straight shift or six consecutive hours on broken shift without a meal relief, and not more than twenty minutes shall be deducted for each meal relief. In the case of men relieved at Lambton Station and receiving not more than twenty minutes' relief, the deduction shall be fifteen minutes only. Where the broken shift reaches the limit of six hours a meal relief of not less than twenty minutes shall be given, and same shall be paid for.

Broken Shifts.

9. (a.) There shall be no spare list. All broken shifts shall be completed within twelve hours, except on Saturdays, statutory and public holidays, when they shall not exceed thirteen hours, and the proportion of broken shifts and extra stand-by to straight shifts shall not exceed two to eight plus four.

(b.) No employee shall be signed off for less than one hour.

(c.) Motormen and conductors so desiring may be kept continuously on broken-shift duty.

(d.) Men on broken shifts will be allowed to exceed the limit of spread once a week provided in subclause (a), such excess time to be paid for at time-and-a-half rates, except on Saturdays, when the rate shall be double time.

(e.) Men on broken shift required to do continuous work shall receive a meal relief of thirty minutes after midday, such relief to be paid for.

Reports.

10. (a.) Any employee reported by the public shall receive notification of any charge involving dismissal, suspension, or loss of standing, within forty-eight hours after receipt of the report by the department, and the inquiry shall be commenced within forty-eight hours after the employee has been notified and supplied with written particulars of the charge.

(b.) All departmental reports to be in the hands of a departmental officer within two days of the date on which the alleged offence occurred, and the employee concerned shall then be notified thereof within twenty-four hours, and the inquiry shall be commenced within four days after receipt of the report. If the charge against any employee is not substantiated, all time occupied by such employee personally reporting to an officer of the department when instructed to do so to be paid for at full ordinary rates of pay.

(c.) In computing time with respect to the above clauses Sundays and holidays to be excluded.

(d.) Fifteen minutes at ordinary rate of pay shall be allowed for making out No. 1 reports whenever men are not relieved for the purpose.

(e.) Night-shift employees called upon to report to the head of their department shall do so between 3 and 5 p.m.

(f.) Any employee charged with an offence or breach of regulations shall have the right to call witnesses if so desired.

(g.) In inquiries regarding charges of a departmental nature involving disratment or dismissal, the employee affected may have the right to have a union representative present at such inquiry.

Tools, Clothing, &c.

11. The employer shall supply the undermentioned tools and clothing:—

To motormen and conductors: Uniform, cap and cap-cover, and overcoat.

To car-cleaners: Oilskin trousers and clogs to be supplied as required.

To emergency linesmen: Oilskin, sou'-westers, and leggings.

To car-equipment adjusters: All requisite tools usually supplied sufficient to carry out their work. Overalls when required.

To permanent-way repairers, assistant permanent-way repairers, and trackmen permanently employed: Oilskin suit and sou'-wester annually. When using tar these men to be supplied with clogs and overalls.

To pitmen: Overalls and clogs when working in pits.

To linesmen: Overcoat.

To tower-wagon drivers: Overcoat.

To tractor-drivers: Oilskin cape.

Promotions.

12. (a.) All promotions of employees affected by this award shall be made from the employees in the service at the time of the vacancy occurring. In all cases seniority, capability, suitability, and record to be taken into consideration.

(b.) Conductors not in possession of Government certificates of competence as motormen, when promotions according to seniority fall due, shall, unless failure to obtain such certificates has been due to illness or other good and substantial reason, lose priority for promotion to motormen.

(c.) Senior conductors shall be notified by the department when they are required to pass a Government examination to secure certificates of competency as motormen, and in the event of any such conductor not availing himself of such opportunity he shall (excepting as provided in subclause (b) of this clause) lose his seniority rights to promotions.

Transfers.

13. No transfer shall be granted to any employee in the traffic branch except for reasons of ill health, and shall not exceed a period of six months, when if any extension is desired it shall be reviewed by the tramway manager and a representative of the union.

General.

14. (a.) All call-back duty shall be paid for at schedule overtime rates, and any employee who may be required to sign on at any place other than his depot shall be allowed scheduled travelling-time.

(b.) Motormen and conductors shall be paid for the time they are waiting whilst traffic is temporarily suspended.

(c.) For breaches of discipline or other offences the management may, in lieu of inflicting suspension from duty as a punishment, reduce a motorman or conductor to any lower grade, irrespective of length of service.

(d.) Motormen and conductors shall work by roster.

(e.) Notwithstanding anything contained herein, conductors shall be required to serve a probationary period of three months, and their services may be dispensed with at any date within that period if found unsatisfactory by the management.

(f.) Conductors shall be notified of shortages within twenty-four hours after receipt of their cash-boxes at the revenue office, and shortages shall be set off against overs every day and balanced at conductors' pay-day.

(g.) A conductors' check representative, appointed by the union, and paid at senior motormen's rate, shall be provided at the cash office.

(h.) As far as practicable, men employed on night shifts at the car-sheds shall be worked by roster.

(i.) Men who are employed blowing out motor-fields with compressed air shall be paid $\frac{1}{2}$ d. in advance of their schedule rates.

