

**WESTLAND ENGINE-DRIVERS, FIREMEN, PUMPMEN, ETC.
(STATE COAL-MINES).—AGREEMENT UNDER THE LABOUR
DISPUTES INVESTIGATION ACT, 1913.**

MEMORANDUM of agreement entered into this 23rd day of September, 1938, between the Westland Engine-drivers, Firemen, Pumpmen, &c., Union (hereinafter called "the union"), of the one part, and the Hon. the Minister of Mines (hereinafter called "the employer"), of the other part, whereby it is mutually agreed by and between the parties hereto as follows, that is to say:—

1. That the terms, conditions, stipulations, and provisions contained and 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.

2. The said parties hereto shall respectively do, observe, and perform every matter and thing by this agreement and by the said terms, conditions, stipulations, and provisions respectively required to be done, observed, and performed, and shall not do anything in contravention of this agreement or of the said terms, conditions, stipulations, and provisions, but shall in all respects abide by and perform the same.

SCHEDULE.

	<i>Rates of Wages.</i>		Per Shift.	
			s.	d.
1. Winding-engine drivers, hauling men ..	24	10		
Winding-engine drivers, not hauling men	22	10		
Engine-drivers required to hold first-class stationary certificates	22	10		
Engine-drivers required to hold second-class stationary certificates	21	6		
Electricians	24	1		
Wiremen	21	6		
Electric-loco. driver—outside	24	0		
Electric-loco. driver—underground	22	8		
Electric-loco. brakeman	22	5		
Substation attendants	16	9		
Electric-loco. repairers and cleaners	21	4		
First-class fitters and turners	24	1		
Second-class fitters and turners	22	10		
Electric haulage drivers on main-rope ends	22	3		
Drivers of air and electric winches	21	0		
Firemen requiring second-class certificates	21	6		
Firemen not requiring certificates	19	11		

	Per Shift.	
	s.	d.
Assistant firemen—		
Sixteen to seventeen years of age ..	10	7
Seventeen to eighteen years of age ..	13	3
Eighteen to nineteen years of age ..	15	8
Armature winders	21	6
Linesmen required to hold wiremen's certificate	22	6
Linesmen's attendants	19	7
Fan motor attendants	21	8
First-class carpenters	22	10
Second-class carpenters	21	6
Horse-shoers and tool-sharpeners ..	22	10
Blacksmiths—second and third fires ..	22	10
Blacksmiths', electricians', and carpenters' apprentices—		
First year	7	1
Second year	9	3
Third year	11	7
Fourth year	13	10
Fifth year	16	2

And thereafter the minimum rates:

Provided that a youth of eighteen years or over who commences work as a blacksmith's apprentice shall receive for the first year not less than the wages of a second-year apprentice.

Dynamo-lighting attendants	19	7
Tub-repairers	21	0
Adult strikers, twenty years and over ..	19	7
Adult clip-makers	22	0
Pumpmen	21	0
Denniston fast-running hydraulic brakes	24	2
Hydraulic brakemen	22	3

Sixpence extra to be paid for afternoon shift or night shift; or men working three shifts to be paid 6d. extra all round.

Shifts.

2. All shifts shall be eight hours on engines and boilers, exclusive of meal-times. If required to work the meal-hour or to work overtime in steam-raising or fire-banking, overtime shall be paid at the ruling rates.

When two or more shifts are worked continuously the men on such shifts shall change in turn.

Overtime.

3. (a) Overtime shall be paid for at the rate of time and a half for the first three hours, after which double time shall be paid.

(b) Men employed on Sundays at any work regularly done on Sundays shall be paid at the rate of time and a half. For all other work done on Sundays and agreement holidays double time shall be paid.

(c) When workers are employed to clean flues, or to clean or chip boilers internally, or to prepare for Government inspection, double time shall be paid.

(d) Workers who are required to commence work after 10 p.m. or before 6 a.m. shall be deemed to be working dog-watch, but this shall not apply to workers who are required to commence work before the usual starting-time solely for the purpose of supplying light to houses.

(e) If a worker is required to return to work within seven and a half hours of the close of his shift he shall be entitled to overtime rates. When a shorter break arises from the men's own arrangements overtime shall not apply.

Holidays.

4. (a) The following shall be Christmas holidays: From the 24th December to the 4th January, both days inclusive. Other holidays shall be Good Friday, Easter Saturday, Easter Monday, Sovereign's Birthday, Labour Day, and 1st May. Men employed on Sundays at any work regularly done on Sundays shall be paid at the rate of time and a half, and in all other cases double time shall be paid for Sunday work. Men employed on the 25th or 26th days of December or on the 1st or 2nd days of January shall be paid double time; but men employed on the 24th day of December or from the 27th to the 31st December (both inclusive) or on the 3rd or 4th days of January shall be paid only ordinary rates. All work done on other holidays specified shall be paid for at the rate of double time. Men who work regularly seven days a week shall be paid double time for work done on all holidays.

