

WELLINGTON INDUSTRIAL DISTRICT.

(10437.) WANGANUI CITY COUNCIL DRIVERS AND LABOURERS.—
AGREEMENT UNDER LABOUR DISPUTES INVESTIGATION
ACT, 1913.

In the matter of the Labour Disputes Investigation Act, 1913, and its amendments; and in the matter of an agreement between the Mayor, Councillors, and Citizens of the City of Wanganui, and the Society of Employees of the Wanganui City Council, City Engineer's Department.

THIS agreement, made in pursuance of the Labour Disputes Investigation Act, 1913, and its amendments, this 30th day of March, 1933, between the Mayor, Councillors, and Citizens of the City of Wanganui (hereinafter called "the Council") of the one part, and the Society of Employees of the Wanganui City Council City Engineer's Department (hereinafter called "the society") of the other part, whereby it is mutually agreed by and between the Council and the society as follows:—

SCHEDULE.

Hours of Work.

1. (a) Except where otherwise specified, the week's work shall not exceed forty-eight hours, exclusive of time required for necessary attendance to horses or motor-vehicles, which shall be paid for as provided in clause 3 hereof.

(b) If more than nine and one-half hours' work, exclusive of attendance to horses or motor-vehicles, is done in any one day, any excess beyond the nine and one-half hours and the specified attendance to horses or motor-vehicles shall be paid for at overtime rates.

(c) Except as hereinafter mentioned, any work, other than the specified attendance to horses or motor-vehicles, done before 5.30 a.m. or after 6 p.m. on five days of the week, and before 6 a.m. or after 12.30 p.m. on the day of the weekly half-holiday, shall be paid for at overtime rates as hereinafter specified, whether or not the weekly limit shall have been exceeded. Where practicable, the Council shall so arrange the hours of work on the day of the half-holiday as to enable drivers to return to the stable or garage by 12 noon.

(d) Notwithstanding the provisions of subclauses (a), (b), and (c) of clause 1, the Council shall be at liberty to make special arrangements as to hours of work with workers employed on street-flushing and/or street-scavenging work, in connection with tramway reconstruction work, or in connection with the repairs and reconstruction of sewers or water-mains, or on work which is affected by tides, or on cemetery work, or on attendance to pumps or other machinery: Provided that in each case the total number of hours of work does not exceed ninety-six per fortnight, plus recognized attendance time: Provided further, that any streets-scavenger whose regular work commences after 7 p.m. shall receive 1d. per hour in addition to the wages mentioned in clause 2.

(e) When any special or emergency work arises the Council may vary the starting-time of the workers.

(f) Where it is necessary to prepare material for work before the ordinary hour for commencing work the Council may employ workers to do such necessary work for not more than half an hour before that time at the ordinary rate of pay. This subclause applies to all workers coming within the scope of this agreement, but shall not be in addition to the nine and a half hours mentioned in subclause (b) hereof.

(g) Shift-work may be performed without regard to the hours mentioned in the previous clauses hereto, in which case eight hours shall constitute an ordinary shift, and all time worked in excess of eight hours on any shift shall be paid for at overtime rates hereinafter specified.

(h) No worker shall be required to work more than five hours continuously without being given an opportunity to have a meal.

(i) Where any worker turns out on a wet day and at the request of the foreman stands by for more than half an hour and does not subsequently work on that day he shall receive one hour's pay.

Wages.

2. Unless otherwise specified, the minimum rates for workers coming within the provisions of this agreement shall be as follows :—

	s.	d.
(a) (i) For those driving and attending one horse ..	1	11
(ii) For those driving and attending two horses ..	1	11 $\frac{3}{4}$
(iii) For those driving and attending more than two horses, an extra rate of $\frac{1}{2}$ d. per hour, or 2s. per week, shall be paid for each horse above two.		
(iv) For those driving and attending to motor-vehicles with a combined weight of vehicle and maximum load not exceeding 2 tons	1	11 $\frac{3}{4}$
(v) For those driving and attending to motor-vehicles with a combined weight of vehicle and maximum load exceeding 2 tons but not exceeding 4 tons	2	0 $\frac{1}{2}$
(vi) For those driving and attending to motor-vehicles with a combined weight of vehicle and maximum load exceeding 4 tons but not exceeding 5 $\frac{1}{2}$ tons	2	1
(vii) For those driving and attending to motor-vehicles with a combined weight of vehicle and maximum load exceeding 5 $\frac{1}{2}$ tons but not exceeding 10 tons	2	2
(viii) For those driving and attending to motor-vehicles with a combined weight of vehicle and maximum load exceeding 10 tons	2	2 $\frac{3}{4}$
(ix) For those driving and attending to tractors not otherwise specified used in conjunction with trailers	2	0 $\frac{3}{4}$

- (x) For those driving and attending to tractors, whether hauling trailers or used in conjunction with machines or implements, while engaged on road-making or general construction or formation work 2 3 s. d.

