

**GOLDEN BAY CEMENT-WORKERS.—INDUSTRIAL AGREEMENT**

In the Court of Arbitration of New Zealand, Nelson Industrial District.—In the matter of the Economic Stabilization Emergency Regulations 1942; and in the matter of the industrial agreement, made on the 4th day of October, 1945, between the Golden Bay Cement Co.'s Employees' Industrial Union of Workers and the Golden Bay Cement Co., Ltd.

WHEREAS by the Economic Stabilization Emergency Regulations 1942 it is provided that no industrial agreement made in pursuance of the Industrial Conciliation and Arbitration Act, 1925, shall come into force until it is filed under section 28 of the said Act: And whereas it is provided further that no such industrial agreement shall be accepted by a Clerk of Awards for filing as aforesaid unless it has been approved by the Court for the purposes of the said regulations: And whereas application has been made for approval of the industrial agreement made on the 4th day of October, 1945, between the Golden Bay Cement Co.'s Employees' Industrial Union of Workers, of the one part, and the Golden Bay Cement Co., Ltd., of the other part: Now, therefore, the Court, having had regard to and having taken into consideration the matters and things as required by the said regulations, doth hereby approve the said industrial agreement for the purposes of the said regulations.

Dated this 17th day of October, 1945.

[L.S.]

A. TYNDALL, Judge.

GOLDEN BAY CEMENT-WORKERS.—INDUSTRIAL AGREEMENT

THIS industrial agreement, made in pursuance of the Industrial Conciliation and Arbitration Act, 1925, and its amendments, this 4th day of October, 1945, between the Golden Bay Cement Co.'s Employees' Industrial Union of Workers (hereinafter referred to as "the union"), of the one part, and the Golden Bay Cement Co., Ltd. (hereinafter referred to as "the employers"), of the other part, whereby it is mutually agreed by and between the said parties hereto as follows, that is to say:—

(1) That the terms, conditions, stipulations, and provisions contained and set out in the schedule hereto shall be binding upon the said parties, and they shall be deemed to be and are hereby incorporated in and declared to form part of this agreement.

(2) The said parties hereto shall respectively do, observe, and perform every matter and thing by this agreement and by the said terms, conditions, stipulations, and provisions respectively required to be done, observed, and performed, and shall not do anything in contravention of this agreement or of the said terms, conditions, stipulations, and provisions, but shall in all respects abide by and perform the same.

## SCHEDULE

*Hours of Work*

1. (a) Except as otherwise provided herein, day-workers' hours shall not exceed eight hours daily between 8 a.m. and 5 p.m., nor the total for the week forty hours, Mondays to Fridays, both days inclusive. Any time worked in excess of eight hours per day and all work performed on Saturdays and/or Sundays shall be classed as overtime.

(b) *Shift-workers.*—The hours shall not exceed eight hours daily, nor the total for the week forty hours, Sundays to Saturdays, both days inclusive. Any time worked in excess of eight hours per day or shift shall be classed as overtime, as provided for in clauses 3, 4, and 5.

2. (a) The following shall be the minimum rates of pay for the classes of work herein specified (see also clause 26):—

	Per Hour.	
	s.	d.
Marl quarrymen .. .. .	2	9
Quarrymen working on floor .. .. .	2	8
Quarrymen working on face and handling explosives .. .. .	2	9½
Men on crushers .. .. .	2	9
Rock-drillers .. .. .	3	0½
Steam-shovel driver .. .. .	2	10¼
Rotary-kiln burners .. .. .	3	1½
Coal-millers .. .. .	2	9
Slurry and cement millers .. .. .	2	10
Slurry-silos attendants .. .. .	2	9
Greasers .. .. .	2	9
General workers employed in and about yards and sheds .. .. .	2	8
Machinists sewing bags .. .. .	2	9
Machinists, turners, fitters, blacksmiths, electricians, carpenters, and bricklayers .. .. .	3	1
General workers employed as machinists, carpenters, and electricians' assistants .. .. .	2	9
Engineers employed in power-house—		
First .. .. .	3	7¾
Second and third .. .. .	3	6
Firemen—		
At boilers .. .. .	3	0
At steam-shovel .. .. .	2	10¼
Coal-trimmers .. .. .	2	8
Watchmen .. .. .	2	8
Splicing haulage ropes .. .. .	3	6

