

OTAGO AND SOUTHLAND INDUSTRIAL DISTRICT.

(8501.) OTAGO HARBOUR BOARD LABOURERS. — INDUSTRIAL AGREEMENT.

THIS industrial agreement, made in pursuance of the Industrial Conciliation and Arbitration Act, 1908, this 20th day of November, 1925, between the Otago Harbour Board, Dunedin (hereinafter called "the employer") of the one part, and the Otago General Labourers, Builders' Labourers, Quarrymen, and Coalyard Employees' Industrial Union of Workers (hereinafter called "the union") of the other part, witnesseth that it is hereby mutually agreed between the employer and the union as follows :—

SCHEDULE.

Hours of Work.

1. (a.) A week's work shall not exceed forty-seven hours. The working-hours shall not exceed eight and a half hours on each of five days of the week, and shall not exceed four and a half hours on Saturday.

(b.) Work shall commence not earlier than 7.30 a.m. and cease at 5 p.m., and one hour shall be allowed for dinner on each day except Saturday, when work shall cease at noon. Notwithstanding this provision an employer may work shifts at ordinary rates at other than the hours specified herein, provided that the employer and the union may agree to vary the hours for commencing and ceasing work, and may also agree to a reduction of the time allowed for dinner.

(c.) In tunnel-work the hours shall not exceed eight hours per day, with half an hour for crib-time. A tunnel must be 10 ft. or more in length between shafts.

(d.) Six hours shall constitute a day's work in tunnel-work where workers are working in wet places or foul air, and shall be paid for as if the workers had worked eight hours. For the purpose of this clause a "wet place" shall be deemed to mean a place where the workers are standing in water 3 in. or over in depth, or water is dripping on them.

(e.) All shifts shall cease work not later than 8 p.m. on Saturday.

(f.) Where it is necessary to prepare material for work before the ordinary hours of commencing work, the employer may employ workers to do such necessary work at the ordinary rate of pay for not more than half an hour before the ordinary time for commencing work.

(g.) When men are required to work in sewers or "wet places" where water is dripping on them, or where they are standing in water 3 in. or over in depth, the employer shall provide them with gum boots.

Rates of Wages.

2. The following shall be the minimum wages to be paid to the several classes of workers hereinafter specified, that is to say—

(a.) Labourers employed in tunnels, as defined in clause 1 hereof, or in shafts or trenches of a depth of 6 ft. or over, or in timbering trenches, 2s. per hour.

(b.) Labourers employed in concrete-work, pick-and-shovel work, sewer-work, asphalt and tar work, and all other general labouring-work, 1s. 10d. per hour.

(c.) Labourers employed in hammer and machine drill work, or men licensed to use explosives, to be paid 2s. per hour.

(d.) Wet work: Labourers employed placing walings and braces in wharf-construction work, pile-driving from a floating pile-driver, cleaning bed of Leith Canal or other watercourses, laying and attending reclamation pipes, and punting material from quarries, to be paid 1s. 11½d. per hour.

Payment of Wages.

3. Wages shall be paid weekly or fortnightly, as may be agreed. If any worker is required to go to his employer's office to receive his wages he shall do so in his employer's time. If a worker is dismissed or leaves he shall be paid his wages within a reasonable time after his ceasing work, but in no case shall the time exceed twenty-four hours.

Overtime.

4. All work done in excess of the hours mentioned in clause 1 hereof shall count as overtime, and shall be paid for at the rate of time and a half for the first three hours, and thereafter double time until the ordinary time for commencing work next morning if worked continuously.

Accommodation.

5. Each employer shall provide, where reasonably necessary, accommodation, to the satisfaction of the Inspector of Factories, to enable labourers to change their clothes and have their meals, and he shall also provide proper sanitary accommodation for them.

Suburban Work.

6. (a.) "Suburban work" shall be deemed to mean work not coming within the definition of "country work," which has to be done at any place more than a mile and a half by the nearest road by foot-passengers from the chief post-office in the city, or town, or borough in which the employer's place of business is situated.

