

(11354.) NEW ZEALAND **LOCAL BODIES DRIVERS.**—AWARD.

[*Filed in the Office of the Clerk of Awards, Wellington.*]

In the Court of Arbitration of New Zealand, Northern, Taranaki, Wellington, Marlborough, Nelson, Westland, Canterbury, and Otago and Southland Industrial Districts.—In the matter of the Industrial Conciliation and Arbitration Act, 1925; and in the matter of an industrial dispute between the New Zealand Federated Drivers and Related Trades Industrial Association of Workers (hereinafter called “the union”) and the undermentioned persons, firms, and companies (hereinafter called “the employers”):—

NORTHERN INDUSTRIAL DISTRICT.

Boroughs.

Birkenhead Borough Council, Birkenhead.
Cambridge Borough Council, Cambridge.
Dargaville Borough Council, Dargaville.
Devonport Borough Council, Devonport.
Hamilton Borough Council, Hamilton.
Huntly Borough Council, Huntly.
Morrinsville Borough Council, Morrinsville.
Mount Albert Borough Council, Mount Albert.

Mount Eden Borough Council, Mount Eden.
 New Lynn Borough Council, New Lynn.
 Newmarket Borough Council, Newmarket.
 Ngaruawahia Borough Council, Ngaruawahia.
 Northcote Borough Council, Northcote.
 Onehunga Borough Council, Onehunga.
 One Tree Hill Borough Council, One Tree Hill.
 Opotiki Borough Council, Opotiki.
 Otahuhu Borough Council, Otahuhu.
 Paeroa Borough Council, Paeroa.
 Pukekohe Borough Council, Pukekohe.
 Rotorua Borough Council, Rotorua.
 Takapuna Borough Council, Takapuna.
 Taumarunui Borough Council, Taumarunui.
 Tauranga Borough Council, Tauranga.
 Te Aroha Borough Council, Te Aroha.
 Te Awamutu Borough Council, Te Awamutu.
 Te Kuiti Borough Council, Te Kuiti.
 Thames Borough Council, Thames.
 Waihi Borough Council, Waihi.
 Whakatane Borough Council, Whakatane.
 Whangarei Borough Council, Whangarei.

Counties.

Bay of Islands County Council, Kawakawa.
 Cook County Council, Gisborne.
 Coromandel County Council, Coromandel.
 Franklin County Council, Pukekohe.
 Great Barrier Island County Council, Tryphena, Auckland.
 Hauraki County Council, Ngatea.
 Hobson County Council, Dargaville.
 Hokianga County Council, Rawene.
 Kawhia County Council, Kawhia.
 Manukau County Council, Princes Street, Auckland.
 Matakaoa County Council, Te Araroa.
 Matamata County Council, Tirau.
 Maunganui County Council, Kaitaia.
 Ohinemuri County Council, Paeroa.
 Opotiki County Council, Opotiki.
 Otamatea County Council, Paparoa.
 Otorohanga County Council, Otorohanga.
 Piako County Council, Te Aroha.
 Raglan County Council, Ngaruawahia.
 Rodney County Council, Warkworth.
 Rotorua County Council, Rotorua.
 Tauranga County Council, Tauranga.
 Taumarunui County Council, Taumarunui.
 Thames County Council, Thames.
 Uawa County Council, Tolaga Bay.
 Waiapu County Council, Te Puia Springs.
 Waikato County Council, Hamilton.
 Waikohu County Council, Te Karaka, Gisborne.
 Waimarino County Council, Raetihi.
 Waipa County Council, Te Awamutu.
 Waitemata County Council, Princes Street, Auckland.
 Waitomo County Council, Te Kuiti.
 Whakatane County Council, Whakatane.
 Whangarei County Council, Whangarei.
 Whangaroa County Council, Kaeo.

Town Boards.

