

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 as hereinafter provided and shall continue in force until the 2nd day of September, 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 September, 1948.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Hours of Work

1. (a) The ordinary hours of work shall not exceed forty per week, to be worked between the hours of 8 a.m. and 5 p.m., Monday to Friday inclusive.

(b) The meal interval shall be one hour, but by mutual agreement between the employer and the worker this period may be varied, provided that such variation does not reduce the interval to less than thirty minutes.

(c) No worker shall work more than four and a half hours continuously without an interval for a meal.

Wages

2. (a) Unless otherwise specified, workers shall be paid a minimum rate of £6 15s. per week. Time lost through sickness or for any reason within the control of the worker shall not be paid for.

(b) Men (except special flusher) employed cleaning man-holes and vents, clearing covered drains, clearing or repairing sewers and stormwater sewers, farm hands working on septic

tanks and the lift, and any other workers employed on septic tanks, shall be paid 6d. per hour extra whilst so employed: Provided that in the case of the trucker on the tanks the extra payment shall be 9d. per hour whilst so employed.

This extra rate shall not apply to sewer repairs until sewage-polluted ground is reached.

(c) Men required to crawl through covered stormwater drains shall be paid 2s. 6d. per hour in addition to the ordinary rate.

(d) The special flusher cleaning pumping-station tanks shall be paid a minimum rate of £7 15s. 10d. per week.

(e) Men employed cleaning out rivers and open drains shall be paid a minimum rate of £7 4s. 8d. per week. This rate shall not apply to farm hands.

(f) Men employed on general sewer maintenance and construction work shall be paid a minimum rate of £7 per week.

(g) A worker required to act as a pipe layer and/or caulker shall be paid 3d. per hour extra whilst so employed.

(h) Watermen shall be paid £7 12s. 6d. per week, inclusive of all Saturdays, Sundays, and statutory holidays on which they work. The rate for watermen shall not apply to workers on day watering.

(i) Leading hands shall receive 2s. 6d. per day additional.

(j) Workers using pneumatic tools such as drills, hammers, picks, vibrators, rammers, borers, or breakers shall be paid 3d. per hour extra.

Payment of Wages

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

Overtime

4. 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

5. 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. 6d. extra per shift, but this provision shall not apply to the day shift.

Holidays

6. (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, and in the event of another holiday falling on such Monday, such other holiday shall be observed on the succeeding Tuesday.

(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 or any of the holidays provided for in subclause (a) of this clause, workers shall be paid at the rate of double time, with a minimum payment as for two hour's work. For work done on Saturdays 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

7. 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

8. (a) Adequate gum boots and oilskin coats and sou'westers, if available, shall be provided by the Board for all employees. When working with barbed wire, employees shall be provided

with gloves. For workers using pneumatic tools and servicing compressors and pneumatic equipment, leather aprons and gloves shall be supplied.

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

(c) Flushers and men clearing out rivers and open drains shall receive a bicycle allowance of £6 10s. per year, payable half-yearly.

(d) All flushers shall be supplied with overalls as required: Provided that all flushers shall always possess two suits thereof.

(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

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

Termination of Engagement

10. 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

11. Employees employed cleaning open drains distant more than one and a half miles from the Board's offices 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

12. All tools shall be provided by the employer.

Accidents

13. 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

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.

Scope of Award

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

Term of Award

17. This award, in so far as it relates to wages, shall be deemed to have come into force as from the commencement of the first pay period after the 6th day of August, 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 2nd day of September, 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 September, 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.