

NELSON INDUSTRIAL DISTRICT.

(10394.) NELSON INDUSTRIAL DISTRICT PLUMBERS, GASFITTERS, AND SHEET-METAL WORKERS.—AWARD.

In the Court of Arbitration of New Zealand, Nelson Industrial District. —In the matter of the Industrial Conciliation and Arbitration Act, 1925; and in the matter of an industrial dispute between the undermentioned persons, firms, and companies (hereinafter called "the employers"):—

Bennett, W., Estate of, Selwyn Place, Nelson
 Dyce, John P., Plumber, Port Nelson
 Flatt, H. J., Plumber, Bridge Street, Nelson
 Hambrook, F. G., Plumber, Takaka
 Hobern, F., Plumber, Tahunanui, Nelson
 Lane, W., Plumber, Motueka
 Mather, S. L., Plumber, High Street, Motueka
 McArtney, R., Estate of, Plumber, Bridge Street, Nelson
 Nelson City Council, Trafalgar Street, Nelson
 Robertson, F. G., Brightwater
 Simpson, H., Plumber, Cambria Street, Nelson
 Stewart, Thomas, Plumber, Hardy Street, Nelson
 Tuffnell, A. R., Plumber, Richmond, Nelson
 Walkey, J., Plumber, Takaka
 Willmot and Cross, Plumbers, Trafalgar Street, Nelson

and the

Nelson Plumbers, Gasfitters, and Sheet-metal Workers'
 Industrial Union of Workers

(hereinafter called "the union").

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 31st day of December, 1933, and thereafter as provided by subsection (1) (d) of section 89 of the Industrial Conciliation and Arbitration Act, 1925.

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 8th day of February, 1933.

[L.S.]

F. V. FRAZER, Judge.

SCHEDULE.

Hours of Work.

1. (a) Except as hereinafter mentioned, the hours of work shall be from 8 a.m. to 5 p.m. on every week-day except Saturday, and on Saturday from 8 a.m. to noon. One hour shall be allowed for dinner on each day except Saturday, but an employer may agree with his workers to allow half an hour for dinner during the period from the 1st day of May to the 31st day of August, so that the work shall cease at 4.30 p.m. instead of 5 p.m.

(b) In the case of urgent work only, the hour of starting may be 7.30 a.m., and in such case the finishing hour for the day shall be 4.30 p.m.

Wages.

2. (a) The minimum wage for sheet-metal workers and registered plumbers shall be 2s. per hour, and for gasfitters and unregistered plumbers 1s. 9d. per hour.

(b) Wages shall be paid weekly not later than Friday in each pay week.

(c) Workers employed under clause 5 hereof (country work) may be paid at intervals mutually agreed upon with the employer.

Interpretation.

3. "Plumbing-work" shall mean and include ships' plumbing, all sanitary work, gasfitting, hot-and-cold-water fitting, hot-water and heating apparatus, fixing of roofing, spouting, downpipes, gutters, valleys, and flashings in any metals, iron drain-pipes, and vents to any house or building: Provided that this definition shall not operate to prevent a carpenter from fixing corrugated-iron roofing, or an engineer from doing any work in connection with the fitting of hot-water or heating apparatus.

Overtime and Holidays.

4. (a) Except as otherwise provided herein, all work done in excess of the daily hours fixed in clause 1 of this award shall count as overtime, and shall be paid for at the rate of time and a quarter for the first four hours and time and a half thereafter: Provided that all overtime worked on ships shall be paid for as follows: Time and a half for the first four hours and double time thereafter.

(b) Any time worked before 8 a.m. or after 5 p.m. on five days of the week and before 8 a.m. and after 12 noon on Saturdays shall be considered overtime, and shall be paid for in accordance with the rates fixed in subclause (a) hereof.

(c) For work done on Sundays, New Year's Day, Good Friday, and Christmas Day double time shall be paid, and for work done on Boxing Day, Easter Saturday, Easter Monday, and Labour Day time and a half rate shall be paid.

(d) No worker shall be required to work more than five hours without an interval for a meal.

Country Work.

5. (a) "Country work" means work performed by a journeyman or apprentice which necessitates his sleeping away from home.

(b) Any journeyman or apprentice 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 for by his employer, but once only during the continuance of the work if the work is continuous and the journeyman or apprentice is not in the meantime recalled by the employer, or returns in consequence of sickness or accident contracted during the course of his employment.

(c) Time occupied in travelling shall be paid for at ordinary rates, but no journeyman 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. Any journeyman or apprentice who is called upon to travel more than four hours on a Saturday shall be paid at the rate of time and a half for any time in excess of four hours.

(d) Journeymen and apprentices employed upon country work shall be paid an additional sum of 4s. 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 award wages herein prescribed for country work be paid.