Ellerslie Town Board, Ellerslie.
 Glen Eden Town Board, Glen Eden.
 Helensville Town Board, Helensville.
 Henderson Town Board, Henderson.
 Hikurangi Town Board, Hikurangi.
 Howick Town Board, Howick.
 Kaikohe Town Board, Kaikohe.
 Kaitaia Town Board, Kaitaia.
 Kamo Town Board, Kamo.
 Leamington Town Board, Leamington.
 Manurewa Town Board, Manurewa.
 Matamata Town Board, Matamata.
 Otorohanga Town Board, Otorohanga.
 Papakura Town Board, Papakura.
 Papatoetoe Town Board, Papatoetoe.
 Putaruru Town Board, Putaruru.
 Te Puke Town Board, Te Puke.
 Tuakau Town Board, Tuakau.
 Waiuku Town Board, Waiuku.
 Warkworth Town Board, Warkworth.

Road Boards.

Mount Roskill Road Board, Mount Roskill.
 Mount Wellington Road Board, Mount Wellington.
 Orapiu Town Board, Orapiu.
 Ostend Town Board, Ostend.
 Panmure Town Board, Panmure.

Domain Board.

One Tree Hill, Domain Board, Auckland.

Electric-power Boards.

Bay of Plenty Electric-power Board, Box 71, Opotiki.
 Cambridge Electric-power Board, Box 50, Cambridge.
 Central Waikato Electric-power Board, Private Bag, Hamilton.
 Franklin Electric-power Board, Private Bag, Pukekohe.
 North Auckland Electric-power Board, Box 29, Dargaville.
 Poverty Bay Electric-power Board, Box 518, Gisborne.
 Tauranga Electric-power Board, Private Bag, Tauranga.
 Te Awamutu Electric-power Board, Box 34, Te Awamutu.
 Thames Valley Electric-power Board, Private Bag, Te Aroha.
 Wairere Electric-power Board, Box 13, Piopio.
 Waitemata Electric-power Board, Box 893, Auckland.

TARANAKI INDUSTRIAL DISTRICT.

Boroughs.

Eltham Borough Council, Eltham.
 Hawera Borough Council, Hawera.
 Inglewood Borough Council, Inglewood.
 New Plymouth Borough Council, New Plymouth.
 Patea Borough Council, Patea.
 Stratford Borough Council, Stratford.
 Waitara Borough Council, Waitara.

Counties.

Clifton County Council, Waitara.
 Egmont County Council, Opunake.
 Eltham County Council, Eltham.
 Hawera County Council, Hawera.
 Inglewood County Council, Inglewood.
 Ohura County Council, Ohura.
 Patea County Council, Patea.
 Stratford County Council, Stratford.
 Taranaki County Council, New Plymouth.
 Whangamomona County Council, Whangamomona.
 Waimate West County Council, Manaia.

Town Boards.

Kaponga Town Board, Kaponga.
 Manaia Town Board, Manaia.
 Normanby Town Board, Normanby.
 Ohura Town Board, Ohura.
 Opunake Town Board, Opunake.

River Board.

Matau River Board, Matau.

Electric-power Boards.

Opunake Electric-power Board, Box 23, Opunake.
 South Taranaki Electric-power Board, Box 94, Hawera.
 Taranaki Electric-power Board, Box 1, Eltham.

Harbour Board.

New Plymouth Harbour Board, New Plymouth.

WELLINGTON INDUSTRIAL DISTRICT.

Boroughs.

Carterton Borough Council, Carterton.
 Dannevirke Borough Council, High Street, Dannevirke.
 Eastbourne Borough Council, Eastbourne.
 Eketahuna Borough Council, Eketahuna.
 Featherston Borough Council, Featherston.
 Feilding Borough Council, Feilding.
 Foxton Borough Council, Foxton.
 Greytown Borough Council, Greytown.
 Hastings Borough Council, Hastings.
 Levin Borough Council, Levin.
 Lower Hutt Borough Council, Lower Hutt.
 Martinborough Borough Council, Martinborough.
 Marton Borough Council, Marton.
 Masterton Borough Council, Masterton.
 Napier Borough Council, Browning Street, Napier.
 Ohakune Borough Council, Ohakune.
 Otaki Borough Council, Otaki.
 Pahiatua Borough Council, Pahiatua.
 Palmerston North City Council, Palmerston North.
 Raetihi Borough Council, Raetihi.
 Shannon Borough Council, Shannon.
 Taihape Borough Council, Taihape.

Upper Hutt Borough Council, Upper Hutt.
 Waipawa Borough Council, Waipawa.
 Waipukurau Borough Council, Northumberland Street, Waipukurau.
 Wairoa Borough Council, Wairoa.
 Woodville Borough Council, Woodville.

