

**OTAGO LINESMEN AND LINESMEN'S ASSISTANTS (ELECTRIC-
POWER BOARDS).—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 and Suburban General Electrical Workers' Industrial Union of Workers (hereinafter called "the union") and the undermentioned Boards (hereinafter called "the employers") :—

Otago Central Electric-power Board, Alexandra.

Otago Electric-power Board, Union Street, Milton.

Teviot Electric-power Board, Roxburgh.

Waitaki Electric-power Board, 52 Thames Street,
Oamaru.

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 1st day of April, 1949, 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 2nd day of July, 1948.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to which Award applies

1. This award shall apply to the industry in which workers are employed at work specified in clause 2 hereof.

Interpretation

2. (a) "Linesmen" means and includes workers engaged in the installation of overhead mains for electric light, heating, and power from point of supply to points of connection on

the consumer's premises, aeriads which come within the scope of the Electrical Regulations, and/or the erection and connecting-up of transformers and street-lamps, the erection of transformer platforms, and all repairs and maintenance work in connection with the aforesaid overhead mains and controlling apparatus thereto.

(b) "Linesmen's assistants' work" means and includes the carrying-out of work in assisting linesmen and under their direction.

(c) The proportion of assistant linesmen shall not exceed one assistant linesman to each linesman employed.

(d) Men engaged solely in carting and distributing poles, digging, filling, and ramming trenches and post holes, clearing line routes, or other general labourers' work shall be classed as labourers.

Wages

3. (a) The minimum rate of wages for linesmen shall be 3s. 8d. per hour.

(b) The minimum rate of wages for linesmen's assistants shall be 3s. 5½d. per hour.

(c) Any man placed in charge of three or more men shall be deemed to be a ganger. A ganger if in charge of three to five men shall receive 3s. per day, and if in charge of six or more 5s. per day, in excess of the rate prescribed in subclause (a) hereof.

(d) Any man temporarily employed as a ganger shall receive ganger's wages for that day and for subsequent days during which he is so employed.

(e) If linesmen's assistants are temporarily employed as linesmen they shall receive linesmen's rate of pay for such time as they are so employed.

Dirty Work

4. Dirt-money at the rate of 2s. per day or part thereof shall be paid for all work done in storage-battery work or on other work that may be mutually agreed upon.

Hours of Work

5. Unless otherwise provided herein, forty hours shall constitute an ordinary week's work and eight hours shall constitute an ordinary day's work. The working-hours shall be between the hours of 8 a.m. and 5 p.m. on five days of the week, Monday to Friday inclusive.

Overtime

6. (a) All time worked in any one day outside or in excess of the hours prescribed in clause 5 hereof shall be paid for at the rate of time and a half for the first four hours and double time thereafter, but, notwithstanding the foregoing, any time worked between the hours of 10 p.m. each day (except Saturday), or 12 noon on Saturdays, and the ordinary time for commencing work next morning shall be paid for at double time rates.

(b) If a worker is called from his home to work outside ordinary working-hours he shall be paid for time occupied by him in travelling from and returning to his home, calculated on the basis of three miles per hour, with a minimum of two hours' pay, at ordinary rates.

(c) The employer shall allow meal-money at the rate of 2s. 6d. per meal when workers are required to work after 6 p.m., provided that such workers cannot reasonably get home to their meals.

(d) Any worker having performed his ordinary day's work, and having worked overtime at rates as provided herein until the ordinary time for commencing work next day, and being then required to continue working, shall be paid double-time rates so long as he works continuously thereafter.

Holidays

7. (a) The following shall be the recognized holidays: Christmas Day, Boxing Day, New Year's Day, the day after New Year's Day, Good Friday, Easter Monday, Anzac Day, Labour Day, the birthday of the reigning Sovereign, and Anniversary Day or a day in lieu thereof.

(b) When any of the foregoing holidays, other than Anzac Day, falls on a Sunday it shall be observed on the next succeeding Monday. When Christmas Day falls on a Sunday, Boxing Day shall be observed on the next succeeding Tuesday.

(c) For all time worked on any of the above holidays, double time rates shall be paid in addition to the ordinary day's pay.

(d) For work performed on Sundays, double time rates shall be paid.

