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**NEW ZEALAND PAINTERS AND DECORATORS.—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 Painters and Decorators' award, dated the 1st day of October, 1942, and recorded in 42 Book of Awards 1089.

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 Painters and Decorators' award, dated the 1st day of October, 1942, and recorded in 42 Book of Awards 1089, this Court doth hereby order as follows:—

1. That the said award shall be amended—

(i) By deleting subclause (a) of clause 4 (Wages), and substituting therefor the following subclause:—

“(a) The minimum rate of wages for workers, including time worked by them at painting, paperhanging, glazing, graining, signwriting, decorating, pictorial signwriting, poster

and display artistry, ticket-writing and silk screen processes, paint and lacquer spraying where not covered by any other award, calcimining, distemping, and lime-washing, and all preparatory work in connection with any of these operations, shall be 3s. 0½d. per hour."

(ii) By deleting subclause (b) of clause 6 (Overtime), and substituting therefor the following subclause:—

"(b) Employers shall allow meal-money at the rate of 2s. per meal when workers are called upon to work overtime after 6 p.m., provided such workers cannot reasonably get home to their meals.

"The provisions of clause 5 of this award increasing rates of remuneration shall not apply to the meal-money payment provided for in this subclause."

(iii) By deleting subclauses (e) and (h) of clause 10 (Country Work), and substituting therefor the following subclauses:—

"(e) The employer shall either provide the worker while on country work with suitable board and lodging or, in lieu thereof, pay him for each working-day the sum of 6s.: Provided that, where through circumstances within the control of the employer a worker is employed upon country work for less than six consecutive days, the employer shall provide such board and lodging and may not elect to make such payment in lieu thereof. Suitable board and lodging shall include the providing of mattresses and stretchers. For the purpose of this subclause, Saturday shall be regarded as a working-day.

"The provisions of clause 5 of this award increasing rates of remuneration shall not apply to the payment provided for in this subclause."

"(h) 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: Provided, further, that for work done on Sunday or on any day specified in the holidays clause hereof double time shall be paid."

(iv) By deleting subclauses (e), (f), (k), and (v) of clause 22 (Provisions as to Ship-work), and substituting therefor the following subclauses:—

"(e) All workers working at any branch of the trade shall be paid not less than 3s. 0½d. per hour."

"(f) All time worked outside and in excess of the hours mentioned in subclauses (c) and (d) hereof shall be paid

for at the rate of time and a half for the first four hours and double time thereafter: Provided that all work performed between midnight and 6 a.m. shall be paid for at double time rates. Employers shall allow meal-money at the rate of 2s. per meal when workers are called upon to work overtime after 6 p.m., provided that such workers cannot reasonably get home to their meals.

"The provisions of clause 5 of this award increasing rates of remuneration shall not apply to the meal-money payment.

"Work done during meal-hours shall be paid for at the rate of time and a half for the time actually worked, except in cases in which a shorter meal-time has been agreed upon, as provided in subclause (c) hereof. No worker shall be required to work more than five hours without an interval for a meal, except in cases of emergency—delays in docking or undocking, slipping or unslipping vessels—in which case the time shall be extended to six hours, and time and a half rates shall be paid for the sixth hour."

"(k) (i) At Auckland, workers engaged in cleaning, scrubbing, chipping, or painting the inside of oil-tanks shall be paid not less than 3s. 6½d. per hour, but where they come directly in contact with crude oil they shall be paid not less than 5s. 3½d. per hour.

"(ii) At Auckland, workers engaged in cleaning, scrubbing, chipping, or painting the outside of ships' hulls shall be paid not less than 3s. 2½d. per hour.

"(iii) At Auckland, workers engaged in chipping, cleaning, or painting the inside of ships' holds or sides, bunkers, engine-room-tank tops, bulkheads, or bilges, or chipping, cementing, or cement washing tanks (except oil-tanks) or bilges, or in doing rigging-work, shall be paid not less than 3s. 0½d. per hour."

"(v) When the employer has not on the previous day informed any such worker that he is to be sent to Dunedin to work, the employer shall pay for his meals while he is at work in Dunedin at the rate of 2s. per meal. When the worker has been informed on the previous day as aforesaid, he shall provide his own lunch; but if he is kept to work overtime the employer shall pay for his other meals while he is at work.

"The provisions of clause 5 of this award increasing rates of remuneration shall not apply to the meal-money payment provided in this subclause."

(v) By deleting the amount of "£6" in subclause (a) of clause 23 (Exemptions), and substituting therefor the amount of "£6 10s."

(vi) By deleting the amount of "£5 5s." in subclause (e) of clause 23 (Exemptions), and substituting therefor the amount of "£5 15s."

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

Dated this 5th day of May, 1945.

[L.S.]

A. TYNDALL, Judge.

#### MEMORANDUM

In various Government Services allowances for board and lodging when workers are required to work away from their headquarters have generally been increased during the past two years. It is considered, therefore, that an increase in the allowance for board and lodging provided in the "country work" clause is justified.

The appreciable increase awarded in the hourly rate of wages also justifies a review of the special rate for overtime in the country work clause.

With regard to the application of the workers' association that the rates for workers in charge, dirty work, height-money, travelling-allowance, bicycle allowance, spray-gun work, &c., should in general be proportionately increased, it has not been shown to our satisfaction that rates of this nature have recently been varied to such an extent by any award, industrial agreement, or otherwise to justify the granting of the union's application.

Mr. Monteith is not in agreement, and his dissenting opinion follows.

A. TYNDALL, Judge.

#### DISSENTING OPINION OF MR. MONTEITH

I am not in agreement with the amount awarded as country allowance or with the decision not to increase dirt-money payments. By recent Railway Tribunal decisions the dirt-money payment for certain work in the loco-running sheds has been increased from 1½d. to 2½d. per hour, and all allowances for country work have been increased, the lowest by 1s. per day, while the average increase is about 2s. 6d. per day. Here the increase awarded is about 9d. per day. It is therefore clear that in this respect the position of painters has not been restored, but, in comparison with the general wages structure, their position has been lowered.