Counties.

Akitio County Council, Pongaroa.
 Castlepoint County Council, Tinui.
 Dannevirke County Council, Dannevirke.
 Eketahuna County Council, Eketahuna.
 Featherston County Council, Martinborough.
 Hawke's Bay County Council, Napier.
 Horowhenua County Council, Levin.
 Hutt County Council, Bowen Street, Wellington.
 Kairanga County Council, Palmerston North.
 Kaitieke County Council, Raurimu.
 Kiwitea County Council, Kimbolton.
 Makara County Council, 57 Ballance Street, Wellington.
 Manawatu County Council, Sanson.
 Masterton County Council, Masterton.
 Mauriceville County Council, Mauriceville.
 Oroua County Council, Feilding.
 Pahiatua County Council, Pahiatua.
 Patangata County Council, Waipukurau.
 Pohangina County Council, Pohangina.
 Rangataua County Council, Rangataua.
 Rangitikei County Council, Marton.
 Waimarino County Council, Raetihi.
 Waipawa County Council, Waipawa.
 Waipukurau County Council, Waipukurau.
 Wairarapa South County Council, Carterton.
 Wairoa County Council, Wairoa.
 Waitotara County Council, P.O. Box 78, Wanganui.
 Wanganui County Council, P.O. Box 235, Wanganui.
 Weber County Council, Ti Tree Point.
 Woodville County Council, Woodville.

Harbour Boards.

Napier Harbour Board, Napier.
 Wanganui Harbour Board, Wanganui.
 Wellington Harbour Board, Wellington.

Town Boards.

Bulls Town Board, Bulls.
 Havelock North Town Board, Havelock North.
 Hunterville Town Board, Hunterville.
 Johnsonville Town Board, Johnsonville.
 Mangaweka Town Board, Mangaweka.
 Rongotea Town Board, Rongotea.
 Taradale Town Board, Taradale.
 Waverley Town Board, Waverley.

River Boards.

Hawke's Bay River Board, W. J. Pallot, Herschell Street, Napier.
 Hutt River Board, Lower Hutt.
 Kahutara River Board, Martinborough.

Manawatu-Oroua River Board, Palmerston North.
 Otaki River Board, Otaki.
 Palmerston North River Board, Palmerston North.
 South Wairarapa River Board, Featherston.
 Waiohine River Board, Greytown.

Electric-power Boards.

Central Hawke's Bay Electric-power Board, Private Bag, Waipukurau.
 Dannevirke Electric-power Board, Box 157, Dannevirke.
 Hawke's Bay Electric-power Board, Box 142, Napier.
 Horowhenua Electric-power Board, Box 2, Levin.
 Hutt Valley Electric-power Board, Private Bag, Lower Hutt.
 Manawatu-Oroua Electric-power Board, Box 239, Palmerston North.
 Tararua Electric-power Board, Box 11, Eketahuna.
 Wairarapa Electric-power Board, Box 56, Carterton.
 Wairoa Electric-power Board, Box 13, Wairoa.
 Wanganui-Rangitikei Electric-power Board, Box 11, Wanganui.

NELSON INDUSTRIAL DISTRICT.

Boroughs.

Motueka Borough Council, Motueka.
 Richmond Borough Council, Richmond.

Counties.

Buller County Council, Westport.
 Collingwood County Council, Collingwood.
 Inangahua County Council, Reefton.
 Murchison County Council, Murchison.
 Nelson City Council, Trafalgar Street, Nelson.
 Takaka County Council, Takaka.
 Waimea County Council, Trafalgar Street, Nelson.

Town Boards.

Cobden Town Board, Cobden.
 Tahunanui Town Board, Tahunanui.
 Takaka Town Board, Takaka.

Road Board.

Suburban North Road Board, Wakapuaka.

Electric-power Boards.

Golden Bay Electric-power Board, Box 39, Takaka.
 Waimea Electric-power Board, Box 74, Nelson.

MARLBOROUGH INDUSTRIAL DISTRICT.

Boroughs.

Blenheim Borough Council, Blenheim.
 Picton Borough Council, Picton.

Counties.

