

BLUFF OYSTERMEN.—DECISION OF EMERGENCY DISPUTES COMMITTEE (1941) UNDER STRIKE AND LOCKOUT EMERGENCY REGULATIONS 1939.

THE full text of the committee's decisions on wages and other conditions in the industry is set out in the attached schedule.

SCHEDULE.

Classification.

1. This decision shall apply to all workers employed in the oyster trade, and shall include oyster-boat employees, oyster-cannery workers, oyster-openers, baggers, and bed-men.

Definition.

2. (a) A sack shall be 3 ft. 4 in. long and 2 ft. wide and shall be deemed to be full for the purposes of this decision when it contains the quantity of oysters (no more and no less) required to fill to the level two boxes of the following dimensions: 19 $\frac{1}{4}$ in. long, 14 $\frac{1}{4}$ in. wide and 11 $\frac{1}{4}$ in. deep, all inside measurements.

(b) Should any dispute arise as to the contents of a sack the matter shall be decided by the Oyster Inspector, whose decision shall be final.

Oyster Tally.

3. To enable the boatmen to take daily an approximate tally of the ship's catch, the owners shall supply for each member of the boat crew a box of the dimensions specified in clause 2 hereof.

Hours of Work.

4. (a) The ordinary hours of work for cannery-workers shall be forty-four per week, to be worked between the hours of 8 a.m. and 5 p.m. on the first five days of the week, with one hour for lunch between 12 noon and 1 p.m., and on Saturday between 8 a.m. and 12 noon.

(b) The daily hours of work for oyster-boat employees shall be the time required each day to prepare for and complete the operations necessary for obtaining and landing the day's catch of oysters and attending to the boat.

(c) The ordinary hours of work for baggers and bed-men shall be forty per week, spread over the seven days of the week. Work shall cease not later than noon on Saturdays, and only necessary work shall be done on Sundays.

Overtime.

5. (a) Time worked by cannery-workers and openers in excess of eight hours per day or four hours on Saturday shall be paid for at the rate of time and a half for the first three hours and double time thereafter. Sunday work shall be paid for at double time.

(b) Time worked by baggers and bed-men in excess of the hours provided in clause 4 (c) hereof shall be paid for at the rate of time and a half.

Rates of Pay.

6. (a) Oyster-boat employees shall be paid by piece-rate and not by time for all oysters put on the oyster-beds at Bluff, or delivered at the oyster wharf, or at such other place as may be mutually agreed upon. Each member of the boat crew shall receive payment at the rate of 11d. per sack of oysters.

(b) In addition to the above rates the master of the vessel shall be paid a bonus of 2½d. per sack of oysters and the engineer shall be paid a bonus of 1½d. per sack of oysters.

(c) Baggers and bed-men, £5 5s. per week; man in charge of baggers and bed-men, £5 10s. per week.

(d) Oyster-openers, 5s. per sack as per definition in clause 2 hereof.

(e) Boys and youths in cannery-works:—

	Per Week.		
	£	s.	d.
Under seventeen years of age—			
First six months	1	9	0
Second six months	1	13	0
Under eighteen years of age—			
First six months	1	17	0
Second six months	2	1	0
Over eighteen years of age	2	10	0

(f) There shall be no reduction in the rates at present paid to any employees by reason of the coming into operation of this decision.

Increase in Rates of Remuneration.

7. All rates of remuneration, including time and piece wages and overtime and other special payments provided for in this decision, shall be subject to the provisions of the general order dated 9th August, 1940, under the Rates of Wages Emergency Regulations 1940, increasing rates of remuneration by an amount equal to 5 per cent. thereof, or to any subsequent order issued by the Court of Arbitration during the currency of this decision.

Payment of Wages.

8. Wages shall be paid weekly in the employer's time on any day of the week except Saturday: Provided, however, that oyster-boat employees shall be paid every second Friday, and shall be paid up to the Wednesday night preceding pay-day.

Oyster-boat Conditions.

9. (a) Employers shall provide a first-aid outfit on all oyster-boats, and shall supply rubber finger-stalls, aprons, and gum boots at cost price.

(b) The normal boat crew shall be five, and in case of emergency should less than that number be carried the lesser number of men shall be paid extra the proportionate piece-rate that would have been paid if the crew had been five.

(c) An oysterman shall be employed to make dredge bags, the employer to provide materials for making same free of cost and shall pay to such oysterman the sum of £1 5s. for making each bag, but the crew shall keep the same in repair.

(d) The employer shall supply all necessary equipment for the working of the boat and shall land the equipment at the berth occupied by the boat.

(e) Oysters that will not comply with the Government regulations shall not be taken from the oyster-beds.

(f) Where oyster-boat employees are required to work at cleaning, painting, scrubbing the bottom of the boat they shall be paid 3s. per hour for any such time worked during the oyster season.