(b) The Council shall be at liberty to employ youths above the age of sixteen years as horse-drivers or as drivers of motor-vehicles at the following rates (weekly) :—

	£	s.	d.
Sixteen to seventeen years of age	0	17	6
Seventeen to eighteen years of age	1	2	6
Eighteen to nineteen years of age	1	10	0
Nineteen to twenty years of age	1	17	6
Twenty to twenty-one years of age	2	5	0

(c) For those employed on— s. d.

(i) Construction, maintenance, repair, sweeping, and cleaning of streets and footpaths, and the procuring and handling of materials for same	1	11
(ii) Construction, demolition, or repair of buildings, bridges, culverts, sewers, drains, fences, walls, or other structures	1	11
(iii) Trenching, levelling, and grading of ground	1	11
(iv) Pick, shovel, and barrow work	1	11
(v) Concrete, tar, or bitumen work, except as otherwise specified	1	11
(vi) Gardening, mowing, grass-cutting, digging, tree-planting, and tree-cutting	1	11
(vii) Grave-digging and other cemetery work	1	11
(viii) General work: Labourers employed on work not hereinbefore mentioned, or of less than six months' service	1	9

(d) In any case of emergency the Council may employ a labourer coming under the provisions of this agreement as a driver, and in such a case the labourer will be employed under the same conditions and shall be paid at the same rates of pay as a driver for the actual time he is employed in driving.

(e) The Council shall be at liberty to employ youths over the age of sixteen years on light work at the following weekly rates :—

	£	s.	d.
Sixteen to seventeen years of age	0	17	6
Seventeen to eighteen years of age	1	2	6
Eighteen to nineteen years of age	1	10	0
Nineteen to twenty years of age	1	17	6
Twenty to twenty-one years of age	2	5	0

(f) All rates of wages and allowances mentioned in this agreement are to be subject to a deduction of 10 per cent.

ALLOWANCES.

Attendance Time.

3. (a) Stable-work and attendance to motor-vehicles may be performed within the hours specified in clause 1 hereof. All stable-work in excess of such hours up to eight hours per week, inclusive of Sunday stable-time, and all attendance to motor-vehicles in excess of such hours up to four hours per week, shall be paid for at the rate of 1s. 11d. per hour.

(b) All stable-work and attendance on motor-vehicles in excess of the above-mentioned hours shall be paid for at ordinary overtime rates.

(c) Stable-work and attendance to motor-vehicles shall be performed when and as required by the Council: Provided, however, that in the event of the Council requiring the worker to do more than half an hour's work in the case of a motor-driver and one hour's work in the case of other drivers after 12.30 p.m. on the day of the weekly half-holiday, the Council shall pay overtime rates in excess of the said periods of half an hour and one hour respectively.

(d) Youths who are acting as drivers may be employed at the work provided for by this clause at 1s. per hour.

Dirty Places.

4. Men employed in cleaning blocked sewers, other than storm-water culverts and drains, who are actually working on the sewer itself while it is unsealed, shall be paid 3d. per hour in addition to their ordinary rate of wages for the time they are so employed.

Men employed in the actual relaying of a damaged sewer while it is unsealed shall receive 2d. per hour in addition to their ordinary rate of wages for the time they are so employed.

Men employed at sewer-work or laying drains working below a depth of 6 ft. shall be paid $\frac{3}{4}$ d. per hour extra.

The City Engineer may at his discretion allow 1d. per hour extra to experienced timbermen engaged on deep sewer-work.

Wet Places.

5. (a) The Council shall provide gum boots for all workers engaged in working in sewers or wet places. The City Engineer shall consider on its merits any claim made by a worker for an oilskin allowance.

(b) One shilling per day extra shall be paid to workers working in wet places, but this provision shall only take effect when a worker is engaged in one place for the greater part of the day, and does not apply to intermittent work in wet places. A "wet place" means a place where a worker has to stand in not less than 2 in. of water, or where water other than rain is dripping upon him.

Tunnelling.

6. (a) Tunnel-men and timbermen (experienced men in each case) shall be paid $2\frac{1}{2}$ d. per hour in addition to the 1s. 11d. per hour whilst so employed.

(b) Other labourers on tunnel-work shall be paid 1s. 11d. per hour.

Tar and Bitumen Work.

7. (a) Nozzle-men engaged in the spraying of tar or bitumen, $1\frac{1}{2}$ d. per hour, squeegee-men working hot tar or bitumen, and spreaders spreading hot-mix asphalt preparations, shall be paid 1d. per hour extra to the rate set out for general labourers.