Awatere County Council, Seddon.
 Marlborough County Council, Blenheim.

Town Board.

Havelock Town Board, Havelock.

River Board.

Wairau River Board, Blenheim.

WESTLAND INDUSTRIAL DISTRICT.

Boroughs.

Brunner Borough Council, Brunner.
 Greymouth Borough Council, Greymouth.
 Hokitika Borough Council, Hokitika.
 Kumara Borough Council, Kumara.
 Ross Borough Council, Ross.
 Runanga Borough Council, Runanga.
 Westport Borough Council, Westport.

Counties.

Grey County Council, Greymouth.
 Westland County Council, Hokitika.

Electric-power Board.

Grey Electric-power Board, Box 67, Greymouth.

CANTERBURY INDUSTRIAL DISTRICT.

Boroughs.

Akaroa Borough Council, Akaroa.
 Ashburton Borough Council, Ashburton.
 Geraldine Borough Council, Geraldine.
 Kaiapoi Borough Council, Kaiapoi.
 Lyttelton Borough Council, Lyttelton.
 New Brighton Borough Council, New Brighton.
 Rangiora Borough Council, Rangiora.
 Riccarton Borough Council, Riccarton.
 Sumner Borough Council, Sumner.
 Temuka Borough Council, Temuka.
 Waimate Borough Council, Waimate.

Counties.

Akaroa County Council, Akaroa.
 Amuri County Council, Culverden.
 Ashburton County Council, Ashburton.
 Ashley County Council, Loburn.
 Cheviot County Council, Cheviot.
 Ellesmere County Council, Leeston.
 Eyre County Council, Ohoka.
 Geraldine County Council, Geraldine.
 Halswell County Council, Halswell.
 Heathcote County Council, Heathcote, Christchurch.
 Kaikoura County Council, Kaikoura.
 Kowai County Council, Balcairn.
 Levels County Council, Timaru.
 Mackenzie County Council, Fairlie.
 Malvern County Council, Darfield.
 Mount Herbert County Council, Governor's Bay.

Oxford County Council, East Oxford.
 Paparua County Council, Sockburn.
 Rangiora County Council, Rangiora.
 Selwyn County Council, Hororata.
 Springs County Council, Springston.
 Tawera County Council, Springfield.
 Waimairi County Council, Christchurch.
 Waimate County Council, Waimate.
 Waipara County Council, Waikari.
 Wairewa County Council, Little River.

Drainage Boards.

Christchurch Drainage Board, 198 Hereford Street, Christchurch.
 Ellesmere Drainage Board, Tai Tapu.

Town Boards.

Pleasant Point Town Board, Pleasant Point, South Canterbury.
 Southbridge Town Board, Southbridge.
 Tinwald Town Board, Tinwald.

River Board.

Waimakariri River Trust, Christchurch.

Electric-power Boards.

Ashburton Electric-power Board, Box 40, Ashburton.
 Banks Peninsula Electric-power Board, Little River.
 Malvern Electric-power Board, Box 50, Darfield.
 North Canterbury Electric-power Board, Box 20, Rangiora.
 South Canterbury Electric-power Board, Box 207, Timaru.
 Springs-Ellesmere Electric-power Board, Box 11, Leeston.

OTAGO AND SOUTHLAND INDUSTRIAL DISTRICT.

Boroughs.

Alexandra Borough Council, Alexandra, Central Otago.
 Arrowtown Borough Council, Arrowtown, Central Otago.
 Balclutha Borough Council, Balclutha.
 Bluff Borough Council, Bluff.
 Cromwell Borough Council, Cromwell, Central Otago.
 Gore Borough Council, Gore.
 Hampden Borough Council, Hampden, Otago.
 Kaitangata Borough Council, Kaitangata, Otago.
 Lawrence Borough Council, Lawrence, Central Otago.
 Maitai Borough Council, Maitai, Southland.
 Milton Borough Council, Milton, Otago.
 Mosgiel Borough Council, Mosgiel, Otago.
 Naseby Borough Council, Naseby, Central Otago.
 Oamaru Borough Council, Oamaru.
 Palmerston Borough Council, Palmerston, Otago.
 Queenstown Borough Council, Queenstown.
 Riverton Borough Council, Riverton.
 Roxburgh Borough Council, Roxburgh.
 South Invercargill Borough Council, Invercargill.
 Tapanui Borough Council, Tapanui.
 Waikouaiti Borough Council, Waikouaiti.
 Winton Borough Council, Winton.

