

CHRISTCHURCH DRAINAGE BOARD EMPLOYEES.—AWARD

In the Court of Arbitration of New Zealand, Canterbury 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 Canterbury Builders' and General Labourers and Related Workers' Industrial Union of Workers (hereinafter called "the union") and the undermentioned Board (hereinafter called "the employers") :—

Christchurch Drainage Board, Christchurch.

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 on the day of the date hereof, and shall continue in force until the 11th day of April, 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 11th day of April, 1946.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Hours of Work

1. The hours of work shall not exceed forty hours per week, to be worked between the hours of 8 a.m. and 5 p.m. on the first five days of the week. The length of the midday meal interval shall be arranged between the employer and the workers concerned.

Wages

2. (a) Unless otherwise specified, workers shall be paid a minimum rate of £5 9s. 2d. per week. Time lost through sickness or for any reason within the control of the worker shall not be paid for.

(b) Men employed cleaning manholes and vents, clearing covered drains, clearing or repairing sewers and storm-water sewers shall be paid 6d. per hour extra whilst so employed: Provided that men required to crawl through covered storm-water drains shall be paid 2s. 6d. per hour in addition to the ordinary rate.

(c) The special flusher cleaning pumping-station tanks shall be paid a minimum rate of £6 14s. 2d. per week.

(d) Farm hands working on septic tanks and the lift shall be paid 6d. per hour extra whilst so employed.

(e) Men engaged in cleaning out rivers and open drains shall be paid 1s. per day extra whilst so employed. This clause shall also apply to men cleaning effluent and carrier drains on the farm.

(f) Watermen shall be paid £5 19s. 2d. per week, inclusive of all statutory holidays and Sundays on which they work.

(g) Tunnel-men and timber-men shall be paid 2d. per hour extra. Timber-men are those responsible for the timbering, including placing of walings, struts, spading down, and supervising driving of sheeting.

Men employed in sinking shafts, sumps, or working in trenches over 6 ft. in depth shall be paid the following extra payments: Over 6 ft. and up to and inclusive of 12 ft., 1d. per hour extra; over 12 ft., 2d. per hour extra.

(h) All men employed on a sewer-repair gang shall receive 2d. per hour extra after the trench or excavation has reached the depth of 6 ft. This payment shall be made in addition to any payment for dirty work which may be payable under subclause (b) hereof.

(i) Workers engaged feeding concrete-mixers, or handling, mixing, or spreading wet concrete, shall be paid 1½d. per hour extra.

Increase in Rates of Remuneration

3. 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.

Payment of Wages

4. Wages shall be paid fortnightly, and in money, and paid in the employer's time.

Overtime

5. All work in excess of the daily hours fixed in clause 1 of this award shall count as overtime and shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

Shift-work

6. Where it is necessary to do so for the purpose of carrying out urgent works, shifts may be worked at ordinary rates without regard to the hours hereinbefore prescribed, but subject to the condition that overtime shall be paid for all time worked in excess of eight hours in any one day by the worker. Shifts worked before 8 a.m. and after 5 p.m. shall be eight hours, including the meal-hour, which shall be paid for. Workers employed in the afternoon or night shift shall be paid 2s. extra per shift, but this provision shall not apply to the day shift.

Holidays

7. (a) The following shall be the recognized holidays: Anzac Day, New Year's Day, 2nd January, Good Friday, Easter Monday, the birthday of the reigning Sovereign, Labour Day, Show Day, Christmas Day, and Boxing Day. No deduction in wages shall be made in respect of such holidays. Should any of the above holidays (other than Anzac Day) fall on a Sunday, the holiday shall be observed on the following Monday.

(b) Annual holidays shall be allowed in accordance with the Annual Holidays Act, 1944, and its amendments. Watermen shall receive an annual holiday in accordance with the Annual Holidays Act, 1944, and its amendments, and shall receive an additional day for each statutory holiday.

(c) For work done on Sunday, Christmas Day, Good Friday, or Anzac Day, workers shall be paid at the rate of double time. For work done on Saturdays or other holidays mentioned in this award they shall be paid at the rate of time and a half for the first three hours and double time thereafter, with a minimum payment as for two hours' work.

Accommodation and Sanitation at the Sewage Farm

8. The employer shall provide adequate dining and lavatory accommodation at the farm, together with facilities for changing clothes. Washing facilities shall also be provided. Separate accommodation shall be provided for men on the

tanks, and they shall also be provided with hot water for washing. Shelters shall be erected by the Board for the use of men for lunch during wet weather when they are working at a distance from the central dining-room.

Special Conditions

9. (a) Adequate gum boots and oilskin coats and sou-westers, if available, shall be provided by the Board for all employees. Flushers shall also be provided with overalls once a year. When working with barbed wire, employees shall be provided with gloves.

(b) Watermen and flushers, when crawling through sewers and storm-water drains, shall be provided with adequate light.

(c) Flushers and men cleaning out rivers and open drains shall receive a bicycle allowance of £6 per year, payable half-yearly.

(d) The special flusher shall be provided with two pairs of overalls each year.

(e) When men are working in rain, a waterproof shelter shall be provided for the purpose of taking meals.

(f) When men are working on one job for the duration of more than three hours, an adequate supply of pure drinking-water shall be provided.

Crib-time

10. A crib-time of ten minutes in the morning and ten minutes in the afternoon shall be allowed.

Termination of Engagement

11. The Board shall give its workers one week's notice or one week's pay in lieu thereof prior to dismissal. Each worker shall give his employer one week's notice that he is about to leave his employment or shall forfeit in lieu thereof one week's pay, to be deducted from the wages due to him. This shall not apply when the worker is guilty of wilful misconduct. In the event of a worker with over three months' continuous service being suspended from duty for any cause, he shall have the right of appeal, first to the departmental head and, failing satisfactory settlement, to the committee concerned, before being dismissed from the Board's service.

Travelling-time

12. Employees employed cleaning open drains distant more than two miles from the Board's office or their homes (whichever is the nearer) shall be paid the ordinary rates of wages for the time occupied in proceeding thereto and therefrom.

Tools

13. All tools shall be provided by the employer.

Accidents

14. A modern first-aid emergency case, fully equipped, shall be kept by the employer in a convenient and accessible place.

Workers to be Members of Union

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

(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.)

Scope of Award

16. This award shall apply to the parties named herein.

Term of Award

17. This award shall come into force on the day of the date hereof, and shall continue in force until the 11th day of April, 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 11th day of April, 1946.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The award embodies the terms of settlement arrived at by the assessors in Conciliation Council.

A. TYNDALL, Judge.