

(11372.) WELLINGTON AND TARANAKI **BACON WORKERS.**—AWARD.

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

In the Court of Arbitration of New Zealand, Wellington and Taranaki Industrial Districts.—In the matter of the Industrial Conciliation and Arbitration Act, 1925; and in the matter of an industrial dispute between the North Island Bacon Workers' Federation Industrial Association of Workers, the Taranaki Bacon Workers' Industrial Union of Workers, and the Wellington Bacon Workers' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

WELLINGTON INDUSTRIAL DISTRICT.

- Beacon Bacon Co., Ltd., 162 Victoria Avenue, Wanganui (Mr. D'Arcy).  
Brown, H. J., Bacon-curer, Moreton Road, Carterton.  
Candy, W. J., Carterton.  
Elite Bacon, Ice, and Cool Storage Co., Omaha Road, Hastings (C. W. Vogtherr).  
Feilding Bacon Co., Ltd., Warwick Street, Feilding.  
Green, F. H., Millar Street, Hastings.  
Hawke's Bay Butchery Co., Ltd., Hastings.  
Hutton, J. C. (N.Z.), Ltd., 61 Thorndon Quay, Wellington.  
Kiwi Bacon Co., Ltd., 10 Grey Street, Palmerston North.  
Palm Bacon Co., Ltd., Maire Street, Palmerston North (A. E. Hansel).  
Rangitiki Bacon Co., Ltd., Palmerston North.  
Tiki Bacon Co., 213 Princess Street, Palmerston North (J. F. Carter).  
Wanganui Bacon Co., Ltd., 162 Victoria Avenue, Wanganui (F. E. Hansel).  
Wanganui Mild Cure Bacon Co., Ltd., 85 Dixon Street, Wellington (H. J. N. Brown, Manager).

## TARANAKI INDUSTRIAL DISTRICT.

Borthwick, Thos., and Co. (Aust.), Ltd., Waitara (P. J. Allen, Manager).

Hutton, J. C. (N.Z.), Ltd., Eltham.

Inglewood Bacon Co., Inglewood (E. Roy Coutts, Secretary).

Thistle Brand Bacon Co., Ltd., Molesworth Street, New Plymouth.

Walker, T. H., and Sons, Ltd., Tawhiti Road, Nolantown, Hawera.

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 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) The hours of work shall not exceed forty-four per week, to be worked between the hours of 7.30 a.m. and 5 p.m. on five days of the week, and between 7.30 a.m. and noon on Saturday.

(b) One hour shall be allowed for all meals, except where otherwise mutually arranged to the satisfaction of a majority of the workers in any department of the works.

(c) Any worker having worked all day and night and being required to continue working into the next day shall be paid double ordinary rates until a break of at least eight hours is given.

(d) Engine-room: Firemen, cleaners, greasers, gas-producers, and trimmers may work in seven shifts of eight hours each week.

*Wages.*

2. The following shall be the minimum rates of wages payable to the under-mentioned workers:—

(a) Workers employed at sticking, scalding, opening, marking down, chopping, boning, rolling and curing, gambrelling off, 2s. 2d. per hour.

(b) Cellarmen, 1s. 11½d. per hour.

(c) Workers employed in freezing-chambers, manure and casing workers, preservers, tinsmiths, firemen, greasers, cleaners, gas-producer attendants, trimmers, motor-drivers, and horse-drivers, shall be paid not less than the rates fixed for similar workers by the freezing-works employees' award for the time being in force in the Wellington Industrial District.

(d) All other workers not otherwise provided for, 1s. 10d. per hour.

*Youths.*

3. (a) The minimum rates of wages for youths shall be as follows:—

			Per Week.		
			£	s.	d.
16 to 16½ years	..	..	1	10	0
16½ to 17 years	..	..	1	15	0
17 to 17½ years	..	..	2	0	0
17½ to 18 years	..	..	2	5	0
18 to 18½ years	..	..	2	10	0
18½ to 19 years	..	..	2	15	0

And thereafter the minimum wage for adults: Provided that the wages of any youths at present employed shall not be reduced during the term of this award.

(b) Youths under sixteen years of age shall not be employed.

*Females.*

4. (a) Females may be employed at the following and similar classes of work, that is to say:—

Small-goods department: Cutting off, weighing, and wrapping sausages.

Lard department: Attending cooling-machines, attending patting-machines, gumming cartons, inserting parchment liners and filling same, packing cartons or pats in boxes.

Bacon department: Bagging, sewing, and seeding bacon and hams.

Preserving department: Labelling and packing.

Bagmaking department: Sewing and printing bags.

(b) The minimum rates of wages for females shall be as follows:—

			Per Week.		
			£	s.	d.
First six months	..	..	0	17	6
Second six months	..	..	1	1	6
Third six months	..	..	1	5	6
Fourth six months	..	..	1	9	6
Fifth six months	..	..	1	13	6
Sixth six months	..	..	1	17	6
Seventh six months	..	..	2	1	6

And thereafter not less than £2 5s. per week.

Provided that the wages of any female worker at present employed shall not be reduced during the term of this award: And provided that no female of the age of twenty-one years or over shall be paid less than £1 16s. per week. .

*Overtime.*

5. (a) All time worked in excess of the hours mentioned in clause 1 hereof in any one day shall be considered overtime, and shall be paid for at the rate of time and a half for the first four hours and double time thereafter.

(b) When a worker has been notified of intention to work overtime and overtime is not worked, such worker shall receive 2s. in lieu thereof.