Counties.

Bruce County Council, Milton.
 Clutha County Council, Balclutha.
 Invercargill City Council, Tay Street, Invercargill.
 Lake County Council, Queenstown.
 Maniototo County Council, Naseby.
 Peninsula County Council, Portobello.
 Southland County Council, Invercargill.
 Stewart Island County Council, Half-moon Bay, Stewart Island.
 Taieri County Council, Mosgiel.
 Tuapeka County Council, Lawrence.
 Vincent County Council, Clyde.
 Waihemo County Council, Palmerston.
 Waikouaiti County Council, Waikouaiti.
 Waitaki County Council, Oamaru.
 Wallace County Council, Otautau.

Electric-power Boards.

Otago Central Electric-power Board, Box 13, Alexandra.
 Otago Electric-power Board, Box 3, Milton.
 Southland Electric-power Board, Private Bag, Invercargill.
 Teviot Electric-power Board, Box 7, Roxburgh.
 Waitaki Electric-power Board, Box 466, Oamaru.

Harbour Board.

Bluff Harbour Board, Bluff.

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 very 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 from the 28th day of December, 1936, and shall continue in force until the 28th day of December, 1937, 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 22nd day of December, 1936.

[L.S.]

E. PAGE, Judge.

SCHEDULE.

Hours of Work.

1. (a) Except where otherwise provided a week's work shall not exceed $42\frac{1}{2}$ hours.

(b) If more than nine hours' work is done in any one day, any excess beyond those hours shall be paid for at overtime rates.

(c) Except as hereinafter mentioned, any work other than necessary attendance to horses or motor-vehicles before 7 a.m. and after 5.30 p.m. on five days of the week and before 7 a.m. and after 12 noon 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.

(d) Ordinarily one hour shall be allowed for a meal, but this time may be curtailed by mutual agreement.

(e) No worker shall work more than five hours continuously without an interval for a meal.

(f) The local body shall provide a time-book or time-sheet in which each driver shall enter daily the total hours for which he is entitled to be paid, and the overtime, if any. The local body shall have the time verified and the book or sheet initialled each pay period.

(g) Where practicable, local bodies shall so arrange the hours of work as to enable drivers to work their ordinary weekly hours on the first five days of the week.

Wages.

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

	Per Week.		
	£	s.	d.
(i) For those driving and attending one horse	4	8	0
(ii) For those driving and attending two horses	4	11	0
(iii) For those driving and attending more than two horses, an extra rate of 6d. per day or 2s. 6d. a week shall be paid for each horse above two			
(iv) Drivers of any class of motor-vehicle with a combined weight of vehicle and maximum load not exceeding the weights set out in the following schedule shall be paid not less than the following rates—			
Up to 2 tons (including motor-cycles and tri-cars)	4	11	0
Over 2 tons and up to 4 tons	4	13	6
Over 4 tons and up to 5½ tons	4	16	0
Over 5½ tons and up to 10 tons	5	0	0
Over 10 tons	5	3	0
(v) For those driving and attending to tractors not otherwise specified used in conjunction with trailers	4	15	0
(vi) For grader-drivers	5	5	0
(vii) For tractor, scarifier, and road-roller drivers when engaged on work in connection with road construction			
			Per Hour.
	0	2	5

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

(c) Drivers engaged carting sewerage or nightsoil shall be paid 2s. per day in addition to the wages herein prescribed.

Casual Drivers.

3. (a) To ascertain the ordinary hourly rate of wages for casual drivers, the weekly wage in respect of the class of vehicle concerned shall be divided by the number of hours constituting the ordinary week's work, thus ascertaining the hourly rate, and 15 per cent. shall be added thereto: Provided that this clause shall not apply to regular employees temporarily engaged in driving, and provided further that if the rate of wages for drivers is higher than that fixed for such other

employment they shall be paid the difference between their ordinary employment and their rate of pay as drivers calculated on an hourly basis.

(b) Casual drivers shall receive a minimum of four consecutive hours' pay.