(e) Holidays shall be allowed in accordance with the Annual Holidays Act, 1944.

Suburban Work

8. (a) "Suburban work" means work performed by a worker at a distance of two miles or more from the employer's place of business (or some central place to be agreed upon) but which does not come within the definition of country work.

(b) Workers employed on suburban work shall be at the employer's place of business or at some other agreed place within the two-mile radius at the hour appointed for the commencement of work, and shall be conveyed by the employer, where necessary, to and from such work. Time occupied in travelling to and from such work, up to twenty minutes per day one way, shall not be paid for.

Country Work

9. (a) "Country work" means work done by a worker in such a locality as to necessitate his lodging elsewhere than at his genuine place of residence in New Zealand and involving extra cost to such worker.

(b) The provisions herein contained relative to country work shall apply whether or not the worker prior to his accepting such country work is already in the service of the employer or whether the worker is engaged at the place where the work is to be done or elsewhere, and irrespective of the employer's place of business: Provided that these conditions shall not apply in the case of a permanent shift.

(c) Time occupied in travelling during ordinary working-hours, once each way, shall be paid for at ordinary rates; but no worker shall be paid more than an ordinary day's wages for any day occupied by him in travelling, although the hours may exceed eight, unless he is on the same day occupied in working for his employer, in which case overtime rates shall be paid for travelling outside working-hours: Provided that every worker required to travel more than four hours on Saturday or other holidays shall be paid for eight hours.

(d) The employer shall convey the worker free of charge, or pay his fare to and from country work at the end of each fourth week. If, however, the worker is withdrawn from such work by the employer, or if he returns therefrom requiring medical attention in consequence of accident or sickness arising out of and in the course of the employment, and is, in either case, again required on the work, the employer shall again convey him or pay his fare to and from such work.

(e) Workers employed on country work shall be provided by the employer with suitable board and lodging free of charge, or the employer shall pay 6s. per day in lieu thereof, but not exceeding 42s. per week: 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.

(f) Notwithstanding anything contained in this award, an employer may agree with a worker that in respect of any specified country work the hours of work shall be different from or in excess of those prescribed in this award: Provided 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 rate.

Camps

10. (a) Workers required to live in camps shall, in lieu of the payments provided in subclause (e) of clause 9, be paid 6s. per working-day as camp allowance, or the employer may elect to supply board in lieu thereof.

(b) Tents, stretchers, and equipment shall be provided free of charge by the employer, and the erection of such camps shall be carried out in the employer's time.

General Provisions

11. (a) All necessary tools, including one knife each year, shall be provided by the employer.

(b) Two men shall be appointed to a ladder where work is being done on live conductors.

(c) Ladders shall not have metal conductors attached to them.

(d) Overcoats and gum boots shall be supplied, where necessary, to workers free of charge for use at work only.

(e) When a worker coming within the scope of this award is required to drive a van, car, or truck in the performance of his work, he shall be provided with a driver's licence.

(f) Ten minutes' break shall be allowed morning and afternoon without deduction of pay.

Accidents

12. A suitable first-aid outfit, fully equipped, and also a chart of instructions for treating cases of apparent electrocution, shall be supplied to each gang.

Matters not provided for

13. Any dispute in connection with any matter not provided for in this award shall be settled between the particular employer concerned and the president or secretary of the union, and in default of any agreement being reached, then such dispute shall be referred to the Conciliation Commissioner for the district, who may 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 to the other party within fourteen days after such decision shall have been communicated to the party desiring to appeal.

Workers to be Members of Union

14. (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 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.

(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

15. (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.

Application of Award

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

Scope of Award

17. This award shall operate throughout that part of the Otago and Southland Industrial District which is included in the former Provincial District of Otago.

Term of Award

18. This award, in so far as it relates to wages, shall be deemed to have come into force on the 1st day of April, 1948, 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 1st day of April, 1949.

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 2nd day of July, 1948.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The award embodies the terms of settlement arrived at by the assessors in Conciliation Council. Wages have been made payable retrospectively, in accordance with the agreement of the parties.

The rates of remuneration prescribed in the award are *not* to be increased by the application of the provisions of the Court's general orders of 9th August, 1940, and 31st March, 1942.

A. TYNDALL, Judge.