

NORTHERN INDUSTRIAL DISTRICT **COACHWORKERS.**—AWARD

In the Court of Arbitration of New Zealand, Northern Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925; and in the matter of an industrial dispute between the Northern Industrial District Amalgamated Engineering, Coachbuilding, and Related Trades' Industrial Union of Workers (hereinafter called "the union") and the undermentioned corporation, firms, and companies (hereinafter called "the employers") :—

Armstrong Motors, Ltd., Collingwood Street, Hamilton.

Auckland Bus Co., Ltd., New Lynn, Auckland.

Auckland City Council, Auckland.

Auckland Motor Bodies, 5 Hobson Street, Auckland.

Dominion Motors, Ltd., 166 Albert Street, Auckland.

Ebbett Motors, Ltd., Hood Street, Hamilton.

Hamilton Motor Bodies, Hamilton.

North Shore Transport Co., Ltd., Hall's Corner, Takapuna, Auckland.

Passenger Transport Co., Great South Road, Otahuhu, Auckland.

Patterson and Son, Upper Queen Street, Auckland.

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 1st day of May, 1944, and shall continue in force until the 1st day of May, 1946, 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 27th day of April, 1944.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to which Award applicable

1. This award shall apply to all persons who are named under clause 4 of this award and to all employers who employ any such persons, whether they are employed for the whole or part time on any work covered by this award.

Hours of Work

2. The ordinary hours of work shall not exceed eight hours on five days of the week, Monday to Friday, both days inclusive, and shall be worked between the hours of 7.30 a.m. and 5 p.m.

Shifts

3. (a) Shifts may be worked as required by the employer between the hours of 3 p.m. and 8 a.m.

(b) When shifts are worked, not more than eight hours shall constitute a shift and forty hours a week's work. Workers employed on shifts outside of the hours prescribed in clause 2 hereof shall be paid 4½d. per hour over and above the ordinary rates of pay.

(c) All time worked in excess of the ordinary shift shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

(d) Workers on night shift shall be allowed half an hour crib-time on each shift, which shall be paid for.

(e) This clause shall apply only when full weekly shifts are worked.

Wages

4. (a) The following shall be the minimum rates of wages:—

Coachbuilders (woodmen), painters, blacksmiths, vicemen, panel-beaters, machinists, and trimmers	Per Hour.	s.	d.
Assemblers over the age of twenty-one years	2	7	½
Trimmer-assemblers over the age of twenty-one years	2	7	¾
Helpers over the age of twenty-one years	2	5	½

(b) The minimum weekly wages for junior helpers and assemblers shall be as follows:—

Age commencing.	First Six Months.	Second Six Months.	Third Six Months.	Fourth Six Months.	Fifth Six Months.	Sixth Six Months.	Fourth Year.	Fifth Year.	Sixth Year.
Under 16	22/6	27/6	32/6	37/6	42/6	47/6	52/6	60/-	70/-
16 to 17	27/6	32/6	37/6	42/6	47/6	52/6	60/-	70/-	..
17 to 18	32/6	37/6	42/6	47/6	52/6	60/-	70/-	..	..
18 to 19	37/6	42/6	47/6	52/6	60/-	70/-	..	..	..
19 to 20	47/6	52/6	65/-	70/-	..	..	..	..	..
20 to 21	65/-	70/-	..	..	..	..	..	..	..

On attaining the age of twenty-one years, not less than the adult rates herein prescribed.

(c) Proportion: The proportion of junior helpers shall not exceed one to every five in the smith's shop and one to every six or fraction thereof of assemblers and/or journeymen.

(d) For the purpose of this award "assemblers in mass-production factories" are adult workers who are substantially engaged at work necessary in the assembling of standardized parts of motor-vehicles (other than mechanical parts). The work of an assembler shall include the necessary preliminary work to lacquering, and lacquering other than finishing coats. An assembler-trimmer shall be permitted to tack in and assemble ready cut and sewn materials.

(e) An "assembler in customs built shops" is a worker engaged exclusively in assembling standardized wood and iron parts of motor-bodies, and shall use the following tools only to the extent required by such work: hammers, saws, paring-chisels, gimlets, braces and bits, screw-drivers, screw-driver bits, punches, files, cramps, and wrenches.