	Per Hour.	
	s.	d.
Splicing haulage ropes (assistants) ..	3	0
Splicing ropes, general ..	3	1
Crane-driver .. .. .	2	10 $\frac{1}{4}$
Truck-driver .. .. .	2	9
Bricking-mills (in slurry) ..	4	0
Men employed in laboratory ..	2	8 $\frac{1}{2}$
Boys employed in laboratory (see clause 17, "Employment of Youths")		

*General Orders under Rates of Wages Emergency Regulations 1940.*—The two general orders made under the Rates of Wages Emergency Regulations 1940, and dated 9th August, 1940, and 31st March, 1942, respectively, shall be deemed to be incorporated in clause 2 (a) of this award, and shall have effect according to their tenor.

Clause 2 (b) Any man in charge of two or more men, and responsible for their work, shall be deemed to be in charge of a "gang," and shall receive 1s. 6d. per day extra. This does not apply to tradesmen in charge of their labourers.

Clause 2 (c) Workers with quarryman's ticket shall be paid 1s. per day over and above the rate for working on the face whilst in charge of marl-quarry gang.

Clause 2 (d) Men employed shovelling clinker under coolers shall be paid 6d. per hour extra.

#### *Overtime*

3. Except as otherwise provided herein, all overtime as provided 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. A break of eight hours shall be allowed before resuming at ordinary rates.

#### *Saturday Work*

4. Except as otherwise provided, the rates of pay for work done on Saturdays by shift-workers between the hours of noon and midnight shall be time and a half.

#### *Sunday Work*

5. All work done on Sundays shall be paid for at double-time rates. Men called out to work on Sundays shall have the option of a minimum of four hours' work at Sunday rates of pay or to work less than four hours and be paid for the time worked.

*Holidays*

6. (a) The holidays throughout the year shall be New Year's Day, Christmas Day, Boxing Day, Good Friday, Easter Monday, Anzac Day, birthday of the reigning Sovereign, Labour Day, Nelson Province Anniversary Day, and union picnic-day. The last-mentioned two days shall not rank as statutory holidays. If any of the above holidays should fall on a Sunday, the following Monday shall be observed.

(b) Every worker shall at the end of each year of his employment become entitled to an annual holiday of two weeks on ordinary pay.

*Picnic-day and Nelson Province Anniversary Day*

7. The date of the picnic shall be fixed by the Disputes Committee; no work shall be done during the picnic-day and/or Nelson Province Anniversary Day between the hours of 8 a.m. and midnight, except that the employer may retain at work not more than seven men per shift, such men to be paid double ordinary rates for all work performed on these days. No other work shall be done between midnight and 8 a.m. unless in case of extreme urgency.

*Meal-hours*

8. (a) The breakfast hour shall be from 7 a.m. to 8 a.m., dinner 12 noon to 1 p.m., tea 5 p.m. to 6 p.m., and supper 10 p.m. to 10.30 p.m.

8. (b) Should necessity arise, the time of the meal-hour may be delayed, or breakfast-hour may be advanced, but not longer than one hour, except in the case of steam-shovel driver and steam-shovel fireman employed in getting up steam. All meal-hours worked shall be paid for at the rate of double ordinary rates, with the exception of the supper half-hour.

8. (c) No day-worker shall be compelled to work longer than five hours without the opportunity of having a full hour for a meal, and shift-workers shall be allowed sufficient time during the first five hours of a shift to have a meal while the machinery is running: Provided that if employees, for their own convenience, wish to work part of any meal-hour they may do so if suitable to the management, and in such case the wages rate shall be ordinary time rate for such part of the meal-hour so worked.

*Shift-workers*

9. (a) Men employed on shift-work shall not be called upon to work two weeks consecutively on the same shift; but shall change shifts weekly, except in cases of emergency, when work may be carried on as required.