(g) Oystermen shall deliver oysters at oyster wharf, oyster-beds, or any other place that may be mutually agreed upon.

(h) When a member of the crew is required to raise steam he shall be paid £2 per month for so doing.

(i) Oystermen shall be paid piece-work rates.

(j) Oyster-boats may be permitted to go where oysters are most plentiful.

(k) If the boat-crew is short of its complement and a man is required to go out for one day's oystering, he shall be guaranteed £1 10s. for that day by the employer, providing such amount or part thereof has not been earned by the day's catch.

(l) The following days shall be observed as holidays: Good Friday; Easter Saturday, Sunday, and Monday; Anzac Day; and the birthday of the reigning Sovereign; and, if required, two other days during the oyster season. Seven days' notice shall be given the employer in respect of any such two days.

(m) Sanitary convenience shall be provided on each boat.

(n) The bagger of each boat shall keep a tally of oysters. Both ship's tally and a tally of oysters filled into sacks shall be open for inspection by the crew.

(o) Each member of the boat crew who may be called out by the owner after 5 p.m. or before 8 a.m. to shift the boat shall be paid 5s. each for such service.

(p) Coal required for cooking and heating purposes on all vessels shall be supplied by the employer free of cost.

Baggers and Bed-men's Conditions.

10. (a) Employers shall provide workers with gum boots, aprons, and oilskins.

(b) Employers may transfer workers from one department to another as the exigencies of the trade may require.

(c) The employment shall be a weekly one, and no deduction shall be made from the weekly wage except for time lost by a worker through default, sickness, or accident not arising out of and in the course of his employment.

(d) For work done on Good Friday, Easter Saturday, Easter Sunday and Easter Monday, Anzac Day, and Sovereign's Birthday, workers shall be paid ordinary time in addition to their weekly payment.

(e) A worker employed for less than one week shall be deemed to be a casual, and shall be paid not less than 3s. per hour. A youth under eighteen may be employed as a casual at not less than 2s. per hour. A casual worker shall not be employed for less than two hours at any one time. The present total of youths employed shall not be increased.

(f) Each employer shall employ his own men and it shall not be permissible for more than one employer to employ such men.

Cannery Conditions.

11. (a) Suitable sanitary conveniences and a dressing-room shall be provided by the employer.

(b) A clock shall be kept in a suitable position in the works where it can be seen by the employees.

(c) Suitable lighting shall be provided and the opening boards kept clean.

(d) Six finger-stalls and one apron shall be supplied during the season to workers free of cost.

(e) Oysters shall be delivered as near as possible to each opener, and empty shells shall be removed by the employer.

(f) The different brands of oysters shall be distributed as evenly as possible to the several openers.

(g) Each oyster-opener shall be notified the day before if he is to report for work the next day.

(h) *Next Season's Workers.*—Where possible, oyster-openers shall be advised if their services are required for the following oyster season.

(i) Openers shall supply their own knives. They shall open all oysters in a clean and workmanlike manner, and the employer shall have the right to examine shells before removing same.

(j) Openers taken off oyster-opening to do other work in the factory shall be paid for such work at their average rate when opening oysters.

(k) "Smoke-oh" shall be given between 10 a.m. and 10.15 a.m. and 2.30 p.m. and 2.40 p.m.

Protection of Holding-beds at Oyster Wharf.

12. The holding-beds of each company at the oyster wharf shall be effectively partitioned off the one from the other, and the outer ends of the beds shall be secured with grille gates so as effectually to prevent access by unauthorized persons.

Disputes Committee.

13. The essence of this decision 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 decision, or any of them, as to any matter whatsoever arising out of or connected therewith and not dealt with in this decision, 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.

Right of Entry.

14. The secretary or other duly appointed union official shall be entitled to visit the works or place of employment of workers at reasonable times for the purpose of interviewing workers, but not so as to interfere unreasonably with the employer's business.

Workers to be Members of Union.

15. (a) Subject to the provisions of section 18 (5) (b) of the Industrial Conciliation and Arbitration Amendment Act, 1936, it shall not be lawful to employ or to continue to employ in any position or employment subject to this decision any adult person who is not for the time being a member of an industrial union of workers bound by this decision 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 decision.

(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 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.

16. (a) Any worker who considers himself incapable of earning the minimum wage fixed by this decision 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 Decision.

17. This decision shall operate throughout the Otago and Southland Industrial District, which includes Stewart Island.

Term of Decision.

18. This decision, in so far as it relates to wages, shall be deemed to have come into force on the 12th day of August, 1940, and so far as all the other conditions of this decision are concerned it shall come into force on the day of the date hereof; and this decision shall continue in force until the 31st day of October, 1941.

Dated this 21st day of March, 1941.

[L.S.]

J. A. GILMOUR, Chairman.
