

CANTERBURY AND OTAGO AND SOUTHLAND **BACON-  
WORKERS.—AWARD**

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

In the Court of Arbitration of New Zealand, 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 Freezing-works and Related Trades' Industrial Association of Workers;

The Canterbury Freezing-works and Related Trades' Employees' Industrial Union of Workers; and

The Otago and Southland Freezing-works and Related Trades' Employees' Industrial Union of Workers

(hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

Canterbury Frozen Meat Co., Ltd., Belfast.

Flutes Ltd., Bromley, Christchurch.

Green, T. H., and Co., Ltd., 119 Lichfield Street, Christchurch.

Kincaids Ltd., Colombo Street, Christchurch.

McCallum Bros., Temuka.

Wardell Bros., Ltd., Christchurch.

Graham and McKenzie, Gore.

Hitchen's Ltd., Milton.

Johnston, D. W., and Sons, King Street, Dunedin.

Lindsay, S. A., 90 Elles Road, Invercargill.

Lindsay and Co., Ltd., Tay Street, Invercargill.

Midland Dairy Co., Ltd., Ashburton.

McDonald and Miller, Green Island.

McKercher, D. C., Lochiel.

Milton Bacon Co. (A. McLaren), Milton.

Quinn, T., and Co., Ltd., Conon Street, Invercargill.

Thomas, G. W., Stuart Street, Dunedin.

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 on the 7th day of June, 1943, and shall continue in force until the 7th day of June, 1944, 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 2nd day of June, 1943.

[L.S.]

A. TYNDALL, Judge.

#### SCHEDULE

##### *Industry to which Award applies*

1. This award shall apply to the bacon-curing industry.

##### *Hours of Work*

2. (a) The ordinary hours of work shall not exceed forty-four per week, and shall be worked between the hours of 7.30 a.m. and 5 p.m. on five days of the week. Each day's work shall not exceed eight hours, and on Saturday not more than four hours between the hours of 7.30 a.m. and 12 noon.

(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) Notwithstanding the provisions of subclause (a) hereof, the management may by agreement with the union vary the daily hours of commencing and ceasing work.

*Wages*

3. The following shall be the minimum rates of wages for adult male workers employed by the week:—

	Per Week.		
	£	s.	d.
(a) Head curer .. .. .	6	10	0
(b) Cutters-up, boners, rollers, curers, cellarmen, and storemen .. .. .	5	10	0
(c) Lard hands and other workers .. .. .	5	5	0
(d) While employed in slaughterhouses at sticking, scalding, scraping, singeing, black scraping, scrubbing, and thoroughly cleaning, opening up, marking down, chopping and removing insides, and washing carcasses, workers shall be paid 6d. per hour in addition to the above rates.			

(e) Workers employed by the hour shall be paid 3s. per hour while so engaged in slaughterhouses on the operations named in subclause (d) hereof; 2s. 10d. per hour while employed at work mentioned in subclause (b) hereof and at marking down and chopping elsewhere than in slaughterhouses; and 2s. 6d. per hour while employed at work mentioned in subclause (c) hereof.

*Increase in Rates of Remuneration*

4. All rates of remuneration (which term includes time and piecework rates, overtime, and other special payments) provided for in this award shall be subject to the provisions of the general orders dated the 9th August, 1940, and the 31st March, 1942, under the Rates of Wages Emergency Regulations 1940, increasing rates of remuneration as follows:—

- (a) The order dated the 9th August, 1940, increases all rates of remuneration by an amount equal to 5 per cent. thereof.
- (b) The order dated the 31st March, 1942, increases all rates of remuneration (inclusive of the August, 1940, bonus) by an amount equal to 5 per cent., but this increase is payable—
  - (i) In the case of males twenty-one years and over, on earnings up to £5 per week only;
  - (ii) In the case of females twenty-one years of age and over, on earnings up to £2 10s. per week only; and
  - (iii) In the case of males or females under twenty-one years of age, and apprentices, on earnings up to £1 10s. per week only.

*Employment of Youths*

5. (a) Boys and youths may be employed at the following minimum rates of pay:—

	Per Week.		
	£	s.	d.
From 16 years to 16½ years of age ..	1	10	0
From 16½ years to 17 years of age ..	1	15	0
From 17 years to 17½ years of age ..	2	0	0
From 17½ years to 18 years of age ..	2	5	0
From 18 years to 18½ years of age ..	2	10	0
From 18½ years to 19 years of age ..	2	15	0
From 19 years to 20 years of age ..	3	0	0
From 20 years to 21 years of age ..	3	10	0

And thereafter the minimum rates of wages for adults.

(b) The proportion of boys or youths shall not be more than one to three or fraction of three adult workers.

*Overtime*

6. All time worked in excess or outside of the hours mentioned in clause 2 hereof in any one day shall be paid for at the rate of time and a half for the first four hours and double time thereafter.

*Holidays*

7. (a) All workers shall receive the following holidays in each year:—

(i) New Year's Day, Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day, and Boxing Day:

(ii) Easter Saturday, Show Day, or one other day in lieu thereof by mutual agreement.

(b) When a holiday other than Anzac Day falls on a Sunday, such holiday shall be observed on the Monday following. When Christmas Day falls on a Sunday, Boxing Day shall be observed on the Tuesday following.

