

DUNEDIN CITY COUNCIL RESERVES FOREMEN.—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 Dunedin Municipal Clerical and other Employees' Industrial Union of Workers (hereinafter called "the union") and the undermentioned Council (hereinafter called "the employers") :—

The Dunedin City Council, Dunedin.

THE Court of Arbitration of New Zealand (hereinafter called "the Court"), having taken into consideration the terms of settlement arrived at in the above-mentioned dispute and forwarded directly to the Court pursuant to the provisions of section 3 of the Industrial Conciliation and Arbitration Amendment Act (No. 2), 1939, 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 as hereinafter provided, and shall continue in force until the 31st day of March, 1947, 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 3rd day of October, 1945.

[L.S.]

A. TYNDALL, Judge.

### SCHEDULE

#### *Scope of Award*

1. This award shall apply to the employment of foreman of reserves, foreman of sports-grounds, and sextons employed by the Dunedin City Council.

#### *Hours of Work*

2. The ordinary hours of work shall not exceed forty per week, to be worked on the five days of the week, Monday to Friday, between 8 a.m. and 5 p.m.

#### *Wages*

3. The following shall be the minimum rates of wages:—

	Per Annum.			
	£	s.	d.	
Sexton, Anderson's Bay Cemetery .. ..	319	10	0	(pays rent, £39½).
Sexton, Northern Cemetery .. ..	267	0	0	(plus £65 rent allowance).
Sexton, Southern Cemetery .. ..	286	10	0	(pays rent, £32½).
Foreman, sports-grounds and reserves .. ..	344	10	0	

#### *Overtime*

4. Work done outside or in excess of the hours prescribed in clause 2 hereof shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

Sextons required to work on Saturday shall be paid for a minimum of four hours at overtime rates, and for attendance at funerals on a Sunday shall be paid £1.

*Holidays*

5. (a) An annual holiday of three weeks on full pay shall be allowed sextons. The foreman of reserves and the foreman of sports-grounds shall be allowed two weeks' annual holiday on full pay.

(b) A whole holiday shall be allowed without deduction from pay on Christmas Day, Boxing Day, New Year's Day, the day following New Year's Day, Good Friday, Easter Monday, Labour Day, Anniversary Day, and the birthday of the reigning Sovereign. Work performed on any of these days shall be paid for at double the ordinary rates.

*General Orders under the Rates of Wages Emergency Regulations 1940*

6. 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 this award and shall have effect according to their tenor.

*Complaints*

7. Any worker called upon to answer any charge arising out of a complaint against him shall be entitled to have the assistance of the secretary of the union or other person appointed in that behalf at any inquiry and he shall be entitled to call evidence.

*Matters not provided for*

8. Any dispute in connection with any matter not provided for in this award shall be settled between the employer concerned and the secretary or president of the union, and in default of any agreement being arrived at, then such dispute shall be referred to the Conciliation Commissioner, who shall either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Commissioner, may appeal to the Court upon giving written notice of such appeal within fourteen days after such decision shall have been communicated to the party desiring to appeal.

*Right of Entry*

9. The secretary or other authorized officer of the union shall be entitled to enter at all reasonable times upon the premises or offices of the Council for the purpose of inter-

viewing any employee in connection with the operation of this award, but so as not to interfere unreasonably with the Council's business.

*Workers to be Members of Union*

10. It shall not be lawful for the Council to employ or to continue to employ in any position subject to this award any person who for the time being is not a member of the Dunedin Municipal Clerical and other Employees' Industrial Union of Workers.

*Term of Award*

11. This award, in so far as it relates to wages, shall be deemed to have come into force on the 1st day of April, 1945, and so far as all the other conditions of this award are concerned it shall come into force on the day of the date hereof; and this award shall continue in force until the 31st day of March, 1947.

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 3rd day of October, 1945..

[L.S.]

A. TYNDALL, Judge.

---

MEMORANDUM

In making the award which embodies the terms of settlement arrived at either in Conciliation Council or by the representatives of the parties, the Court has had regard to the provisions of the Economic Stabilization Emergency Regulations 1942. Wages have been made payable retrospectively, in accordance with the agreement of the parties.

A. TYNDALL, Judge.

---