

ALEXANDER GOLD-MINES EMPLOYEES.—AWARD.

In the Court of Arbitration of New Zealand, Westland Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925; and in the matter of an industrial dispute between the Alexander Gold-mines Employees' Industrial Union of Workers (hereinafter called "the union") and the undermentioned company (hereinafter called "the employer") :—

Alexander Mines, Ltd., Bridge Street, Reefton.

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 14th day of April, 1939, 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 28th day of August, 1937.

[L.S.]

P. J. O'REGAN, Judge.

SCHEDULE.

Wages.

1. (a) The following shall be the minimum rates of wages for the respective workers herein specified:—

	Per Day.		
	£	s.	d.
Miners working with machines in rises	1	0	3
or winzes	1	0	3
All other miners	0	19	9
Truckers	0	18	9
Mullockers and shovellers	0	18	9
Repairers in rises	1	0	9
Pipe-fitter and plate-layer	0	19	9
Surface—			
General blacksmith	1	2	0
Striker	0	18	3
Tool-sharpener	1	0	9
Carpenter	1	1	3
Timber-framer	1	1	3
Trucker on surface	0	18	9
Aerial brakesman	0	18	9
Other aerial men	0	18	9
Amalgamators	0	19	9
Vanner and other concentrating-men	0	18	3
Stone-breaker men	0	18	3
Battery-feeder	0	18	3
Cyanide-men handling solution	0	18	9
Cyanide-men not handling solution	0	18	3
Labourers (pick and shovel)	0	18	9
Other labourers	0	18	3
Bushmen (mine timber)	0	19	9
Roaster men	0	18	9

(b) The rates above prescribed are for shifts of eight hours. When shifts are less than eight hours, rates shall be proportionate to time worked.

(c) Men taken from their usual employment to do other work exceeding two successive shifts shall be paid rates applicable to the latter employment and the same hours of labour shall be observed.

(d) Where a worker who is not a qualified miner is required by the manager to work at the face he may be paid a commencing rate of 18s. per shift for a period not exceeding six months.

(e) Until such time as a road is formed giving workers access by vehicles to the swing bridge on the Alexander River near to the company's works from the main road, each worker shall be paid a rate of 2s. per day in addition to the wage herein provided.

(f) The mine-manager may, in the event of the company's crushing-plant being unable to cope with the quartz available, call on the amalgamators and cyanide-men to work in excess of the hours provided in clause 7 (a) hereof, and for the time so worked they shall be paid at a special rate of 3d. per hour in addition to the schedule rate set out in clause 1 hereof.

Youths.

2. Youths under eighteen years of age may be employed as blacksmith's striker, battery-feeder, not exceeding five-stamps self-battery feeders, or to do work at slime tables and cyanide, or to do any other light employment above ground at the following rates: For the first year not less than 10s. 3d. per day, with an increase at the end of each year of employment of not less than 1s. per day until the youth reaches the minimum wage of the branch of employment he is in. Youths shall not be employed at tipping or filling aerial, or as bracemen, tool-sharpeners, rock-breakers, brakesmen, or coupler of aerial or at heavy pick-and-shovel work.

Contracting.

3. (a) The employer shall have the right to have any work, either underground or on the surface, done by contract. All provisions of this award shall apply to all workers employed by any contractor taking any contract to do such work.

(b) Explosives shall be supplied at landed cost-price at the mine.

Payment of Wages.

4. Wages shall be paid monthly to wages men and not later than the fourth day of the month to contractors.

Holidays.

5. (a) The following shall be holidays, except in battery and reduction works: From the 24th December to the 1st January (both days inclusive), Good Friday, Anzac Day, and Labour Day. If New Year's Day falls on a Sunday, then the following Monday shall be observed as a holiday.

(b) The following days shall be holidays in battery and reduction works: Christmas Day and Good Friday. Each employer shall also allow to each worker employed in the battery or reduction works eight days' holiday at some convenient time without thereby affecting the employment of such worker. This provision shall apply to youths when employed in batteries or reduction works.

Overtime.

6. (a) Time worked before or after ordinary starting-time or finishing-time shall be paid for at the rate of time and a quarter for the first two hours, and thereafter at time and a half rates. Sunday time shall be paid for at the rate prescribed by the Mining Act.

(b) Double time shall be paid on Sunday for any work done after a full shift has been worked.

(c) When a worker is required to change his hours of work he shall be notified of such intended change. If such change is not notified and a worker is sent home from work, he shall be allowed two hours' pay.

(d) If the overtime work is for the purpose of repairing any defect in the plant or appliances causing a stoppage of the ordinary work, the extra time required to effect the necessary repairs shall be paid for at the ordinary rates and not at overtime or holiday rates.

Hours of Work.

7. (a) A week's work shall consist of forty hours, which may be worked in shifts of eight hours on Mondays to Saturdays inclusive.

(b) Hours of work underground shall be as prescribed by the Mining Act, with usual allowance for crib-time.

(c) Men working in wet places shall be paid eight hours for working six at face, exclusive of crib-time.

Matters not provided for.

8. (a) Any dispute as to any matter not provided for in this award shall be settled by a written agreement between the employer concerned and the union, and, in the event of such an agreement not being made within seven days after either the employer or the union shall have given to the other party a notice of readiness to confer regarding the dispute, either the employer or the union may refer the matter to the Stipendiary Magistrate of the District, who may settle and determine the same, subject to the right of either party to appeal to the Court within fourteen days. Notice of such appeal shall be served on the opposite party by the party appealing within such fourteen days.

(b) Pending a settlement of any such dispute in the manner hereinbefore mentioned, work shall be continued under the then existing conditions.

Wet Places.

9. The mine-manager shall decide whether a working-place is wet or not. If any dispute arises as to a wet place, it shall

be settled by the mine-manager and the workmen's inspector. If they are unable to agree, they shall submit the matter to a third party, whose decision shall be final.

A "wet place" shall mean a place in which a workman cannot avoid his clothing becoming saturated with water within three hours of commencing work, or where he has to work in more than 3 in. of water on the floor: Provided that in places where two or more men are employed any man who can work dry shall not be entitled to wet-time or any extra payment: Provided, further, that no workman shall be entitled to extra payment under this clause who does not report the wet condition of the place to the shift boss or mine-manager in charge of the section within three hours of commencing work. Truckers in wet places shall work full time and shall be paid extra at the daily-wage rate, or the mine-manager may order them to work wet-time only. Workers shall take all reasonable measures to prevent a face becoming a wet place, and they shall adopt the means of protection required by the manager.

Workers to be Members of Union.

10. (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.)

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.

Scope of Award.

12. This award shall apply only to the parties named herein.

Term of Award.

13. This award, in so far as it relates to wages, shall be deemed to have come into force on the 14th day of April, 1937, 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 14th day of April, 1939.

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 28th day of August, 1937.

[L.S.]

— P. J. O'REGAN, Judge.

MEMORANDUM.

The only matter referred to the Court related to under-rate workers. In other respects the award embodies the recommendations arrived at by the assessors in Conciliation Council.

P. J. O'REGAN, Judge.