9. (b) Shift-workers employed on shipping during the time of their ordinary shift shall be paid their own ordinary shift rate or the 8 a.m. to 5 p.m. shipping rate, whichever is the higher.

9. (c) Shift-workers employed on shipping between 8 a.m. and 5 p.m., before going on shift or after completing their shift, shall be paid for the first four hours at day workers' shipping rate, 6 p.m. to 10 p.m., and thereafter at 10 p.m. to 8 a.m. rate.

9. (d) Shift-workers shall be paid 2s. extra per shift for 4 p.m. to 12 midnight, and 12 midnight to 8 a.m. shifts.

*Working in Bins and Silos*

10. (a) No one man shall be allowed to enter a bin or slurry-silos unless another man is present. Suitable waist-ropes shall be provided by the employer. In the case of slurry-silos and agitator pit, gum boots and overalls shall be provided.

10. (b) When men are employed in the dry-coal bin or ground-coal bin or in cement-silos they shall be provided with overalls and respirators, and two additional men shall be in attendance. Overalls shall also be provided for men employed at hammer mill. When men are working in a bin the feeder of the bin must be stopped.

*Bagging Cement*

11. (a) Men employed on bagging-machines shall be supplied with overalls and respirators, and shall not be called upon to work for more than one hour at a time at this work, after which they shall be allowed an interval of one hour at other employment.

11. (b) Six men shall normally constitute a gang when bagging and stacking cement on the floor, and they shall be paid the same rates as apply to shipping.

*Cleaning Boilers, Flues, &c.*

12. (a) Workers employed at cleaning boiler-tubes, furnaces, or economizer shall be paid 3s. 3½d. per hour. At coal-drier flues and elevator, and in coal-drier, hammer-mill if blocked when running, and kiln flues, they shall be paid each

man his ordinary rate plus 1s. 6d. dirt-money, except when the works are shut down, when the general workers' rate plus the 1s. 6d. shall be the rate paid.

12. (b) When men are engaged on the foregoing work, except on hammer-mill, they shall be allowed one half-hour for bathing purposes within the eight hours, such half-hour to commence immediately after the men cease performing the above work. Subject to the approval of union officials and foreman, washing-time shall be also allowed in the following: working in cement-mill, raw mill, fluxo, blowing out motors, cement-bins, machinery under silos, and top end of kiln.

12. (c) Any worker required to work in any compartment or confined place where the heat exceeds 110 degrees Fahrenheit shall be paid double rates computed on his ordinary rate of pay.

#### *General Provisions*

13. (a) All motors shall be inspected daily.

13. (b) Goggles and respirators shall be supplied on request to workers when working in dust.

13. (c) If men are called out to work in continuation of a job after 6 p.m. they shall be paid from 6 p.m. a minimum of two hours. If men are specially called out after five o'clock to work after 6 p.m., they shall be paid from 6 p.m. a minimum of three hours.

13. (d) When day-workers are called out for work between midnight and 7 a.m. they shall be paid a minimum of four hours at double their ordinary rates and shall be provided with a "crib" as specified in clause 18, "Shipping."

13. (e) Day-workers may be employed on shifts, such change of employment to be notified by 4 p.m. of the previous day.

13. (f) Shift-workers may be employed on day work, such change of employment to be notified by midnight of the previous day.

13. (g) Day-workers engaged on shift-work for repairs shall be paid the millers' rate of 4-12 and 12-8 shifts. Shift-workers engaged on repairs shall be paid their own rates, except the workers engaged placing bricks in the kiln, who will be paid the burners' rate.

14. (a) Any worker going to work and being sent home by reason of there being no work, and through no fault of his own, shall receive one day's pay unless previously notified by the employer's foreman.

14. (b) In the event of any worker commencing work and not completing a day's work through no fault of his own he shall receive one full day's pay.

14. (c) If it be wet weather when time to leave home to commence work, workers engaged in work in the open will not be expected at the works while the rain continues.

14. (d) When men are called to work on their day off or during works shut-downs, two hours' previous notice shall be given.

