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OTAGO AND SOUTHLAND **PAPER-MILLS' EMPLOYEES.**—AWARD

In the Court of Arbitration of New Zealand, Otago and Southland Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925; and in the matter of an industrial dispute between the Dunedin Paper-mills'

Employees' Industrial Union of Workers (hereinafter called "the union") and the undermentioned company (hereinafter called "the employers") :—

New Zealand Paper Mills, Ltd., Crawford 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 as hereinafter provided, and shall continue in force until the 10th day of April, 1945, 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 3rd day of April, 1944.

[L.S.]

A. TYNDALL, Judge.

## SCHEDULE

*Hours of Work*

1. (a) The ordinary hours of work shall not exceed forty per week, and, unless otherwise provided herein, shall be worked between the hours of 8 a.m. and 5 p.m. from Monday to Friday, both days inclusive.

(b) Shifts may be worked as required by the employer. Eight hours shall constitute the ordinary shift. Shifts shall commence at 12 midnight, 8 a.m., or 4 p.m., respectively.

(c) Between midnight on Friday and noon on Saturday, two six-hour shifts may be worked at time and a half rates of pay: Provided that if workers are required to work such shifts on three successive Saturdays, the whole of the time worked on the third Saturday shall be paid for at double time rates of pay. All work after noon on Saturdays to be at double time rates of pay.

(d) All shifts shall rotate weekly, except by mutual arrangement.

(e) Youths under the age of nineteen years shall not work on night shifts.

(f) By arrangement between the management and the union, female workers employed in paper-sorting may, during the period May to July, be required to work seven hours fifteen minutes per day on five days of the week and three hours forty-five minutes on Saturday morning.

*Wages*

2. (a) The following shall be the minimum rates of wages to be paid to the different classes of workers:—

	Per Hour.	
	s.	d.
Machineman .. .. .	2	9
First drierman .. .. .	2	6
Second drierman .. .. .	2	4½
Beaterman .. .. .	2	8½
Beaterman's assistant .. .. .	2	5
Cutterman .. .. .	2	5½
Ripperman .. .. .	2	5½
Glazer .. .. .	2	5½
Balers .. .. .	2	5
Boilerman .. .. .	2	5
Kollergange-man .. .. .	2	4½
All other adult workers (in or about the mill) .. .. .	2	4½

(b) Shift-workers on afternoon and night shifts shall be paid 1s. 6d. per shift extra.

(c) The minimum wage payable to youths under twenty-one years of age shall be:—

	£	s.	d.
First six months .. .. .	1	5	0
Second six months .. .. .	1	9	0
Third six months .. .. .	1	13	0
Fourth six months .. .. .	1	17	0
Fifth six months .. .. .	2	3	0
Sixth six months .. .. .	2	8	6
Fourth year .. .. .	2	13	6
Fifth year .. .. .	3	3	6

At the age of twenty-one years, the minimum wage for adult workers.

(d) Boys who have served five years shall be given preference of employment at higher-paid occupations.

(e) Any youth temporarily taking the place of any adult worker as set out in subclause (a) of this clause shall be paid not less than the minimum rate for such worker for the time so occupied.

(f) Youths required to work shifts shall be paid the minimum rate payable to an adult worker doing similar work.

(g) Females may be employed at not less than the following rates:—

	Per Week.		
	£	s.	d.
First six months .. .. .	0	18	6
Second six months .. .. .	1	2	6
Third six months .. .. .	1	6	6
Fourth six months .. .. .	1	11	0
Fifth six months .. .. .	1	15	0
Sixth six months .. .. .	1	19	0
Seventh six months .. .. .	2	2	0
Eighth six months .. .. .	2	4	6
Ninth six months .. .. .	2	7	0
Thereafter .. .. .	2	12	6

Provided that no female over the age of twenty-one years shall be paid less than the basic wage for the time being prevailing.

(h) The employment under subclauses (c) and (g) shall be deemed to be a weekly employment, and no deduction shall be made from the weekly wages except for time lost through the worker's sickness or default, or through the closing of the mill from want of material or through flood or drought.

#### *Increase in Rates of Remuneration*

3. All rates of remuneration, including time and piece wages and overtime and any other special payments, provided for in this award shall be increased to the extent and in the manner

prescribed by the two general orders of the Court made under the Rates of Wages Emergency Regulations 1940, and dated the 9th August, 1940, and the 31st March, 1942, respectively.

EXPLANATORY NOTE.—(1) The general order of the 9th August, 1940, increased *rates of remuneration* determined by awards and industrial agreements and apprenticeship orders by an amount equal to 5 per cent. thereof.

(2) (a) The general order of the 31st March, 1942, further increased *rates of remuneration* determined by awards and industrial agreements and apprenticeship orders (inclusive of the 5 per cent. increase provided by the general order of the 9th August, 1940) by an amount equal to 5 per cent. thereof, but excluded from the increase such portion of the *remuneration* of each worker as exceeded—

- (i) The amount of £5 a week in the case of male workers twenty-one years of age and over;
- (ii) The amount of £2 10s. a week in the case of female workers twenty-one years of age and over;
- (iii) The amount of £1 10s. a week in the case of male and female workers under twenty-one years of age; and
- (iv) The amount of £1 10s. a week in the case of apprentices under apprenticeship orders.

(b) The increase in *rates of remuneration* provided by the order referred to in (a) hereof applied to the unexcluded portion of the *remuneration* of each worker, irrespective of his or her total weekly *remuneration*.

(3) The term "*rates of remuneration*" includes time and piece wages and overtime and any other special payments. The term "*remuneration*" means actual earnings, including time and piece wages and overtime and any other special payments.

