

**NEW ZEALAND MOTOR AND HORSE DRIVERS.—AMENDMENT
OF AWARD**

In the Court of Arbitration of New Zealand, Wellington Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925, and the Economic Stabilization Emergency Regulations 1942; and in the matter of an application for amendment of the New Zealand Motor and Horse Drivers' award, dated the 4th day of November, 1942, and recorded in 42 Book of Awards 1313.

In pursuance and exercise of the powers vested in it by the Economic Stabilization Emergency Regulations 1942, and upon application made by a party to the New Zealand Motor and Horse Drivers' award, dated the 4th day of November, 1942, and recorded in 42 Book of Awards 1313, this Court doth hereby order as follows:—

1. That the said award shall be amended:—

(i) By deleting subclauses (a) and (e) of clause 5 (Wages), and substituting therefor the following subclauses:—

“(a) (1) The minimum rates of wages for workers coming within the scope of this part of this award who work forty hours per week shall be as follows:—

	Per Week.		
	£	s.	d.
“(i) For those driving and attending one horse	5	3	0
“(ii) For those driving and attending two horses	5	6	0
“(iii) For those driving and attending more than two horses, an extra rate of 6d. per day or 2s. 6d. a week shall be paid for each horse above two.			
“(iv) Drivers of any class of motor-vehicle with a combined weight of vehicle and maximum load not exceeding the weights set out in the following schedule shall be paid not less than the following rates:—			
“Up to 2 tons (including motor-cycles and tri-cars)	5	6	0
“Over 2 tons and up to 4 tons	5	8	6
“Over 4 tons and up to 5½ tons	5	11	0
“Over 5½ tons and up to 10 tons	5	15	0
“Over 10 tons	5	18	0
“(v) For those driving and attending to tractors not otherwise specified used in conjunction with trailers	5	10	0
“(vi) For those driving or operating small motor-rollers	5	6	0

“(vii) For those driving or operating tractors, scarifiers, road-rollers, graders, mechanical shovels, excavators, or any other motor-driven implement (other than steam) used on construction, maintenance, formation, or any other work .. 2 11½

“(2) In the case of workers who work in excess of forty hours per week and up to forty-four hours per week, the weekly rates of wages shall be the rates prescribed in paragraphs (i) to (vi) inclusive of this subclause for a week of forty hours increased in accordance with the following schedule of percentages:—

	Per Cent.
“Forty-two hours per week	5
“Forty-three hours per week	7½
“Forty-four hours per week	10”

“(e) Driving includes all necessary attendance on horses or motor-vehicles. All stable-work or attendance on motor-vehicles done in excess of the weekly total of hours provided for in clause 4 of this award shall be paid for as follows:—

	Per Hour.
	s. d.
“One-horse drivers up to four hours ..	2 7½
“Two-horse drivers up to six hours ..	2 7½
“Motor-vehicles of less than 5½ tons up to four hours	2 8½
“Motor-vehicles over 5½ tons up to four hours	2 9½”

(ii) By deleting paragraph (i) of subclause (a) of clause 6 (Employment of Youths), and substituting therefor the following paragraph:—

“(i) Except where otherwise expressly provided, employers shall be at liberty to employ youths above the age of eighteen years as horse-drivers for forty hours per week at not less than the following wages:—

	Per Week.
	£ s. d.
“From eighteen to nineteen years of age ..	2 12 6
“From nineteen to twenty years of age ..	3 2 0
“From twenty to twenty-one years of age ..	3 12 0

“Provided that employers who carry on business as bakers shall be at liberty to employ as one-horse drivers youths between seventeen and eighteen years of age at £2 7s. 6d. per week.”

(iii) By deleting paragraph (i) of subclause (b) of clause 6 (Employment of Youths), and substituting therefor the following paragraph:—

“(i) Except where otherwise expressly provided, employers shall be at liberty to employ youths above the age of eighteen years as drivers of motor-vehicles for forty hours per week at not less than the following wages:—

	Per Week.		
	£	s.	d.
“ From eighteen to nineteen years of age	2	18	6
“ From nineteen to twenty years of age	3	8	0
“ From twenty to twenty-one years of age	3	17	6

“ Provided that youths between the ages of eighteen and twenty years shall not be employed as drivers of motor-vehicles with a combined weight of vehicle and maximum load exceeding 2 tons nor be required to carry or lift parcels exceeding 70 lb. in weight, and provided that youths from twenty to twenty-one years of age shall not be employed as drivers of motor-vehicles with a combined weight of vehicle and maximum load exceeding 3 tons nor be required to carry or lift parcels exceeding 100 lb. in weight.”