(b) After twelve months' continuous service with the same employer in any one year every worker shall be entitled to a holiday at his ordinary daily wage-rate on the basis of one day for each twenty days or fraction of twenty days worked by him during the year, with a maximum total not exceeding ten days; and in subsequent years every worker whose employment during the qualifying period is terminated for any cause after three months' but less than twelve months' continuous service with the same employer shall be entitled to holiday payment at

his ordinary daily wage-rate on the basis of one day for each twenty days or fraction of twenty days worked by him: Provided that a worker whose period of service is terminated by his employer because of trading conditions shall be entitled to holiday payment on the basis of one day for each twenty days or fraction of twenty days worked by him in any one year.

The holidays shall be taken between the 24th day of December and the 4th day of January (both inclusive), and shall be paid for on the last pay-day in each year prior to the 24th December.

(c) For the purpose of calculating the holidays due to any worker, time lost through sickness certified to by a duly qualified medical man shall be counted as time worked up to a total not exceeding sixty days in any one year; time lost through an accident which entitled the worker to the benefits of the Workers' Compensation Act shall be counted as time worked up to a total not exceeding 120 days in any one year; and time lost through attention to union business (of which prior notice has been given to the manager) shall be counted as time worked up to a total of twenty days in any one year.

General.

5. Proper and practical protection from the inclemency of the weather shall be provided at all engines, boilers, or machinery of any kind.

6. So far as may be reasonably practicable, all coal required for fire purposes shall be tipped conveniently to the furnaces for the firemen employed thereat, but in such cases where a fireman's duties are not sufficient to fully occupy his time he may be required to tip his own coal.

7. Drivers of haulage engines or winches whose time is not fully occupied in driving shall perform any class of work they may be called upon to do.

8. If a worker is temporarily removed from work for which a higher rate of pay is provided in this agreement to work for which a lower rate is paid, he shall nevertheless be paid the wages he is receiving for the work from which he is removed. If the work to which he is sent is paid for at a higher rate than that from which he is removed he shall be paid at the rate provided for the work to which he is sent. On resuming his usual work he shall revert to the rate of wages provided for that work: Provided that in any case in which the temporary removal has been for a period exceeding two but not exceeding three pay fortnights he shall be entitled to one week's notice before reverting to the low rate; and in any case

in which the temporary removal has been for a period exceeding three pay fortnights he shall be entitled to two weeks' notice before reverting to the lower rate of pay.

9. When workers are required to work in exceptionally dirty places where they cannot avoid getting their clothes damaged with grease or acid, an allowance of 2s. 6d. extra per shift shall be paid. The question of this extra allowance shall be decided upon between the management and the workmen.

10. Where men are employed underground and they are unable to work without getting wet, if the place is decided as a wet one, six hours shall constitute a shift. This shall not prevent pumpmen from working their eight-hour shift, and overtime rates shall be paid for time worked in excess of six hours.

11. (a) Any adult workman employed on gas or arc welding shall be paid 1s. 6d. per day in addition to his ordinary rate of pay for the actual days he is engaged in gas or arc welding: Provided that this shall not apply in any case so as to make the total wages higher than that of a second-class fitter and turner as herein provided.

(b) Youths employed in gas or arc welding shall be paid such proportion of this allowance as their wages rate bears to the adult rate for the work upon which they are ordinarily employed.

(c) If workers who regularly work on Sundays and holidays are absent from work on account of sickness, accident, or on annual holiday, workers who temporarily take their places shall be paid double time for the work done on Sundays and holidays.

(d) Temporary work means work that does not last more than one month.

Notice of Dismissal or Retirement.

12. Fourteen days' notice in writing of dismissal or retirement shall be given by the employer to the worker, or by the worker to the employer.

Disputes Committee.

13. (a) Any dispute concerning any matter not specifically dealt with in this agreement which cannot be settled by the executive of the union and the management of the mine shall be immediately referred to the District Disputes Committee.

(b) The District Disputes Committee shall consist of two representatives appointed by each side, and the local magistrate or any other person agreed upon by the representatives as

chairman, and shall deal with any matter which has not been settled by the means provided in subclause (a) hereof. A majority decision of the District Disputes Committee shall be final and binding on all parties.

(c) Work shall continue in all respects pending the decision of the dispute as before the dispute arose.

Under-rate Workers.

14. If any worker is for any cause unable to earn the minimum wage provided by this agreement for any class of work for which he may desire to be employed, such worker may be employed at such lesser wage as may be agreed upon in writing between the president of the union and the manager of the mine. The term "worker" shall mean either a man or a youth as may be applicable.

Preference.

15. (a) If any employer shall hereafter engage any worker coming within the scope of this agreement who is not a member of the union, and who shall not become a member thereof within seven days after his engagement and remains such member, the employer shall dismiss such worker from his services if requested 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) In the case of a steam-driven plant being replaced by electric motors, if an attendant is required for the motors the man who operated the steam plant shall be employed on the motors if he is qualified to do the necessary work.

Term of Agreement.

16. This agreement shall come into force on the 13th day of August, 1938, and remain in force until the 30th day of April, 1940.

The seal of the Westland Engine-drivers, Firemen, Pumpmen, &c., Union was hereunto affixed this 23rd day of September, 1938, in the presence of J. W. D. McKnight, Storekeeper.

[L.S.]

W. FISHER, President.
JAMES GOODALL, Secretary.

Signed by the Honourable the Minister of Mines, in the presence of—T. Callinan, Civil Servant, Wellington.

[L.S.]

P. C. WEBB.

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 9th day of November, 1938.