(f) No apprentice who has not served five years of his apprenticeship at the trade shall be sent to any country work where the Plumbers Registration Act does not operate unless he is working under the constant supervision of a journeyman plumber.

Suburban Work.

6. (a) "Suburban work" means work performed by a worker at a distance of over one and a half miles from his employer's place of business, but which does not come within the definition of "country work."

(b) Workers employed on suburban work shall either proceed to or from such work or they shall be conveyed to and from such work at the expense of the employer, as the employer shall in each case determine. Time reasonably occupied by the workers in journeying or time occupied in conveying the workers to and from such work beyond the one and a half miles shall be allowed and paid for by the employer: Provided that where the employer transports the worker by motor-vehicle the worker shall be at the employer's place of business in time to arrive at his work to commence at ordinary starting-time if such work is not beyond a distance of eight miles from the employer's place of business, and shall be paid travelling-time one way only beyond such one and a half miles before mentioned.

Tools.

7. (a) Employers shall provide journeymen with soldering-bolts, springs, pipe-fitting tools, metal-pots, plumbing-irons, 4 in. mandrels, and files. Journeymen shall find all other tools required for their work, including pipe-fitting tongs up to 1 in. pipes. Soldering-bolts and springs shall be returned in good condition (reasonable wear-and-tear excepted), or they shall be paid for by the employee.

(b) Where work is done elsewhere than at the place of business of an employer, he shall provide, when necessary, upon the premises where the work is to be done, a properly secured place for the tools of the employer and the employee.

Bicycles.

8. If a worker uses his own bicycle in the work of his employer and at his request, the worker shall be paid for the use of such bicycle at the rate of 1s. 6d. per week.

Notice of Leaving or Dismissal.

9. In the case of the dismissal of any worker or of any worker leaving of his own accord, not less than two hours' notice shall be given on either side. Any moneys due at such time shall be paid immediately.

Dirty Work.

10. (a) Workers employed at cleaning septic tanks or cutting open drains for the removal of blockages therein shall receive 1s. extra

for the first two hours worked or any portion of two hours worked, and shall receive 3d. per hour for all time worked in excess of two hours.

(b) Ships: Any worker employed at dirty work, such as under lower platform of engine-room, or in bilges, or confined places about ship's boilers—that is to say, between ship's side and boilers, between bulkhead and back end of single-ended boilers, or in tunnels—shall be paid 1s. 6d. per day extra as dirt-money.

(c) A worker required to solder down a coffin shall be paid a sum of 5s. in addition to his wages.

Preference.

11. If and so long as the rules of the worker's union shall permit any person now employed in the trade in this industrial district, and any person who may hereafter reside in this industrial district, and who is a competent journeyman, to become a member of the union upon payment of an entrance fee not exceeding 5s. and of subsequent contributions not exceeding 6d. per week (whether payable weekly or not), upon the written application of the person so desiring to join the union, without ballot or other election, then and in such case the employers shall when engaging workmen employ members of the union in preference to non-members, provided that there are members of the union equally competent with non-members to perform the work required to be done and ready and willing to undertake it; but this award shall not compel any employer to dismiss or refuse to continue in his employment any person now legally employed by him.

Under-rate Workers.

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

Exemptions.

13. (a) The following special provisions shall apply to all gas companies, and to all City, Borough, or Town Councils so far as their operations in connection with the supply of gas are concerned:—

(1) "Plumbing-work" as defined by this award shall not be deemed to include the following: (i) the laying of gas-mains in any street or public place; (ii) the laying of gas-service pipes from the main to the meter; (iii) the fixing of any gas-meter.

(2) When workers coming within the scope of this award are employed by any of the said companies or Councils in or about their workshops they may be employed for the weekly hours prescribed in any award or industrial agreement binding such Councils or companies for the time being in force, without payment of overtime, provided that they shall not be employed for more than the daily hours prescribed by such award or industrial agreement on any day.

(b) The following special provisions shall apply to all City, Borough, or Town Councils: "Plumbing-work" as defined in this award shall not be deemed to include the following: (i) the laying of water-mains in any street or public place; (ii) the laying of water-service pipes from the main to the building-line of an allotment; (iii) the fixing of any water-meter.

Scope of Award.

14. This award shall operate throughout the Nelson Industrial District.

Term of Award.

15. This award, in so far as it relates to wages, shall be deemed to have come into force on the 1st day of January, 1933, and so far as all the other conditions of this award are concerned it shall come into force on the day of the date hereof; and this award shall continue in force until the 31st day of December, 1933.

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 8th day of February, 1933.

[L.S.]

F. V. FRAZER, Judge.

MEMORANDUM.

The only matter referred to the Court related to under-rate workers. In other respects the award embodies the recommendations of the Conciliation Council, which the parties agreed to accept.

F. V. FRAZER, Judge.