

OTAGO AND SOUTHLAND **THRESHING-MILL AND  
CHAFFCUTTER 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 its amendments; and in the matter of an industrial dispute between the New Zealand Workers' Industrial Union of Workers (hereinafter called "the union"), and the under-mentioned persons (hereinafter called "the employers") :—

Dunn, D., Tokoraki.  
Ellery, H., Windsor.  
Geddes, W., Clydevale.  
Grant, C., Clifton, South Otago.  
Groves, G., Gore.  
Kitching, J. A., Kelso.  
Meek, W. H., Enfield, Oamaru.  
Sheat, C. R., Moneymore, Milton.  
Rae, J., Peebles.  
Rusbatch, H., Herbert.  
Telford, W., Waiwera South.

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 6th day of August, 1945, and shall continue in force until the 6th day of August, 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 31st day of July, 1945.

[L.S.]

A. TYNDALL, Judge.

## SCHEDULE

*Hours of Work*

1. The hours of work shall be between 6 a.m. and 8 p.m., except on Saturdays, when the hours of work shall be between 6 a.m. and 6 p.m. in stooks and between 6 a.m. and 5 p.m. in stacks. Thirty minutes extra shall be allowed to finish a set or paddock.

*Number of Hands*

2. When threshing from the stack, the number of hands employed shall be not less (for grain only) than—

- (a) In the bag-hole, three, except when the crop runs to less than twenty-five bags of oats or wheat per hour, when it shall be optional for the employer to employ the third man at other work about the mill.
- (b) On the sheaf-stack, three men; but when the stack exceeds 35 ft. in length the employer shall provide an extra man.
- (c) On mills having a patent feeder a band-cutter shall be employed in addition to the man turning to the board.
- (d) On mills not having a patent feeder, in addition to the band-cutter, a feeder shall be employed.
- (e) On mills not having a patent chaffer one man shall be employed to take away the chaff.
- (f) One man shall be permanently employed on the straw-stack; but the employer, if he desires the straw built, shall provide extra men.
- (g) In the case of American or similar mills the number of hands shall not be less than: for mills 22 in. by 38 in., five men; 28 in. by 46 in., six men; 32 in. by 54 in., eight men.
- (h) It shall be obligatory on the part of the millowner to fully man his mill, but when threshing grass-seed the number of men on a standard mill may be reduced by three, and on an American or similar mill by two.
- (i) In the case of header harvesters, the number of hands when threshing wheat, oats, or barley shall be not less than: up to 8 ft. size, two men; over 8 ft. and up to 12 ft., three men; over 12 ft. and up to 16 ft., four men.
- (j) Youths may be employed under this award, provided they receive not less than the minimum rates of wages provided herein.

*Wages*

3. (a) The minimum rate of wages to be paid to all threshing-mill workers covered by this award shall be 2s. 5½d. per hour and found.

(b) The millowner shall pay to the band-cutter or other worker who steers the engine and assists the driver in cleaning and oiling the mill an additional sum of 4½d. per hour threshing-time.

In the case of a tractor-driven mill the millowner shall pay an additional sum of 2d. per hour to the worker who assists the driver in a capacity similar to the feeder on a standard mill.

(c) Header harvester drivers shall be paid not less than 2s. 11½d. per hour and found; other workers shall be paid not less than 2s. 10d. per hour and found.

(d) In that portion of the industrial district south of Shag River, workers employed at chaffcutting shall be paid at the rate of not less than 11d. per ton and found. When cutting straw chaff, double rates shall be paid.

North of the Shag River the rate for oat-sheaf chaff shall be 4s. 1d. per 100 bags and found; for straw chaff, 5s. 2d. per 100 bags and found; for oat-sheaf chaff, 4s. 5d. per 100 bags not found; for straw chaff, 5s. 6d. per 100 bags not found.

(e) Balers shall be paid at the rate of 4s. 9d. per 100 bags of hay and found.

*Meals*

4. (a) The employer shall supply sufficient food of good quality for the following meals: breakfast, morning lunch, dinner, afternoon lunch, and tea.

(b) In cases where the farmer does not provide meals for the men, the millowners shall employ a cook.

(c) The minimum wages of the cook shall be £5 17s. 10d. per week where nine men, exclusive of the cook, are employed; £5 11s. 1d. per week where eight men, exclusive of the cook, are employed; £5 2s. 10d. per week where seven men exclusive of the cook, are employed; £4 15s. 4d. per week where six men, exclusive of the cook, are employed; £4 7s. 10d. per week where five men, exclusive of the cook, are employed. Seven days shall constitute a cook's week: Provided that workers of the age of twenty-one years and upwards shall be paid not less than the basic wage for the time being prevailing.

*Twine for Sewing*

5. Seaming twine shall be supplied for the purpose of sewing all grain and seed sacks.

*Increase in Rates of Remuneration*

6. 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.

