

WELLINGTON, CANTERBURY, AND OTAGO AND SOUTHLAND
WOOLSCOURING WORKS' EMPLOYEES.—AWARD

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

In the Court of Arbitration of New Zealand, Wellington, Canterbury, and Otago and Southland Industrial Districts. —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 Freezing Works and Related Trades' Industrial Association of Workers (hereinafter called "the union") and the under-mentioned persons, firms, and companies (hereinafter called "the employers") :—

WELLINGTON INDUSTRIAL DISTRICT

Avison Bros., care of Watson and Anderson, Public Accountants, Hastings.
Bourke, J. J., and Co., Ltd., Lower Hutt.
Commission Woolscourers, Ltd., Petone.
Dean Bros., Clive, Hawke's Bay.
Farmers' Woolscouring Co., Ltd., Napier.
Haywood, L. B., and Co., Aramoho, Wanganui.
Kawa Wool Co., Ltd., Feilding.
Tucker, W., Ltd., Whakatu, Hastings.

CANTERBURY INDUSTRIAL DISTRICT

Cook, W., Fairlie.
Gifkins, F. W., and Co., Mount Somers.
Hill, W., and Sons, Gloucester Street, Christchurch.
Kaputone Woolscouring Co., Ltd., Belfast.
McDonalds, A. and J., Woolston.
Taylor, Walter, and Co., Ltd., Saltwater Creek, Timaru.
Temuka Wool Works, Temuka.
Waihi Woolscouring Co. (J. Baker), Winchester.
Waikuku Wool Works, Ltd., Waikuku.

OTAGO AND SOUTHLAND INDUSTRIAL DISTRICT

Begg, W., Dunedin.
Matheson, J., and Co., Kennington.
Ness, Thos., and Sons, Kaikorai, Dunedin.
Nicholls, G. N., 49 Craighall Crescent, Wakari, 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 day of the date hereof, and shall continue in force until the 27th day of September, 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 September, 1945.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Application of Award

1. This award shall apply to the woolscouring industry.

Hours of Work

2. (a) An ordinary week's work shall consist of forty-four hours, eight hours to be worked on five days of the week, Monday to Friday (both days inclusive), between the hours of 7.30 a.m. and 5 p.m., and four hours on Saturday, between 7.30 a.m. and noon; but the daily starting-time may be altered from 7.30 a.m. to 7 a.m. by mutual arrangement. Wherever possible, establishments operating machine drying plants shall work the forty-four hours on five days of the week, Monday to Friday, and in each establishment the daily hours shall be arranged between the workers and the employer.

(b) Shifts of eight hours may be worked on five days of the week, and one shift of four hours finishing not later than noon on Saturday mornings. A shift shall consist of eight consecutive hours, including twenty minutes' crib-time and two "smoke-ohs." Workers shall be entitled to a change of shifts on alternate weeks.

(c) When a worker is employed on shift-work for less than three consecutive days in any one week the provisions of subclause (a) hereof shall apply.

(d) When workers on shift-work are required to work any portion of their shifts between the hours of 6 p.m. and 6 a.m. they shall be paid 2s. per shift in addition to the wages prescribed elsewhere in this award.

(e) Unless with the consent of the union, no worker under the age of eighteen years shall be allowed on morning or evening shifts.

Overtime

3. Except where otherwise provided, all time worked outside or in excess 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

4. (a) All workers shall receive the following holidays in each year: New Year's Day, 2nd January, Good Friday, Easter Saturday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Show Day (or a day in lieu thereof), Christmas Day, and Boxing Day.

(b) All holidays mentioned in subclause (a) hereof, other than 2nd January, Easter Saturday, and Show Day (or a day in lieu thereof), shall be subject to the conditions of

the Factories Act, 1921-22, and its amendments, and shall be paid for in accordance with the provisions of such Act. Pieceworkers in such case shall be paid the rates specified herein for timeworkers.

(c) All time worked on the holidays mentioned in subclause (a) hereof, other than 2nd January, Easter Saturday, and Show Day (or day in lieu thereof), shall be paid for at double rates in addition to the ordinary rates payable in subclause (b) hereof; and work done on Easter Saturday, 2nd January, and Show Day (or day in lieu thereof) shall be paid for at time and a half rates.