(c) All holidays mentioned in paragraph (i) of sub-clause (a) of this clause shall be paid for as an ordinary working-day of eight hours: Provided, however, that when a holiday falls on a Saturday a worker who normally works four hours on Saturdays shall be paid four hours' pay, and a worker who normally works more than four hours on Saturdays shall be paid eight hours' pay. When Anzac Day falls on a Sunday a worker who does not normally work on that day shall not be entitled to any payment.

(d) All work performed on holidays mentioned in paragraph (i) of subclause (a) of this clause shall be paid for at double rates in addition to any payment made under the preceding subclause. All work done on Easter Saturday shall be paid for at ordinary time or rate in addition to the ordinary rate prescribed in clause 3 hereof. Work done on Show Day or the day taken in lieu thereof shall be paid for at overtime rates.

(e) All work performed on Sundays shall be paid for at double rates.

#### *Annual Holidays*

8. All workers shall be entitled to and shall receive one week's holiday on full pay on completion of each year of service with the same employer, and any worker leaving his employment or being dismissed, except for serious misconduct, at any time after six months' service shall be entitled to a proportionate holiday or the equivalent payment proportionate to the time of service. Such special holiday shall be exclusive of and in addition to any holiday mentioned in subclause (a) of clause 7 hereof.

#### *Payment of Wages*

9. (a) Wages shall be paid weekly, not later than Thursday, in the employer's time, but where the present practice is to pay fortnightly that practice may be continued. Two days' lie-time shall be allowed. Any error or omission in the pay-sheets shall be adjusted within forty-eight hours.

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

(c) Where wages are weekly, no deduction shall be made therefrom save for time lost through the worker's sickness, accident, or default.

#### *Termination of Employment*

10. Except in the case of casual workers, one week's notice of the termination of the employment shall be given by the employer or the worker, as the case may be, but this shall not prevent the employer from summarily dismissing a worker for serious misconduct.

#### *General Conditions*

11. (a) Ten minutes' spell without stoppage of pay shall be allowed all hands for "smoke-oh" every morning and afternoon.

(b) Disinfectant shall be supplied in any department where necessary.

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

(d) Workers shall be provided with all necessary knives, steels, punches, gum boots, clogs, leggings, and waterproof aprons.

(e) A sufficient supply of good boiling water shall be provided convenient to the dining-room.

(f) Sufficient drinking-water of good quality shall be available.

(g) Full and proper provision shall be made for lavatory accommodation, which shall be kept clean and tidy to the satisfaction of the local Inspector of Awards.

(h) Boys and youths under eighteen years of age shall not be allowed to work under water-spray.

(i) Where necessary, suitable dining-accommodation and suitable facilities for washing and dressing and for hanging clothes shall be provided with provision for drying wet clothes.

(j) When workers are required to work overtime 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 for workers who cannot reasonably return to their homes for a meal.

#### *Disputes Committee*

12. Anything not provided for in this award, or any dispute that may arise over anything that is provided for in this award, shall be mutually arranged between two representatives of the union and the works-manager. In the event of their being unable to agree, the matter shall be referred to the Conciliation Commissioner for settlement. Either side, if dissatisfied with the decision of the Conciliation Commissioner, shall have the right to appeal to the Court.

#### *Workers to be Members of Union*

13. (a) Subject to the provisions of section 18 (5) of the Industrial Conciliation and Arbitration Amendment Act, 1936, 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.

(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*

14. (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 wages, to examine the permit or agreement by which such wage is fixed.

#### *Application of Award*

15. This award shall apply to the original parties named herein, and shall extend to and bind as subsequent party hereto every trade-union, industrial union, industrial association, or employer who, not being an original party hereto, is, when this award comes into force or at any time whilst this award is in force, connected with or engaged in the industry to which this award applies within the industrial districts to which this award relates.

*Scope of Award*

16. This award shall operate throughout the Canterbury and Otago and Southland Industrial Districts.

*Term of Award*

17. This award shall come into force on the 7th day of June, 1943, and shall continue in force until the 7th day of June, 1944.

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 2nd day of June, 1943.

[L.S.]

A. TYNDALL, Judge.

## MEMORANDUM

The only matter referred to and settled by the Court related to rates of wages. In other respects the award embodies the terms of settlement arrived at by the assessors in Conciliation Council.

This dispute was filed on the 30th March, 1943; consequently the Court is required to comply with clause 38 of the Economic Stabilization Emergency Regulations 1942.

Prior to 11th December, 1942, the rates of wages prescribed for bacon-workers in the Northern Industrial District and in the Canterbury and Otago and Southland Industrial Districts were practically identical, but as a result of a complete settlement in the Northern Industrial District an award was made on 4th December, 1942, prescribing that on and after 11th December, 1942, certain increased rates of wages should be payable.

In this industry in the Wellington and Taranaki Industrial Districts wages are payable mostly on an hourly basis, and the workers, so long as full time is worked, are generally on a more favourable basis than the workers in Canterbury and Otago and Southland, although in one or two cases the position is reversed.

Taking all matters into consideration, we are of the opinion that certain adjustments are desirable to the wage rates in the Canterbury and Otago and Southland Districts to bring them more into line with the rates now operating in the Northern Industrial District, and that these adjustments are of the nature contemplated by clause 38 of the Economic Stabilization Emergency Regulations.

A. TYNDALL, Judge.