

(10898.) TIMARU BOROUGH COUNCIL DRIVERS.—INDUSTRIAL  
AGREEMENT.

THIS industrial agreement, made in pursuance of the Industrial Conciliation and Arbitration Act, 1925, and its amendments, this 9th day of September, 1935, between the Mayor, Councillors, and Citizens of the Borough of Timaru, a Corporation constituted under the Municipal Corporations Act, 1920, and hereinafter referred to as the "Timaru Borough Council," and joining in these presents as an employer, of the one part, and the Canterbury Drivers and Related Trades Industrial Union of Workers, an industrial union registered under the Industrial Conciliation and Arbitration Act, 1925, and hereinafter referred to as "the industrial union" (the registered office of which is situated at 194 Gloucester Street, in the City of Christchurch), of the other part, whereby it is mutually agreed by and between the parties hereto as follows, that is to say: That the terms, conditions, stipulations, and provisions set out in the schedule hereto shall be binding upon the said parties, and they shall be deemed to be and are hereby incorporated in and declared to form part of this agreement.

---

SCHEDULE.

*Hours of Work.*

1. (a) Except where otherwise provided, a week's work shall not exceed forty-eight hours.  
(b) The daily working-hours shall be regulated in advance according to the special requirements of the Council, but so that

the ordinary hours of work shall be made to fall between the hours of 7 a.m. and 6 p.m. on five days of the week and 7 a.m. and 12 noon on Saturday.

(c) The hours prescribed in clause 1 (a) hereof include time occupied in attendance to horses, motor-vehicles, cleaning harness, and washing and attending vehicles.

(d) All time worked beyond the hours prescribed in clause 1 (b) hereof shall be counted as overtime, and shall be paid for as prescribed in clause 4 hereof.

(e) The employer shall provide a time-book in each stable, in which each driver shall enter daily the total hours for which he is entitled to be paid, and stating the overtime (if any). The foreman shall within forty-eight hours have the time verified and the book initialled.

#### *Wages.*

2. (a) The minimum rates of wages for workers coming within the provisions of this award shall be as follows:—

	Per Hour.
	s.    d.
(1) For those driving and attending one horse	1    9½
(2) For those driving and attending two horses	1    10½
(3) For those driving and attending three horses	1    11½
(4) For those driving and attending motor-vehicles, the wages shall be £4 19s. per week, with the same conditions as prevailed in previous agreements.	

(b) (1) One shilling per day or part thereof shall be paid extra as dirt-money to drivers engaged in the following work: Fish-refuse carting, household-rubbish carting. Drivers employed at sump-cleaning shall receive 1½d. per hour extra whilst employed at such work.

(2) No deductions shall be made from such wages for any cause save for time lost through the worker's own default or sickness.

#### *Holidays.*

3. (a) The following shall be the recognized holidays, and no deductions shall be made in respect of such holidays from the wages of men who have served the Council for three months or more: New Year's Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Show Day, Sovereign's Birthday, Christmas Day, Boxing Day, and friendly societies picnic day.

(b) In addition to the above holidays all horse-drivers on completion of each year's service shall be entitled to receive an annual holiday of one week on full pay, to be taken at the discretion of the departmental head. This holiday is granted conditionally that no overtime is booked up except what is known as storm beat.

(c) Work done on Sundays, Anzac Day, Good Friday, and Christmas Day shall be paid for at double time rates, and work done on other holidays mentioned in this award shall be paid for at the rate of time and a quarter.

*Overtime.*

4. All time worked in excess of the hours prescribed in clause 1 hereof shall be deemed to be overtime, and shall be paid for at the rate of time and a half for the first four hours and thereafter at the rate of double time.

*Payment of Wages.*

5. Wages shall be paid regularly weekly or fortnightly in cash, overtime included, not later than Friday in the week.

*Meals.*

6. One full hour shall be allowed for dinner, between the hours of 11.45 a.m. and 1.30 p.m. for all horse and motor drivers.

*Terms of Engagement.*

7. The term of engagement shall be weekly, and a week's notice of dismissal or of resignation shall be given by the employer or the employee, but this shall not prevent the summary dismissal of a worker for misconduct. In the event of an employee being suspended from duty for any cause he shall have the right of appeal to the Council before being dismissed from its service.

*Casual Drivers.*

8. Casual drivers may be employed as one-horse drivers at 1s. 10½d. per hour, as two-horse drivers at 1s. 11½d. per hour. A "casual" driver is one who is employed for less than a full week of forty-eight hours.

*Preference.*

9. (a) If any employer shall hereinafter engage any worker within the scope of this agreement who shall not be a member of the union, and who shall not become a member thereof within fourteen days after his engagement and remain such member, the employer shall dismiss such worker from his service if required 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 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 1s. per week.

(c) An employer shall on request furnish a list of his employees to the secretary of the union, but not more than once in three months.

#### *Under-rate Workers.*

10. (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 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 worker shall offer.

(b) Such permit shall be for a 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 low wage, to examine the permit or agreement by which such wage is fixed.

#### *Scope of Agreement.*

11. This agreement shall apply to all drivers of horse and motor-driven vehicles employed by the Timaru Borough Council who are not covered by other awards.

*Term of Agreement.*

12. This industrial agreement shall come into force on September 6th, 1935, and continue in force until September 6th, 1937.

Signed on behalf of the Timaru Borough Council—

W. SATTERTHWAITE, Mayor.

In the presence of—S. Killick, Town Clerk.

[SEAL.]

Signed on behalf of the Canterbury Drivers and Related Trades Industrial Union of Workers—

[SEAL.]

E. PARLANE, Secretary.

H. McCAW, President.

---