*Threshing from the Stook*

7. When threshing from the stook the men who otherwise would be on the sheaf-stack may be placed by the farmer.

*Payment of Wages*

8. The employer shall pay the men's wages to their representatives before the mill leaves the farm.

*Headers*

9. Drivers and their assistants in assembling and dismantling header harvesters shall be paid by the owner of the plant for all time occupied on such work, and no deduction shall be made from their daily hours for the time occupied in travelling from paddock to paddock of the property of the farmer for whom they are heading.

*Termination of Employment*

10. Any worker leaving or being dismissed shall receive from the employer all wages due at the termination of the employment.

*Time*

11. (a) Time shall commence when the mill starts threshing the first set on any farm, and shall continue until the mill leaves such set. Thirty minutes shall be allowed and paid for the first setting and for each shift from set to set. These conditions shall apply until the whole of the threshing is completed on each farm.

(b) In the event of the mill being stopped for more than fifteen minutes on account of any accident, time lost shall not be counted as working-time.

(c) A man in the bag-hole shall keep the time on behalf of the men, and the engine-driver on behalf of the farmer and millowner.

(d) Fifteen minutes in the morning and fifteen minutes in the afternoon shall be allowed for lunch, and shall be treated and paid for as time worked.

(e) One of men in the bag-hole of the chaffcutters shall be elected by the men to keep the tally of the bags.

(f) For each setting the minimum payment shall be two hours' pay, including the allowance of thirty minutes provided for in subclause (a) of this clause.

*Interviews with Union Agents*

12. Any mill or chaffcutter may be visited by an officer of the union once in each season, when such mill or chaffcutter shall cease work for a period not exceeding fifteen minutes to permit of such officer transacting the business of the union and ascertaining if the provisions of the award are being observed. Time so lost shall not count as working-time.

*Holidays*

13. The holidays shall be such as the employer and the majority of the men agree upon. Work on Sunday, Anzac Day, Christmas Day, or Good Friday shall be prohibited.

*Travelling Sleeping-whare*

14. (a) When the millowner does not find gratis a travelling sleeping-whare which contains sufficient space and ventilation and proper bunks for all the men employed on the mill, the employer shall provide reasonable sleeping-accommodation for all the men employed on the mill.

(b) In the case of American and similar mills, chaff-cutters, balers, and headers it shall be sufficient compliance with the requirements of the above clause if the owner of the mill conveys the men to and from his yard or base each day.

*Settlement of Disputes*

15. In each and every case a representative of the men shall be elected or chosen for each mill, and all trivial disputes that may arise shall be decided by the representatives of the men and the employer concerned, provided the dispute does not come within the specific terms of this award.

*Workers' Compensation*

16. For the purposes of the Workers' Compensation Act, all workers covered by this award shall be deemed to be under contract of service with the farmer for whom threshing is being done from the time the mill enters on his farm, and a contract of service with the millowner in respect of any work done by them for him elsewhere.

*Medical Outfit*

17. A St. John Ambulance first-aid compressed kit or similar outfit shall be provided by the millowner and kept in a convenient and accessible place about the mill for the use of the workers. Such outfit shall be kept fully equipped.

*Copy of Award to be posted*

18. It shall be the duty of the millowner to see that a copy of this award is posted in a convenient place on or about the mill.

*Exemption*

19. Steam-engine drivers shall not be covered by this award, and, provided a farmer does no threshing or heading off his own farm, the provisions of this award shall not apply to him when threshing or heading his own crops with his own plant on his own farm.

*Employer's Liability to employ Unionists*

20. (a) 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 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 award.

(b) For the purpose 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.

*Workers to be Members of Union*

21. (a) Every worker coming within the scope of this award shall become a member of the New Zealand Workers' Industrial Union of Workers, and reasonable facilities shall be given to any such worker to become a member of the union. Any worker who fails to comply with the provisions of this subclause commits a breach of this award.

(b) On request by the union's official organizer or other accredited official of the union, each worker shall immediately pay his union contribution by cash or order on his employer.

*Application of Award*

22. This award shall apply to the original parties named herein, and to all employers connected with or engaged in any of the industries covered by the award, whether actually mentioned in the list of parties or not, and all employers not so named are bound by the provisions of the award, and the obligations are the same as if they had been named in the list of parties.



*Scope of Award*

23. This award shall operate throughout the Otago and Southland Industrial District.

*Term of Award*

24. This award shall come into force on the 6th day of August, 1945, and shall continue in force until the 6th day of August, 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 31st day of July, 1945.

[L.S.]

A. TYNDALL, Judge.

## MEMORANDUM

The principal matters referred to and settled by the Court related to wages, meals, time allowance for shifting sets, minimum payment for any set, supplying names of employees to union, and exemption.

In making the award the Court has had regard to the provisions of the Economic Stabilization Emergency Regulations 1942.

Mr. Prime desires to draw attention to his dissenting opinion on the amendment to the Northern and Wellington Cardboard-box, Carton, and Paper-bag Makers' award.

A. TYNDALL, Judge.