(j.) Provisions relating to hours of work, overtime, holidays, and clothing which apply herein to motormen and conductors shall also apply to motor-bus drivers.

(k.) Crib-time of half an hour on pay shall be allowed to carshed men employed on night shift.

Qualifications.

15. (a.) Junior motormen graded according to seniority, not to exceed twenty in number, shall take up motormen's or conductors' duties as required.

(b.) A motorman shall be deemed to be appointed when he first acts as a motorman in traffic, and from that date he shall be paid at motorman's rate of pay, excepting in the case of a reduction of staff, when he shall go back to his former position.

(c.) Any motorman or conductor leaving the service, except through illness, may only rejoin the traffic department as a conductor in his first year.

Payment of Wages.

16. (a.) Car-shed, power-house, and permanent-way employees shall be paid weekly on Fridays; day employees prior to 5 p.m., and night-shift men prior to 11 p.m.

(b.) Motormen and conductors shall be paid fortnightly on Fridays at the Thorndon tramway office between the hours of 2 p.m. and 3.45 p.m. Men employed on broken shifts shall be paid fortnightly on Fridays at Newtown or Kilbirnie sheds after 5 p.m.

(c.) Employees other than those mentioned above shall be paid fortnightly on Fridays prior to 5 p.m. Men whose duties prevent them being paid at the aforesaid places shall be paid whilst on duty.

Power-house Work.

17. (a.) Leading firemen when required to attend to water shall be paid 1s. per shift above the schedule rate.

(b.) When men are employed on the following work—viz., cleaning Lancashire boiler-flues, furnace-tubes; scaling inside of boilers; sweeping tops of boilers; cleaning economizer-flues, superheaters, blow-down pits, main flue, inside of culvert; cleaning Babcock boilers when such work is carried out from inside the brickwork and steam-drums; scaling inside of tubes; removal of soot from flues and chambers; renewing air-blocks when boilers are under steam; working on fan platforms when boilers are under steam; all repair work done inside of boilers; and repairs to the overhead coal-conveyor at the tramway power-station—such work shall be considered to be "dirty work," and the men employed thereat shall receive 5d. per hour in addition to the ordinary rates.

(c.) When one fireman is employed on a shift at the Evans Bay power-house he shall be rated as a "leading fireman." When two or more firemen are employed on a shift the senior man shall be rated as a "leading fireman."

Preference.

18. (a.) From and after the coming into operation of this award all persons affected thereby shall, within a fortnight of their joining the service, become members of the Wellington City Tramways and Power-house Employees' Industrial Union of Workers and a benefit society. The entrance fee shall not exceed 5s., and subscriptions shall not exceed 7s. 6d. per quarter in advance, except for the first month, in respect of which subscriptions shall not exceed 1s. per week.

(b.) It shall be a condition of employment that employees shall join the said union and a benefit society, and shall remain financial members thereof while in the service.

(c.) If any employee joining the service shall neglect to become a member of the union or of a benefit society within the time specified he shall be dismissed.

(d.) If any person who has already joined the union, or who shall pursuant to the provisions of this award join the union, shall voluntarily and of his own motion resign from the union he shall be liable to dismissal, and shall receive notification from the general manager that he is so liable, and that unless he rejoins the union within one week from the date of the notice his employment shall cease at the expiry of such week: Provided that this subclause shall not apply to employees promoted to the official staff.

(e.) Provided that this clause does not apply to members of the New Zealand Institute of Marine and Power Engineers, the Amalgamated Society of Carpenters and Joiners, or the Amalgamated Engineering Union.

Interpretation and Settlement of Disputes.

19. The essence of this award is that the work of the employer shall always proceed in the customary manner, and shall not on any account whatsoever be impeded.

If any dispute or difference shall arise between the parties bound by this award and be not settled by mutual arrangement, the matters in dispute shall be referred to a committee consisting of three representatives of the employers and three representatives of the union, with power to appoint a chairman. If this committee fails to agree upon the selection of a chairman, a Stipendiary Magistrate or the Conciliation Commissioner shall then be called upon to act in that capacity.

Term of Engagement.

20. The employment shall be deemed to be a weekly one, and not less than one week's notice of termination of employment shall be given by employer and employee; but this shall not prohibit the employer from dismissing any employee without notice for a good and substantial cause.

Scope of Award.

21. This award shall apply only to the parties named herein.

Term of Award.

22. This award in so far as it relates to wages shall be deemed to have come into force on the 9th day of December, 1925, and so far as all the other conditions of this award are concerned it shall come into force as from the day of the date hereof; and this award shall continue in force until the 9th day of December, 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 14th day of December, 1925.

[L.S.]

F. V. FRAZER, Judge.

MEMORANDUM.

This award embodies, without alteration, the recommendations of the Conciliation Council, which the parties agreed to accept. The preference clause is worded in a manner for which the Court cannot accept responsibility, but, as the award is binding on only one employer—the Wellington City Corporation—the Court has not altered it.

F. V. FRAZER, Judge.