(f) Female workers may be employed in trimming-shops where mass production is carried on, and their operations shall be limited so as not to include machining repair work or renovations, the tacking-in of trimmings in cars, or the stuffing or making of cushions or squabs, at the following minimum weekly rates of wages:—

Age commencing.	First Six Months.	Second Six Months.	Third Six Months.	Fourth Six Months.	Fifth Six Months.	Sixth Six Months.	Fourth Year.
Under 16	17/6	22/6	27/6	32/6	37/6	42/6	47/6
16 to 17	21/-	26/-	31/-	36/-	41/-	46/-	..
17 to 18	24/6	29/6	34/6	39/6	44/6	..	..
18 to 19	28/-	33/-	38/-	43/-	..	..	..
19 to 20	31/6	36/6	41/6	..	..	..	..
20 to 21	36/-	41/-	..	..	..	..	..
Thereafter not less than £2 15s.							

Not more than one female, other than machinists, shall be employed in the trim-shop to every four male adult workers employed in the trimming department.

Female Machinists: The following shall be the minimum rates of wages for female machinists:—

	Per Week.		
	£	s.	d.
For the first six months	2	0	0
For the second six months	2	10	0
For the third six months	2	15	0
And thereafter	3	0	0

(g) Workers who on the coming into force of this award are receiving a higher wage than is prescribed herein shall not have their wages reduced because of anything contained in this clause.

(h) No deduction shall be made from the weekly wages prescribed in this clause except for time lost through sickness or default of the worker.

Improvers

5. If in the opinion of the Apprenticeship Committee appointed in connection with this industry any apprentice who has completed his term of apprenticeship is not sufficiently competent to earn the minimum rate of wages prescribed in this

award, then and in such case such apprentice shall be rated as an improver for such period as the Committee shall determine in order that he may qualify as an efficient tradesman. The Committee shall determine the rates that shall be paid during the term of improvership. If the employer or the worker is dissatisfied with the decision of the Committee, he may appeal to the Court within fourteen days after such decision has been communicated to him. In localities where no Apprenticeship Committee is functioning, the period of improvership shall be not more than twelve months, and the minimum rate of wages shall be 2s. 7½d. per hour.

Increase in Rates of Remuneration

6. 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 of age 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.

Overtime

7. (a) All times worked by weekly and hourly workers outside or in excess of the hours prescribed in clause 2 hereof, or in cases of shifts outside the usual shift hours, shall be paid for as overtime at the rate of time and a half for the first three hours on any day; thereafter at double time rates, except on Saturday, when overtime for four hours may be worked at time and a half rates.

(b) When a worker is called on to work overtime which extends beyond the time of the cessation of public wheeled transport, such worker shall be conveyed to his or her residence at the expense of the employer.

(c) If a worker is called back on overtime work and work is not then available, the worker shall be paid at ordinary overtime rates for any such waiting-time.

Meal-money

8. Employers shall allow meal-money at the rate of 2s. per meal when workers are called upon to work overtime after 6 p.m. on any day, or after 12 noon on the day of the half-holiday, provided that they have not been notified of such overtime on the day preceding the working of such overtime.

The allowance for meals provided for in this subclause shall not be subject to general orders of the Court made under the Rates of Wages Emergency Regulations or the Economic Stabilization Emergency Regulations.

Payment of Wages

9. Wages, including overtime, shall be paid weekly and not later than Thursday, and within five minutes of ceasing work (preferably in working-hours). In factories where workers are at present being paid during working-hours, such practice shall continue.

Deductions

10. Deductions may be made from the weekly wages for time lost by default, sickness, or accident.

Statutory Holidays

11. (a) The following holidays shall be allowed without deduction from wages whenever they fall within the working-week: A whole holiday on every Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Monday, Anzac Day, Labour Day, Anniversary Day or a day in lieu thereof, and the birthday of the reigning Sovereign. Where any of the above holidays, except Anzac Day, falls on a Sunday, such holiday shall be observed on the first working-day thereafter.

(b) Time worked on any of the above-named holidays or on Sundays shall be paid for at twice the ordinary rate.

(c) Payment of wages for the said holidays shall be paid to all persons who have been employed in the factory at any time during the fortnight ending on the day on which the holiday occurs.

(NOTE.—Attention is drawn to the provisions of the Annual Holidays Act, 1944, which will apply to workers covered by this award as from the 1st August, 1944.)