(c) A worker shall be deemed to be a casual driver who is not employed continuously for one week.

Holidays.

4. (a) Local-body drivers shall receive and be paid for the following holidays: New Year's Day, Good Friday, Easter Monday, Labour Day, Sovereign's Birthday, Christmas Day, Boxing Day, and two other days to be mutually agreed upon. The local bodies shall notify the union concerned of the two days agreed on.

(b) When any holiday falls on a Sunday the following day shall be observed.

(c) Any work done on any of the above holidays or on Sunday or Anzac Day shall be paid for at double-time rates; such payment shall be in addition to the payment provided for in subclause (a) hereof.

(d) In addition to the above holidays workers covered by this award shall be granted a week's holiday on full pay during each year of service with the same employer: Provided that a worker leaving his employment or being dismissed at any time shall be entitled to a holiday or equivalent of pay proportionate to the time he has served.

Where practicable, such holiday shall be given in proximity to the Christmas or Easter Holidays.

Overtime.

5. Overtime for all drivers shall be paid for at the rate of time and a half.

Emergency Work.

6. (a) Emergency work shall mean work necessitated by wind, rain, fire, snow, storms, floods, tides, and earthquakes, and requiring immediate attention to keep open or restore essential services and shall include opening lake outlets.

(b) In the case of such emergency work, and notwithstanding anything contained elsewhere in this award, the following provisions shall apply:—

- (i) Except on the holidays named in clause 4 (a), up to nine hours may be worked on any one day without payment of overtime and time and a half rates shall be paid beyond nine hours' work on such days.

- (ii) On holidays provided in clause 4 (a), ordinary time (in addition to the holiday payment provided for in clause 4 (a)) shall be paid for the first nine hours and time and a half beyond the first nine hours.

Drivers' Duties.

7. It shall be part of the ordinary duty of a driver to assist when required in loading and unloading the employer's vehicle. An employer may employ a worker who is substantially engaged as a driver at work outside his ordinary duties for the purpose of filling in time, but in such case he shall be paid not less than the award or ruling rate for such work: Provided that for all the time in any week that he shall be doing drivers' work he shall be paid the proportionate amount at the driver's rate of pay, and if in any week he shall be doing drivers' work for more than 50 per cent. of his time he shall be paid the driver's rate for the whole of that week.

Payment of Wages.

8. Wages shall be paid regularly either weekly or fortnightly as may be arranged between the local body and the drivers concerned, but where agreement is reached through the union representative wages may be paid monthly.

Term of Engagement.

9. In the case of workers other than casual hands, a week's notice of dismissal or resignation shall be given by the employer or the worker. This shall not prevent the employment of a driver in any one week at other than his usual work, without terminating his engagement as a driver.

Country Work.

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

(b) Any worker sent to 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 such work is continuous and the worker is not in the meantime recalled by his employer.

(c) Time so occupied in travelling shall count as time worked and shall be paid for at ordinary rates.

(d) Such workers employed upon country work shall be paid an additional sum of 4s. 6d. per working-day, but the employer may in lieu thereof provide them at his own expense with suitable board and lodgings; or, where the employer

provides satisfactory accommodation, 2s. 6d. shall be paid for food allowance for every working-day the workers are in camp. For the purposes of this clause "satisfactory accommodation" shall include provision for cooking, storage of food, and reasonable sanitary conveniences.

(e) Workers making use of such accommodation shall keep it clean. If they fail to do so, the employer may employ some other person to do the work and may deduct the cost of such work from any moneys due or accruing due to such workers.

(f) Notwithstanding anything contained herein, an 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: Provided, however, that all time worked outside or in excess of such prescribed hours shall be considered overtime and shall be paid for at the rate of 1d. an hour in addition to the ordinary rates.

Travelling-time.

11. In the event of a driver being required to park or garage his vehicle or implement at a place other than the particular yard depot to which he is attached, the employer shall do one or other of the following things:—

- (a) Provide the driver with free transport to and from such vehicle or implement;
- (b) Reimburse the driver any additional cost incurred by him in travelling to and from his work on account of his vehicle or implement being parked or garaged away from the particular yard or depot to which he is attached. Further, any additional time occupied by the driver in travelling to and from his work, due to the above cause, shall be deemed to be part of his day's work, and shall count as time or overtime, as the case may be, except that half an hour in going and half an hour in returning shall not be counted as time worked.