(b) Nozzle-men engaged in spraying shall be provided with boots, overalls, and goggles. Squeegee-men and men spreading hot-mix asphalt preparations shall be provided with boots.

(c) All other workers engaged in the handling of tar or bitumen otherwise than in closed barrels, or in the cutting-up or otherwise coming in direct contact with tar or bitumen, shall be paid $\frac{1}{2}$ d. per hour in addition to labourers' rates.

(d) The City Engineer may at his discretion allow 1d. per hour extra to spreaders affected by the spray when engaged immediately behind nozzle-men when spreading tar or bitumen.

Refuse-lifters.

8. Men employed as refuse-lifters shall be paid $1\frac{1}{4}$ d. per hour in addition to the rate set out in clause 2 hereof while so employed, and shall, at the City Engineer's discretion, be provided with overalls, aprons, and gloves.

Tradesmen, &c.

9. All tradesmen, improvers, and others shall be paid not less than the minimum rate of wages specified in their respective awards or agreements in force at the time of the amendment to the law empowering percentage reductions to be made, less 10 per cent. They must, however, conform to the hours of work, overtime rates, time allowances, holidays, and other general conditions specified in this agreement.

General.

10. Men employed as metal-pit workers on a face of more than 12 ft., men when spreading metal on a face, men when pipe setting and jointing, and men when cleaning sumps, shall be paid $\frac{3}{4}$ d. per hour extra.

Allowances, only one to be paid for.

11. No employee shall be entitled to more than one allowance in addition to his ordinary rate of wage.

Overtime.

12. (a) All times worked beyond the hours hereinbefore mentioned, except where otherwise provided for, shall be considered overtime, and shall be paid for at the rate of time and a quarter for the first four hours and thereafter at the rate of time and one-half.

(b) Except where otherwise provided, all work done on Sundays shall be paid for at the rate of time and one-half. In the case of men working on shifts who are not required to work more than six shifts per week, the previous provision in respect to shift work shall apply, notwithstanding the fact that a shift may fall wholly or partly on Sunday.

Drivers' Duties.

13. It shall be part of the ordinary duty of a driver to assist, when required, in the loading and unloading of his employer's vehicle. The Council may require a driver at any time to do work outside his ordinary duties. All work, other than driving and attendance time, performed by drivers shall be performed under the same conditions and shall be paid for at the same rates of pay as specified herein for the respective classes of work.

Holidays.

14. (a) The following shall be the recognized holidays, and no deduction from wages shall be made in respect of such holidays in the case of any worker who has been continuously employed by the Council for not less than twelve months: New Year's Day, 2nd January, Anniversary Day, Good Friday, the morning of Easter Saturday, Easter Monday, Labour Day, Sovereign's Birthday, Christmas Day, Boxing Day; or one other day in lieu of one of the foregoing holidays. Any work done on any of these days shall be paid for at ordinary rates in the case of those workers from whom no deduction is made for such holidays. In the case of workers having less than twelve months' service, time and one-half rates will be paid for any work required to be done on the above-mentioned holidays, but no payment of any kind will be made to these workers on the above-mentioned holidays unless work is actually performed.

(b) If any of these holidays shall be generally observed on any other day, the provisions of this agreement shall apply to such other day.

(c) Employees of the Council who have been continuously employed for two years shall in addition be granted holidays from the 27th December to 31st December (both days inclusive). In the event of its being necessary to employ any employee or employees on any of the days aforementioned, then such employee or employees shall be entitled to a holiday or holidays on such other day or days as may be decided by the City Engineer.

(d) When it is found necessary to work on any of the above-mentioned holidays (except on the days between Boxing Day and New Year's Day and on the other exceptions referred to above) these days shall be paid for at ordinary time in addition to the paid holiday.

Payment of Wages.

15. (a) Wages shall be paid fortnightly in the Council's time.

(b) If the worker is dismissed or leaves, he shall be paid his wages within reasonable time after ceasing work, but in no case shall the time exceed twenty-four hours.

(c) On country work wages may be paid as agreed upon by the Council and the workers concerned in such work.

Suburban Work.

16. Workers shall be at the place where the work is to be performed at the time appointed for the commencement of the work. When work is outside the city boundaries, or beyond a distance of four miles by the nearest available route for foot-passengers from the Wanganui Chief Post-office, each worker shall be paid the ordinary rate of wages for time occupied in proceeding thereto and therefrom at the rate of four miles for every hour, with a proportionate allowance for more or less than one hour; but in the event of the worker residing within three miles of such work he shall not be paid for time occupied in travelling thereto and therefrom. When the Council provides a conveyance, only the actual time in travelling shall be paid for.

Country Work.