Time and Wages Book

12. Each employer shall keep a time and wages book or card system showing the name of each employee and his occupation, the hours worked each day, and the wages and allowances paid each week. An entry of time worked and wages paid shall be signed by the worker at the time of payment.

Termination of Employment

13. (a) One hour's notice on either side shall terminate the engagement of hourly workers. Workers paid on a weekly basis shall give and shall be entitled to receive one week's notice of termination of employment.

(b) Each employee on leaving or being discharged from his or her employment shall, on application, be given a reference in writing stating the position held and the length of service.

Tools

14. Journeymen woodworkers who provide the necessary tools for carrying out the work upon which they are employed shall receive a tool allowance of $\frac{1}{2}$ d. per hour, which shall be paid in addition to the wage agreed upon between the employer and the worker. Alternatively to paying tool allowance, the employer may supply journeymen woodworkers with tools necessary for the work upon which they are employed: Provided that this clause shall not reduce the wage payable to journeymen on the coming into force of this award.

When power-driver drills are installed, the employers shall provide the necessary drills for same; files and rasps shall be provided for workers in all departments. Paint-brushes shall be provided for workers in paint-shops. Assemblers shall be supplied by the employers with the necessary tools to carry on their work.

Hot Water

15. Employers shall provide facilities for boiling water at meal-times.

General Provisions

16. (a) Employees engaged in operating abrasive buffs shall be provided with suitable aprons, goggles, and respirators.

(b) Employees employed in handling or washing oily or greasy sheet metal shall be provided with suitable aprons, wooden clogs, and gloves.

(c) On the body acid wash, suitable rubber aprons, gloves, and gum boots shall be provided.

(d) Rubber aprons and gum boots shall be supplied to body wet sanders.

(e) Protective coloured goggles shall be supplied to arc, electric, and gas welders.

(f) The use of these protective articles shall be compulsory upon the workers.

Accidents

17. (a) Proper facilities shall be provided for rendering first aid to workers who meet with an accident while working at or about the employer's place of business.

(b) If an injured worker requires medical attention, means of transport shall be provided by the employer to convey the injured worker to the nearest doctor or hospital.

(c) In production factories where two hundred or more workers are employed an ambulance-room shall be provided up to the specification of the St. John Ambulance orders. The room must be used solely for the purposes of treatment and rest. There shall be employed in the factory one or more persons trained in first aid whose services shall be called upon as required.

(d) Equipment shall include a glazed sink with hot and cold water always available; a table with a smooth top; means of sterilizing instruments; a supply of suitable dressings, bandages, and splints; and a suitable couch and stretcher.

(e) First-aid boxes shall be provided in suitable places in the works so that they are readily available.

Sanitation

18. Employers shall provide proper sanitary conveniences in accordance with the requirements of the Factories Act.

Award to be posted

19. Every employer shall keep a copy of this award posted in an accessible place in the works and shall permit *bona fide* union notices to be posted alongside.

Extension of Hours under Factories Act

20. 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 in the manner and to the extent set forth in clause 3 of this award in respect of each occupier of a factory bound by the provisions of this award.

Right of Entry

21. (a) The secretary or other authorized officer of the union of workers shall, with the consent of the employer (which consent shall not be unreasonably withheld), be entitled to enter at all reasonable times upon the premises or works and there interview any workers, but not so as to interfere unreasonably with the employer's business.

(b) The employers shall, on request, but not oftener than once a month, notify the secretary of the union of the names of the workers in their employ covered by this award.

Disputes

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

Workers to be Members of Union

23. (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

24. (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.

Application of Award

25. 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 district to which this award relates.

Scope of Award

26. This award shall operate throughout the Northern Industrial District.

Term of Award

27. This award shall come into force on the 1st day of May, 1944, and shall continue in force until the 1st day of May, 1946.

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 27th day of April, 1944.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The award embodies the terms of settlement arrived at by the assessors in Conciliation Council. In making the award the Court has had regard to the Economic Stabilization Emergency Regulations 1942.

With regard to clause 8, the Court is not satisfied that a provision to exclude the operation of any future general order in respect of meal allowance is *intra vires*, but the clause has been allowed to stand in the form in which it was agreed upon in Conciliation Council.

A. TYNDALL, Judge.