Working in Wet.

12. A "wet place" shall mean a place where workers are standing in water 3 in. or more in depth, or where water other than rain-water is dripping on them; but if the employer shall provide the workers with overalls or watertight gum boots, or both, the place shall not be deemed to be a "wet place." Six hours shall constitute a day's work where workers are working in wet places within the meaning of this clause, or foul air, and shall be paid for as if the workers had worked eight hours.

Disputes.

13. The essence of this award being that the work of the employers shall not on any account whatsoever be impeded, but shall always proceed as if no dispute had arisen, it is provided that if any dispute or difference shall arise between the parties bound by this award, or any of them, as to any matter whatsoever arising out of or connected therewith and not dealt with in this award, 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. Either side shall have the right to appeal to the Court against a decision of any such committee upon giving to the other side written notice of such appeal within fourteen days after such decision has been made known to the party desirous of appealing.

Accidents.

14. A modern first-aid emergency case, fully equipped, shall be provided and maintained by the local bodies in a convenient and accessible place.

Special Provision for Power Boards.

15. Electric-power Boards shall be at liberty to make special arrangements with their drivers as to the hours of work when required to work in connection with breakdowns or special work: Provided that the hours shall not exceed 42½ per week, and in the case of these drivers overtime shall be paid only for any time worked in excess of the hours herein prescribed. Further, this award shall not apply to those employees of Power Boards who are substantially employed as electricians or linesmen and paid as such, but only to those employees who are engaged as drivers and are substantially employed in that capacity.

Workers to be Members of Union.

16. (a) It shall not be lawful for any employer bound by this award to employ or to continue to employ in any position or employment subject to this award any adult person who is not for the time being a member of an industrial union of workers bound by this award or who is not for the time being a member of a trade-union which was registered as such before the 1st day of May, 1936, and which is bound by this award:

Provided, however, that any non-unionist may be continued in any position or employment by an employer bound by this award during any time while there is no member of a union

bound by this award who is available to perform the particular work required to be done and is ready and willing to undertake it.

(b) For the purposes of subclause (a) of this clause a person of the age of eighteen years or upwards, and every other person who for the time being is in receipt of not less than the minimum rate of wages prescribed by this award for workers of the age of twenty-one years and upwards, shall be deemed to be an adult.

(NOTE.—Attention is drawn to subsection (4) of section 18 of the Industrial Conciliation and Arbitration Amendment Act, 1936, which gives to workers the right to join the union.)

(c) The secretary or other representative of the union shall be permitted to interview employees in working-hours, but so as not to interfere unreasonably with the operations of the local bodies concerned.

(d) Local bodies shall supply, on request, at intervals of not less than three months, to the secretary of the local union, a list of all drivers employed.

Under-rate Workers.

17. (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.

Scope of Award.

18. This award shall operate throughout the Northern, Taranaki, Wellington, Marlborough, Nelson, Westland, Canterbury, and Otago and Southland Industrial Districts.

Term of Award.

19. This award shall come into force on the 28th day of December, 1936, and shall continue in force until the 28th day of December, 1937.

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 22nd day of December, 1936.

[L.S.]

E. PAGE, Judge.

MEMORANDUM.

The main questions submitted to the Court included wages and hours of work. Mr. Prime dissents from the hours of work fixed and considers that the hours should be the same as those agreed to in the general drivers' dispute.

Mr. Monteith does not agree with the cutting-out of the 1d. per hour previously granted to local-body workers.

The provisions of the amending Act of 1936 relating to hours of work render it necessary for the Court to make a slight alteration in the country-work clause as agreed on by the parties. A provision has accordingly been inserted describing the additional hours worked on country jobs as overtime and prescribing therefor an extra payment of 1d. per hour.

Mr. Monteith is not in agreement with the additional rate fixed for country work. His dissenting opinion is subjoined.

E. PAGE, Judge.

DISSENTING OPINION OF MR. MONTEITH.

I dissent from the new low level of overtime payment. These men have to work forty-two and a half hours and then receive a payment of 1d. per hour overtime.