(iv) By deleting clause 13, and substituting therefor the following clause:—

“ Wages

“ 13. The minimum rate of wages for workers coming within the provisions of this part of this award shall be as follows: for drivers of motor-vehicles having a combined weight of vehicle and maximum load falling within the following classification:—

		Ordinary Rates.			Overtime Rates.	
		Per Week.			Per Hour.	
		£	s.	d.	s.	d.
“ Up to 1 ton ..	..	5	18	0	3	4
“ 1 ton to 2 tons ..	..	6	1	0	3	5
“ 2 tons to 3½ tons ..	..	6	4	0	3	6
“ 3½ tons to 5 tons ..	..	6	7	0	3	7
“ 5 tons to 7 tons ..	..	6	9	0	3	8
“ Over 7 tons ..	..	6	12	0	3	9”

(v) By deleting subclause (a) of clause 16 (Employment of Youths), and substituting therefor the following subclause:—

“(a) Youths above eighteen years of age may be employed as drivers at not less than the following rates:—

	Ordinary Rates.			Overtime Rates.	
	Per Week.			Per Hour.	
	£	s.	d.	s.	d.
“Eighteen to nineteen years of age	3	6	6	1	11
“Nineteen to twenty years of age	3	17	6	2	3
“Twenty to twenty-one years of age	4	10	0	2	7

“Provided that youths between the ages of eighteen and twenty years shall not be employed as drivers of motor-vehicles with a combined weight of vehicle and maximum load exceeding 2 tons nor be required to carry or lift parcels exceeding 70 lb. in weight, and provided that youths from twenty to twenty-one years of age shall not be employed as drivers of motor-vehicles with a combined weight of vehicle and maximum load exceeding 3 tons nor be required to carry or lift parcels exceeding 100 lb. in weight.”

(vi) By deleting paragraph (i) of subclause (b) of clause 22 (Drivers' Assistants), and substituting therefor the following paragraph:—

“(i) Drivers' assistants shall be paid £5 per week of forty hours, but in all other respects shall be subject to the conditions of this award.”

(vii) By deleting paragraph (i) of subclause (c) of clause 22 (Drivers' Assistants), and substituting therefor the following paragraph:—

“(i) Youths employed as drivers' assistants shall be paid not less than the following rates:—

	Per Week.		
	£	s.	d.
“Under eighteen years of age	2	12	6
“Eighteen to nineteen years of age	2	18	6
“Nineteen to twenty years of age	3	8	0
“Twenty to twenty-one years of age	4	0	0

“Provided that youths under twenty years of age shall not be required to carry or lift parcels exceeding 70 lb. in weight, and youths twenty to twenty-one years of age shall not be required to carry or lift parcels exceeding 100 lb. in weight.”

(viii) By deleting subclauses (e) and (f) of clause 29 (Country Work), and substituting therefor the following subclauses:—

“(e) Such workers employed upon country work shall be paid an additional sum of 6s. per working-day, but the employer may, in lieu thereof, provide them at his own expense with suitable board and lodgings; or where the employer provides satisfactory accommodation, 3s. shall be paid for food allowance for every working-day the workers are in camp. For the purpose of this clause ‘satisfactory accommodation’ shall include the provision of suitable cooking utensils and fireplaces or oven, provision for storage of food, and of reasonable sanitary conveniences. Workers making use of such accommodation shall keep it clean and take reasonable care of it. If they fail to do so, the employer may employ some other person to do the work and may deduct the cost of such work from any moneys due or accruing due to such workers.

“The provisions of the two general orders of the Court made under the Rates of Wages Emergency Regulations 1940 shall not apply to the payments provided for in this subclause.”

“(f) Notwithstanding anything contained herein, an employer may agree with any worker that in respect of any specified country work the hours of work shall be other than those hereinbefore prescribed: Provided, however, that all time worked outside or in excess of such prescribed hours shall be considered overtime and shall be paid for, at the rate of 1½d. per hour in addition to the ordinary rates.”

(ix) By deleting subclause (a) of clause 32 (Conditions relating to Stablemen), and substituting therefor the following subclause:—

“(a) The minimum weekly wage for stablemen shall be £5 15s. per week or its equivalent. If there is any disagreement over the value of equivalent (house allowance, firing-allowance, &c.), then this matter shall be settled by the local Disputes Committee.”

2. That this Order shall be deemed to have come into force on the 1st day of April, 1945.

Dated this 22nd day of June, 1945.

[L.S.]

A. TYNDALL, Judge.

DISSENTING OPINION OF MR. MONTEITH

This does not preserve and restore the position of these workers in relation to the majority of workers in New Zealand, but has the effect of making a new classification for weekly workers under some awards (this is one) and leaves these workers in a lower relative position in the wage structure than they occupied before. The weekly workers should have received an increase of 11s. 8d. a week to preserve their relative position; in fact, they have not been restored to the proper position in the wage structure.