14. (e) When men are called out at 8 a.m. and sent home to come out at 4 p.m. they shall receive two hours' pay on account of this call.

#### *Accommodation*

15. (a) The employer shall provide facilities to enable workers to dry their clothes. Two shower-baths and three wash-basins shall also be provided with hot and cold water available at all times.

15. (b) Suitable mess-rooms shall be provided for the use of the men, one in each quarry and one in the vicinity of the machine shop. Boiling water shall be available for meals at all times.

15. (c) All accommodation buildings shall be efficiently lighted.

#### *Other Duties*

16. Any worker transferred temporarily from his usual employment shall not have his wages reduced by such transfer: Provided that if a higher rate applies to the work to which he has been transferred such higher rate shall be paid: Provided that it shall be part of the duty of watchmen to work as required on "good housekeeping" duties.

#### *Employment of Youths*

17. (a) No youth under the age of sixteen years shall be employed.

17. (b) When youths are employed for more than one week at a lower rate than that prescribed in clause 2 hereof the wages to be paid shall be agreed upon in writing by the employer, the president and secretary of the union, and such agreed rate shall be paid from the date of the agreement.

17. (c) Such agreement shall operate for a period of six months; wages to be reviewed at the end of every six months until such wages exceed £2 per week, and thereafter yearly until the worker reaches the age of twenty-one years.

17. (d) Boys employed in laboratory are not to be called upon to poke down bins.

*Shipping*

18. (a) Men employed on the following work—driving hauler, cement-silos, shunting and loading trucks at shed or wharf, on vessels, or at any work connected with shipping shall, except as hereinafter provided, be paid at the rate of (see also clause 26) :—

	Per Hour.	
	s.	d.
Mondays to Saturdays at 8 a.m.—		
8 a.m. to 5 p.m. . . . .	2	11½
6 p.m. to 10 p.m. . . . .	4	5¼
10 p.m. to 7 a.m. . . . .	5	11
And for Saturdays—		
8 a.m. to 12 noon . . . . .	4	5¼
After noon . . . . .	5	11

The general orders made under the Rates of Wages Emergency Regulations 1940, and dated 9th August, 1940, and 31st March, 1942, respectively, shall not apply to workers employed under this clause (Shipping), but in lieu thereof a cost-of-living bonus at the rate of 4d. for each hour worked, irrespectively of whether such time be ordinary time or overtime.

The bagging-shed gang of nine employed at loading cement shall be paid 1d. an hour above shipping rates.

18. (b) Men called to work after 6 p.m. shall be paid from 6 p.m. with a minimum of three hours, and a minimum of three hours shall be paid for Saturday from 8 a.m. Men called from 1 p.m. shall be paid a minimum of four hours at the rate specified for 10 p.m. to 7 a.m.

18. (c) Men called to work between midnight and 5 a.m. shall be paid a minimum of four hours; if between 5 a.m. and 7 a.m., a minimum of three hours.

18. (d) Should in either of the above cases the vessel not arrive, the respective minimum shall be paid, and the men shall not be called upon to do any other work except as is connected with the incoming vessel. This shall apply to men called for work either aboard or ashore.

18. (e) Men shall not be called for work between midnight Sunday and 4 a.m. Monday. No man shall be called for shipping work on a holiday except in extreme urgency.

18. (f) When discharging coal (slack) by baskets, four men in the hold shall be a minimum to constitute a gang; when by grabs, six men shall be a minimum to constitute a "trimmers gang," any additional men required to be left to the discretion of the ship's captain: Provided that two extra men shall be employed when trimming coal from the

after hatch of the s.s. "Titoki." Four men shall constitute a gang when loading cement: Provided that two extra men shall be employed in the forward hatch for loading "Alexander" over 250 tons.

18. (g) In all cases men shall be called for the time they are required to start work.

18. (h) No work shall be done after 5 p.m. on Saturdays (unless the ship can be finished by 6 p.m., when work shall continue till then) except in cases of extreme urgency, when the matter will be considered by the union's and the company's representatives.