#### *Overtime*

4. Except for the purpose of changing shifts, all time worked outside or in excess of the hours set out in clause 1 hereof shall be paid for at the rate of time and a half for the first four hours and double time thereafter. In overtime, broken half-hours shall be paid for as if a full half-hour had been worked. Notice to work for more than one hour overtime shall be given to day-workers not less than six hours before overtime is to commence.

#### *Holidays*

5. (a) The following holidays shall be observed without deduction of pay: Good Friday, Easter Monday, Anzac Day, Christmas Day, Boxing Day, New Year's Day and the day following, Labour Day, and the birthday of the reigning Sovereign.

(b) Should any of the holidays set out in subclause (a) hereof (except Anzac Day) fall on a Sunday, then for the purpose of this award such holiday shall be held on the following Monday.

(c) For all work done on Sundays or on any of the above holidays, or any holiday observed in lieu thereof, double time rates shall be paid. The said payment, except for work done on Sundays, shall be in addition to the ordinary rates.

#### *Annual Holiday*

6. (a) An annual holiday of one week on full pay shall be allowed to all workers on completion of each year of service. Such holiday shall be given at Christmas time, and shall be in addition to the holidays prescribed in clause 5 hereof.

(b) If the employment of any worker is terminated for any reason other than misconduct before the completion of twelve months' service but after three months' service has been completed, a holiday of proportionate duration shall be allowed or paid for.

#### *Accidents*

7. An ambulance-room, to be used for no other purpose, shall be provided for casualties, and a modern first-aid emergency case, fully equipped, shall be kept therein.

#### *Accommodation*

8. (a) An adequate supply of pure drinking-water shall be provided.

(b) Sanitary accommodation to the satisfaction of the Inspector of Awards shall be provided.

(c) Locker accommodation and drying facilities shall be provided for workers' clothes.

(d) Hot-water urns for making tea shall be installed in finishing-room No. 5 or No. 4 beater-house and at No. 4 machine-room.

#### *Gum Boots and Clogs*

9. (a) Gum boots or clogs in sound condition shall be supplied free of charge to workers for wet work when required.

(b) Any worker required to handle straw in the boiler or beater-house shall be provided with clogs.

#### *Dirty Work*

10. (a) Any worker employed in handling cement, lime, or manure or gelatine bags in the chopper-house shall be paid 3d. per hour extra as dirt-money.

(b) Any worker covered by this award doing other dirty work, such as handling flock-dust, chipping, or cleaning boilers and flues, shall be paid 3d. per hour extra.

*Matters not provided for*

11. Any dispute in connection with any matter not provided for in this award shall be settled between the employer concerned and the secretary or president of the union, and in default of any agreement being arrived at, then such dispute shall be referred to the Conciliation Commissioner for the district, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Commissioner, may appeal to the Court upon giving written notice of such appeal to the other party within fourteen days after such decision shall have been communicated to the party desiring to appeal.

*Extension of Hours under Factories Act*

12. Pursuant to the provisions of section 3 of the Factories Amendment Act, 1936, the limits of hours fixed by subsection (1) of that section are hereby extended upon the terms of this award in respect of every occupier of a factory bound or to be bound by this award.

*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 wage, to examine the permit or agreement by which such wage is fixed.

#### *Scope of Award*

15. This award shall apply to the parties named herein, and shall operate throughout the Otago and Southland Industrial District.

#### *Term of Award*

16. This award, in so far as it relates to wages, shall be deemed to have come into force on the 1st day of December, 1943, 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 10th day of April, 1945.

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 3rd day of April, 1944.

[L.S.]

A. TYNDALL, Judge.

#### MEMORANDUM

In dealing with this dispute the Court is required to comply with Regulation 38 of the Economic Stabilization Emergency Regulations 1942, as amended by clause 6 of Amendment No. 3 to the said regulations (Serial number 1944/9). The effect of



this recent amendment has been discussed in the memorandum to the Otago and Southland Rope and Twine Spinners' award, just issued.

The principal matters referred to and settled by the Court related to wages, shift allowance, allowance where shift-workers not allowed time for a meal, holidays, annual holiday, and dirty work.

The minimum rates of wages for "Kollergange-men," "second drierman," and "all other adult workers" have been increased from 2s. 4d. to 2s. 4½d., as the evidence showed that the work in the mills is now more arduous than when the previous award was made.

The allowance for afternoon and night shifts has been increased from 1s. to 1s. 6d. per shift, on the grounds that the Court has as a general rule prescribed the latter rate for some time.

Several of the rates for youths have been increased to a degree commensurate with the increase granted to the lower-paid adult male workers.

The minimum rates for female workers have been increased by amounts varying from 1s. to 2s. 6d. per week. The maximum scale rate of £2 12s. 6d. is in line with the rates prescribed recently for certain other classes of factory workers. The form of the scale for female workers was agreed upon by the assessors in Conciliation Council.

Mr. Prime disagrees with the decision to increase wages, but, in order to enable an award to be made, he refrains from recording a formal dissent.

Mr. Monteith dissents from this award, and his dissenting opinion follows.

A. TYNDALL, Judge.

#### DISSENTING OPINION OF MR. MONTEITH

I dissent from this award for the following reasons:—

It allows women to be paid under a girl's scale, and the wages awarded allow a woman twenty-two years of age (if she starts at the age of twenty years) to be paid 39s. 8d. a week under the basic-wage proviso. In my opinion such a condition should not be allowed: it is a sweated wage. I think, too, that the women's minimum wage should be at least 2s. higher.

Further, the shift rate should be 2s. 6d. per shift. Many of these workers have to snatch a meal during their shift because the shift is continuous. In my opinion, also, it was proved that the work of various men's ratings was harder to-day than when the last award was made, due to the use of a greater percentage of waste material.