(d) All time worked on Sundays shall be paid for at double rates.

(e) 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.

(f) In addition to the holidays specified in subclause (a) of this clause, holidays shall be allowed as provided in the Annual Holidays Act, 1944.

Payment of Wages

5. Wages shall be paid weekly in the employer's time. Two days' lie-time shall be allowed. Any error or omission in the pay-sheet shall be adjusted, wherever possible, within forty-eight hours.

Wages

6. (a) The following shall be the minimum rates of wages for workers twenty-one years of age or over:—

	Per Hour.
	s. d.
Wool-sorters	3 0½
Woolscourer in charge of machine ..	2 10
Wool-pressers—	
Hand	2 9
Power	2 8½
Hydro-extractor operator ..	2 8½
All other workers	2 7½

(b) Workers cleaning boilers or flues or working in Ula machine, where no provision is made for carrying away the dust, shall be paid at time and a half rates.

(c) Workers cleaning out filters, drains, and scouring-machines shall be paid 3d. per hour extra while so engaged, with a minimum payment of 1s. per day.

(d) Workers loading, unloading, and/or stacking bales of wool shall be paid 1d. per hour or part of an hour extra whilst so employed.

Piecework

7. The rates of pay for piecework shall be arranged between each employer and the union.

Employment of Youths

8. (a) Boys and youths may be employed at the discretion of the employer at not less than the following minimum rates of wages:—

			Per Week.		
			£	s.	d.
Under 16 years	..	..	1	10	0
16 to 16½ years	..	..	1	15	0
16½ to 17 years	..	..	2	0	0
17 to 17½ years	..	..	2	7	6
17½ to 18 years	..	..	2	17	6
18 to 19 years	..	..	3	5	0
			Per Hour.		
			£	s.	d.
19 to 20 years	..	..	0	1	8½
20 to 21 years	..	..	0	2	0

And thereafter, the minimum rate for workers of twenty-one years of age and over.

(b) No youth shall have his present wage reduced by operation of this clause.

(c) The proportion of boys and youths to adult workers shall not exceed one boy or youth to three adults, except that this proportion shall not apply to youths employed on wool-drying greens, where there shall be no fixed proportion of junior labour.

Increase in Rates of Remuneration

9. 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.

Register of Employees

10. All employers employing more than ten workers shall keep a book showing the names and addresses of all workers hereafter engaged. With the consent of the employer, such book shall be accessible to the secretary of the union or the union's delegate at not less than three-monthly intervals.

General Conditions

11. (a) A "smoke-oh" of not more than ten minutes shall be allowed in the morning and afternoon without deduction from wages.

(b) All workers shall be supplied, where necessary, with aprons, overalls, leggings, gloves, vamps, and gum boots.

(c) Any worker who, not having been informed before leaving work that there will be no work on the following day, presents himself at the works shall, in the event of there being no work, receive not less than two hours' pay.

(d) 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 Factories.

(e) A suitable shed for employees' bicycles shall be provided.

(f) A supply of boiling water suitable for refreshments shall be available at meal-times.

(g) Water of good quality suitable for drinking shall be provided.

(h) The employer shall provide satisfactory dining, dressing, and washing accommodation.

Right of Entry

12. 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.

Disputes Committee

13. 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 of appeal to the Court.

Exemption

14. This award shall not apply to foremen.

Workers to be Members of Union

15. (a) Subject to the provisions of subsection (5) of section 18 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 subclauses (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.

(c) Every person who, being obliged to become a member of any union by the operation of the foregoing provisions, fails to become a member of that union when requested so to do by his employer or any officer or representative of the union, commits a breach of this award, and shall be liable accordingly.

(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

16. (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

17. (a) This award shall operate throughout the Wellington, Canterbury, and Otago and Southland Industrial Districts.

(b) 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.

Term of Award

18. This award shall come into force on the day of the date hereof, and shall continue in force until the 27th day of September, 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 September, 1945.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The principal matters referred to and settled by the Court related to hours of work; shift-work; shift allowance; wages and classifications; special payment for cleaning out filters, drains, and scouring-machines; youths' wages; and provision of protective clothing.

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

A. TYNDALL, Judge.