(b.) Each worker shall be at the place where the work is to be done at the time appointed for the commencement of work, but if such work is suburban work the employer shall pay his workers at the rate of three miles an hour for time occupied by them in travelling by the nearest road used by foot-passengers to and from such work

in excess of a mile and a half, or shall pay their tramway or other fares going to and returning from such work once each day.

(c.) Any worker who resides within one mile and a half by a road used by foot-passengers of the place where the work is to be done shall not be entitled to any allowance under subclause (b) hereof.

Country Work.

7. (a.) "Country work" shall be deemed to mean work done by a labourer which makes it necessary for him to sleep away from home.

(b.) Any labourer employed upon 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.) Time occupied in travelling shall be paid for at the ordinary rates, but no labourer shall be paid more than an ordinary day's wages for any day occupied by him in travelling, although the hours occupied may exceed eight, unless he is on the same day occupied in working for his employer: Provided that any labourer called upon to travel more than four hours on a Saturday shall be paid for eight hours.

General Work.

(d.) Labourers employed upon country work shall be paid an additional sum of 5s. per day for six days in the week, but the employer may in lieu thereof provide them at his own expense with suitable board and lodging.

(e.) Notwithstanding anything herein contained, any employer may agree with any worker 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 rate of wages herein prescribed for country work be paid.

Mole Work.

(f.) That the Board, in connection with work on the mole at entrance of harbour, supply a cook, utensils, and sleeping-quarters (not to include bedding), and pay an additional 2s. 6d. per day for six days of each week.

Termination of Employment.

8. Except in respect of "weekly hands," one hour's notice shall be given of the intended termination of a worker's employment.

Preference.

9. (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 the foregoing 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.

Weekly Hands.

10. (a.) The provisions of this award, except clauses 1, 9, and 11 hereof, shall not apply to any weekly hands employed by any local body who is paid not less than £4 6s. per week of forty-seven hours : Provided that weekly hands shall receive the following overtime rates, viz. : For all time worked in excess of eight and a half hours in any one day, or in excess of forty-seven hours in any one week, time and a half for the first three hours, and thereafter double time until the ordinary time for commencing work next morning if worked continuously ; for work done on Sunday, Christmas Day, and Good Friday, 3s. 3d. per hour ; for work done on New Year's Day, Easter Monday, Anniversary Day, Labour Day, Boxing Day, and the birthday of the reigning Sovereign, 2s. 3d. per hour. The overtime rates prescribed for work done on the holidays hereinbefore mentioned shall be paid in addition to the weekly wage above prescribed. This shall not apply to Board's permanent employees.

(b.) One week's notice of termination of employment shall be given by either side.

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 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 Factories of every agreement made with a worker pursuant hereto.

(e.) It shall be the duty of an employer, before employing a worker at such lower wage, to examine the permit or agreement by which such wage is fixed.

Tools.

12. All tools shall be provided by the employer.

Scope of Award.

13. The operation of this award is limited to the area lying within a radius of nineteen miles from the Chief Post-office in the City of Dunedin.

Term of Award.

14. This agreement shall come into force as from the 19th day of November, 1925, and shall remain in force until the 18th day of November, 1926.

Signed on behalf of the Otago Harbour Board, and seal affixed, this 20th day of November, 1925, in the presence of—

[SEAL.]

J. LOUDON, Chairman.
DAVID LARNACH, Member.
W. J. BARDSLEY, Secretary.

Signed on behalf of the union, and seal affixed, this 20th day of November, 1925, in the presence of—

[SEAL.]

J. SAUNDERS, President.
J. E. MACMANUS, Secretary.

NOTE.—Section 25, subsection (4), of the Industrial Conciliation and Arbitration Act, 1908, provides that notwithstanding the expiry of the term of the industrial agreement it shall continue in force until superseded by another industrial agreement or by an award of the Court of Arbitration, except where the registration of an industrial union of workers bound by such agreement has been cancelled.

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