18. (i) Meal-hours shall be as per clause 8. Men shall work during meal-hours if required to do so, and, except as herein otherwise provided, shall be paid at the rate of double ordinary time for the full hour (breakfast, dinner, tea, or supper) if the ship or job is not finished during the meal-hour. If the ship or job is finished during the meal-hour, and the men work half an hour or less of such meal-hour, the full half-hour shall be paid for. If more than half an hour of the meal-hour is worked and the ship or job is finished during the meal-hour, the full meal-hour shall be paid for.

18. (j) When men are required to work overtime the employer shall provide a suitable meal—

For vessels starting work between 6 p.m. and 8 p.m.	Crib at 10 p.m.
For vessels starting work at midnight	4 a.m.
For vessels starting work at 1 a.m.	4 a.m.
For vessels starting work at 2 a.m.	4 a.m.
For vessels starting work at 3 a.m.	4 a.m.
For vessels starting work at 4 a.m.	4 a.m.

18. (k) The employer shall also pay the overtime rates while workers are having such meals: Provided that not more than one half-hour shall be taken for any meal between 10 p.m. and 8 a.m., except in the case of vessels starting work at 4 a.m., when the meal shall be taken between 3.30 a.m. and 4 a.m.

18. (l) If crib is not provided, 2s. shall be paid in lieu thereof.

18. (m) An emergency crib to be kept at the office for men when not notified in sufficient time for overtime and shipping.

18. (n) Five men shall constitute a gang when stacking bales at bagging-shed.

18. (p) When loading cement with old bags,  $\frac{1}{2}$ d. per hour extra shall be paid.

*Works "Shut-downs"*

19. During "shut-downs," except in the case of stoppages for usual repairs, all workers required for work other than shipping (except tradesmen employed at their trades) shall be paid the general labourer's rate.

*Workers to be Members of Union*

20. (a) It shall not be lawful for any employer bound by this agreement to employ or to continue to employ in any position or employment subject to this agreement any adult person who is not for the time being a member of an industrial union of workers bound by this agreement 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 agreement: Provided, however, that any non-unionist may be continued in any position or employment by an employer bound by this agreement during any time while there is no member of a union bound by this agreement who is available to perform the particular work required to be done and is ready and willing to undertake it.

20. (b) For the purpose of subclause (a) of this clause a person of the age of eighteen years and 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 agreement 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*

21. (a) Any worker who considers himself incapable of earning the minimum wage fixed by this agreement 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.

21. (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 day's 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.

21. (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.

21. (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.

21. (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.

#### *Disputes Committee*

22. The essence of this agreement being that the work of the employer shall proceed as if no dispute had arisen, it is provided that if any dispute or difference shall arise between the parties as to any matter whatever arising out of this agreement or connected therewith, every such dispute or difference, as the same shall arise, shall be dealt with by the manager of the works and the president and secretary of the union. If they fail to arrive at an agreement, the matter shall be referred to a committee composed of three representatives of the employers and three representatives of the union for a decision. The decision of the majority of the committee shall be binding, and if no decision is arrived at either party may refer the dispute to the Court for settlement upon giving fourteen days' notice to the other party of their intention to so refer the dispute.

#### *Payment of Wages*

23. Wages shall be paid fortnightly and in the employer's time.

#### *First-aid Outfit*

24. A modern first-aid outfit (St. John or similar), fully equipped, including stretcher, shall be kept in a convenient and accessible place.

#### *Scope of Agreement*

25. This agreement shall apply to the Golden Bay Cement Co.'s Employees' Industrial Union of Workers and the Golden Bay Cement Co., Ltd., Tarakohe.

*Term of Agreement*

26. This agreement shall come into force on the 23rd day of September, 1945, and shall continue in force until the 23rd day of September, 1946.

On behalf of the Golden Bay Cement Co., Ltd.—

J. H. JENNINGS.

A. TAYLOR.

C. S. HAIL.

On behalf of the Golden Bay Cement Co.'s Employees' Industrial Union of Workers—

H. FOSKETT, President.

J. CROSDALE, Secretary.

A. BRUCE, Vice-President.

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