*Holidays.*

6. (a) All workers (except shift-workers) shall be allowed the following holidays in each year: Christmas Day, New Year's Day, Good Friday, Easter Monday, Sovereign's Birthday, Labour Day, Boxing Day, and three other holidays to be mutually arranged between the employer and the workers concerned.

(b) For work done on Christmas Day, Good Friday, Labour Day, and Sundays double time shall be paid. For work done on any of the other holidays, time and a half shall be paid.

(c) With the exception of New Year's Day, Christmas Day, and Labour Day, the employer may agree with his employees to substitute any other day for any of the above-mentioned holidays, and in that event all provisions of this award shall apply to such substituted day.

(d) If weekly hands are employed on any holiday they shall be paid the rate specified for holidays in addition to the weekly wage provided in this award.

#### *Payment of Wages.*

7. (a) Wages shall be paid weekly, in the employer's time. Two days' lie-time shall be allowed. Any error or omission in the pay-sheet shall be adjusted within forty-eight hours.

(b) If any worker leaves his employment with his employer's consent or is dismissed by his employer, his wages shall be paid in cash immediately following such leaving, or dismissal.

#### *Annual Holidays.*

8. Greasers, firemen, cleaners, gas-producers, and trimmers shall have an annual holiday of seven days on full pay for each six months' complete service, or proportionate amount of pay if they should be put off or leave before the expiry of the above term. All work done on Christmas Day and Good Friday shall be paid for at the rate of double time.

#### *Engine-room.*

9. (a) When workers are required to enter flues for the purpose of cleaning them, or to chip or clean the interior of boiler, digesters, or manure-driers, they shall be paid 2s. 6d. extra per day or part of a day they are so employed. Overalls shall be supplied free of cost to men engaged in the above class of work.

(b) For the purpose of this award a flue shall be deemed to extend from the firing-door of boiler to foot of smoke-stack.

#### *General Conditions.*

10. (a) Ten minutes' spell without stoppage of pay shall be allowed all hands for "smoke-oh" every morning and afternoon. When men are required to work overtime, "smoke-oh" of ten minutes shall be allowed every two hours.

(b) When working overtime or when loading out, meal-times shall be at intervals of not more than four hours.

(c) Spells of a reasonable time shall be allowed chamber hands who are in a heated condition through working outside to cool, before entering the freezing-chambers. No deduction shall be made from the men's wages on account of such spell.

(d) All freezing-chambers shall be provided with a light, and adequate provision shall be made for communication with the outside.

(e) Disinfectants shall be supplied in any department where necessary.

(f) The employer must provide for members of a union employed at the works suitable dining and dressing rooms, and also hot and cold shower-baths. Proper facilities shall also be provided for drying wet clothing.

(g) All workers shall be supplied with articles reasonably necessary to carry on the work, or materials for making the same. All such articles are to be replaced by the employer when worn out and beyond repair as the result of fair wear-and-tear, and shall remain the property of the employer. The articles to be supplied in the various departments shall be as follows:—

- (i) Chamber hands—two-piece overalls and gloves;
- (ii) Preserving, killing and washing departments, pig catchers—clogs and aprons;
- (iii) Manure and tallow department—overalls and clogs.

(h) Where chamber hands are called upon to work overtime, the employers shall provide a meal every four hours.

(i) A hot-water copper urn shall be provided convenient to the dressing-rooms.

(j) A St. John or similar first-aid outfit shall be provided in each factory.

(k) Sufficient drinking-water of good quality shall be provided.

(l) When men are required to work overtime (whether before the ordinary time for starting work or after the ordinary time for ceasing work) without having been notified the previous day, a suitable meal, consisting of at least bread, butter, and meat, with tea, coffee, or cocoa shall be provided by the employer.

(m) Provision shall be made by the employer for a suitable place for the workers to place their bicycles in during working hours.

(n) The secretary of the union shall be allowed to interview the members of the union at the factory at a time to be arranged with the employer.

(o) When men are employed grinding bones taken out of digestors double ordinary rates shall be paid.

(p) Five minutes shall be allowed all hands for changing clothes at knocking-off time without deduction from the worker's pay.

*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 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.

*Workers to be Members of Union.*

12. (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.)

*Local Disputes Committee and National Disputes Committee.*

13. The essence of this award being that the work of the employers shall always proceed as if no disputes 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 whatever arising out of or connected therewith, and not specifically dealt with in this award, every such dispute or difference as the same shall arise shall be referred to a committee, to be composed of two representatives of the union at the works concerned and two representatives of the employers, for their decision. The decision of the majority of the committee shall be binding, and if no decision is arrived at then the matter shall be referred to the National Disputes Committee at Wellington consisting of three representatives of the employers and three representatives of the North Island Bacon Workers' Federation. The decision of the National Disputes Committee shall be binding; and if no decision is arrived at either party may appeal to the Court of Arbitration upon giving written notice of such appeal to the other party within fourteen days after the failure of the National Disputes Committee to arrive at a decision, or the National Disputes Committee may itself refer the matter to the Court of Arbitration for a decision.



*Award not to apply to Foremen, &c.*

14. Nothing in this award shall apply to foremen and other officials.

*Scope of Award.*

15. This award shall operate throughout the Wellington and Taranaki Industrial Districts.

*Term of Award.*

16. 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.

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MEMORANDUM.

The principal matters referred to the Court related to hours, wages, holidays, engine-drivers, and general conditions.

The rates of pay that we have granted to adults in this, as in many other recent awards, are those prevailing in 1931.

Rates for females have been increased to conform with the Factories Amendment Act, 1936.

Mr. Monteith is not in agreement with the majority of the Court, and his dissenting opinion is attached.

E. PAGE, Judge.

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