17. (a) "Country work" means work at which a worker is required to sleep away from home.

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

(c) Time occupied in travelling shall be paid for at the ordinary rates, but no worker shall be paid more than an ordinary day's wage for any day occupied by him in travelling, although the hours may exceed eight, unless he is on the same day occupied in working for the Council.

(d) Workers employed upon country work shall be paid an additional sum of 3s. 4d. per day for six days of the week, but the Council may, in lieu thereof, provide them at its own expense with suitable board and lodging.

(e) Notwithstanding anything herein contained, the Council 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.

(f) Nothing in the above-mentioned provisions shall prevent the Council from engaging labour on the City Council waterworks without recourse to the conditions in respect to country work.

Accommodation.

18. The Council shall provide accommodation to the satisfaction of the Inspector of Awards to enable workers to change their clothes and have their meals. The Council shall also provide proper sanitary accommodation for workers.

Termination of Employment.

19. One hour's notice shall be given of the intended termination of a worker's employment.

Tools.

20. All tools shall be supplied by the Council and will be taken in charge by the workmen to whom the same are issued. Any tools not returned or accounted for to the satisfaction of the City Engineer shall be charged against such workman, and such charge shall be a debt due to the employers and recoverable accordingly.

Accidents.

21. A modern first-aid emergency case, fully equipped, shall be kept by the Council in a convenient and accessible place at each yard.

General.

22. Every worker is required to conserve the employer's interests in every way possible, and shall report to the City Engineer or other responsible officer any matter which in his opinion is likely to result in damage to public property, loss to the Council, or inconvenience or danger to the public. Any worker who shall neglect or fail to report as aforesaid shall be liable to summary dismissal.

Under-rate Workers.

23. (a) Any worker who considers himself incapable of earning the minimum wage fixed by this agreement 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 society, 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 society 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 society requiring him to have his wage again fixed in a 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 society upon such wage without having the same so fixed.

(d) It shall be the duty of the society 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.

Preference.

24. (a) If and so long as the rules of the society shall permit any person of good character and sober habits, now employed by or who may hereafter be employed by the Wanganui City Council under the provisions of this agreement, to become a member of the society upon the payment of an entrance fee not exceeding 5s. and of subsequent contributions not exceeding 1s. per week (whether payable weekly or not) and upon written application of the person so desiring to join the society, without ballot or other election, then and in such case the Council shall when engaging workmen employ members of the society in preference to non-members, provided there is a member of the society equally competent with non-members to perform the work required to be done and ready and willing to undertake it; but this agreement shall not compel the Council to dismiss or refuse to continue in its employment any person now employed by it.

(b) Notwithstanding the above clause, the Council may employ a worker under the provisions of this agreement who is not a member of the society, for a period not exceeding six months.

Provision as to Relief Works.

25. Notwithstanding anything hereinbefore contained to the contrary or otherwise, the Council may, for the relief of necessitous cases of unemployment, do either of the following things, that is to say:—

(a) Provide work for any person notwithstanding that such person is not a member of the society.

(b) Pay not less than the rate paid to registered unemployed workers by the Unemployment Board.

Permanent Staff.

26. Should the Council decide at any future time to employ a permanent staff this agreement shall not apply to same.

Interpretation.

27. For the purpose of this agreement, the City Engineer shall mean the engineer for the time being of the Wanganui City Council, and includes any deputy or assistant authorized to act in his stead.

28. The essence of this agreement being that the work of the employers shall not on any account whatsoever be impeded, but shall always proceed as if no dispute has arisen, it is provided that if any dispute or difference shall arise between the parties bound by this agreement or any of them as to the interpretation or meaning of any clause contained therein, or as to any matter whatsoever arising out of or connected therewith, and not specifically dealt with in this agreement, every such dispute or difference shall be referred to a committee to be composed of two representatives of each side, together with an independent chairman to be mutually agreed upon, or, in default of agreement, to be appointed by the Conciliation Commissioner for the district. The decision of the majority of the committee shall be binding.

Term of Agreement.

29. This agreement shall come into force on the 1st day of April, 1933, and shall continue in force until the 31st day of March, 1934.

The common seal of the Mayor, Councillors, and Citizens of the City of Wanganui was hereto affixed by order of the Council by and in the presence of—

[SEAL.]

N. G. ARMSTRONG, Mayor.

G. MURCH, Town Clerk.

Signed on behalf of the Society of Employees of the Wanganui City Council, City Engineer's Department—

T. DITCHFIELD.

H. TRICKETT.

A. THOMPSON.

G. WHITE.

NOTE.—This agreement, made under the Labour Disputes Investigation Act, 1913, was filed with the Clerk of Awards at Wellington, pursuant to section 8 (1) of the said Act, on the 5th day of April, 1933.