

WELLINGTON CITY COUNCIL (ENGINEERS' AND MILK
DEPARTMENTS) **ENGINEERS AND METAL TRADE
EMPLOYEES.—AWARD**

In the Court of Arbitration of New Zealand, Wellington 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 New Zealand Engineering, Coachbuilding, Aircraft, and Related Trades' Industrial Union of Workers (hereinafter called "the union") and the undermentioned Corporation (hereinafter called "the employers") :—

Wellington City Corporation, Town Hall, Wellington.

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 May, 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 6th day of September, 1948.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to Which Award Applies

1. This award shall apply to engineers, fitters, turners, blacksmiths, mechanics, sheet-metal workers, water-meter fitters, oxy-acetylene and electric welders, patternmakers, tinsmiths, and to garage attendants, fitters' assistants, and blacksmiths' strikers employed by the Wellington City Council Engineer's Department and the Wellington City Council Milk Department.

Hours of Work

2. Eight hours shall constitute a day's work, to be worked on the first five working-days of the week, Monday to Friday inclusive—i.e., forty hours per week.

An ordinary day's work shall be worked between 8 a.m. and 5 p.m. with not less than half an hour for lunch.

Special Conditions Relating to Shift and Other Workers Employed in the Milk Department of the Wellington City Council

3. (a) Shift-work shall include maintenance work performed by engineers on roster.

(b) The hours of work for shift-workers shall be rostered and shall be eight per day, to be worked on any five consecutive days within each seven consecutive days.

(c) Shift engineers shall be paid £11 weekly, which sum shall be deemed to include penal rates for Saturdays, Sundays, award holiday pay, and shift allowance.

(d) For work performed in excess of eight hours on Saturdays and Sundays and award holidays, double rates shall be paid.

(e) At the Wellington City Council's Milk Department's factory, all work performed internally on bottle-washing machines, in the tunnel, the milk-pump sump, in the boiler, or underneath the office block floor shall be paid for at double time rates for any time so worked.

(f) Tinsmiths and sheet-metal workers employed by the Milk Department and whose work brings them into contact with acids shall be provided with three pairs of overalls annually.

(g) Shift engineers shall be paid meal allowance when required to work more than one and a half hours' overtime.

(h) Shift-workers when called back to work overtime after four hours from their ordinary time of ceasing work shall be paid therefor at double time rates.

Any overtime worked by shift-workers after 10 p.m. and before their ordinary time of starting work the next day shall be paid for at double time rates.

(i) The other provisions of this award not in conflict with the provisions relating to shift-workers shall apply to shift-workers and to all other workers employed by the Wellington City Council's Milk Department who are covered by this award.

Overtime

4. (a) Overtime shall be computed daily and all time worked outside the ordinary daily hours set out in clauses 2 and 3 hereof shall be paid for as follows: Time and a half for the first three hours and double time thereafter.

(b) Any worker having worked all day and night and being required to continue working into the ordinary working-hours of the next day shall be paid double rates for all time worked on the second day.

(c) Any worker required to commence work after the cessation of public wheeled traffic or before the ordinary time of starting of such traffic, and any worker who may work continuously until after the cessation of public wheeled traffic and cease work before the ordinary starting time of such traffic, shall be paid for time occupied in travelling to and from his home, computed on three miles per hour, at ordinary rates of pay. If a conveyance is provided for the worker by his employer, he shall not be entitled to the aforesaid payment for travelling-time. For the purpose of this award "public wheeled traffic" shall mean trams, buses, trains, or ferries ordinarily used by workers travelling to or from their work.

(d) No worker shall be required to work more than four and a quarter hours continuously without an interval of at least three-quarters of an hour for a meal: Provided that this meal-hour may be reduced to half an hour by mutual agreement.

(e) All work performed after 12 noon on Saturday shall be paid for at double time rates.

(f) The employer shall allow meal-money at the rate of 2s. 3d. per meal when workers are called upon to work overtime after 6 p.m., Monday to Friday inclusive, or after 1 p.m. on Saturday or Sunday.

Workers shall be allowed half an hour crib-time after every four and a quarter hours' continuous overtime worked, provided such workers are required to continue working on overtime. Such workers shall also be provided with a meal at crib-time or be paid the meal allowance set out in this subclause.

(g) A worker having finished his day's work and thereafter being called out for work shall be paid a minimum of two hours' wages at overtime rate, except that any such work done after 10 p.m. shall be paid for at double time rates.

(h) No worker shall work overtime on Friday nights or on the night of the union's usual monthly meeting except on urgent or breakdown work.

(i) Any worker, including a shift-worker, having worked all day and/or during his normal working-hours and having continued to work within eight hours of the usual time of starting work shall be given eight hours off or be paid double time for all time worked on the second day.

Where, by reason of the break, a worker should lose time during his normal working-hours, he shall be paid for all such time lost up to a maximum of the normal hours of work.

Holidays

5. (a) The following holidays shall be allowed and paid for: New Year's Day and the day following, Good Friday, Easter Monday, Anzac Day, Labour Day, the birthday of the reigning Sovereign, Christmas Day, Boxing Day, and Anniversary Day.

(b) For work done on any of the aforesaid holidays, or on Sunday, double time rates shall be paid, such to be in addition to the holiday pay.

(c) Any worker who is required to work on a holiday or a Sunday shall be paid a minimum of two hours' wages at overtime rates.

(d) When any of the above holidays, except Anzac Day, falls on a Sunday, such holidays shall be observed on the first following working-day.

Annual Holidays

6. The provisions of the Annual Holidays Act, 1944, shall apply to all workers covered by this award, except that shift-workers who are required to work on any of the holidays prescribed in clause 5 of this award shall have added to their annual leave an additional day for each day so worked.

Branches of Trade

7. Employees included in this award shall be patternmakers, fitters, turners, blacksmiths, mechanics, tinsmiths, sheet-metal workers, water-meter fitters, oxy-acetylene and electric welders, garage attendants, Kerrick-Kleaner operators, blacksmiths' strikers, and fitters' assistants.

Wages

8. (a) The minimum rate of wages for fitters, turners, blacksmiths, mechanics, sheet-metal workers, water-meter fitters, oxy-acetylene and electric welders, and patternmakers and tinsmiths shall be 4s. per hour.

(b) The minimum rate of wages for garage attendants, fitters' assistants, and blacksmiths' strikers shall be 3s. 8½d. per hour.

(c) A worker when required to operate a Kerrick steam cleaner or similar cleaners shall be paid 3s. 4d. extra per day.

(d) Wages shall be paid weekly and within working-hours.

(e) Any worker appointed to take charge of three other workers shall be paid 3d. per hour in addition to his ordinary pay.

(f) Workers employed at oxy-acetylene or electric welding, except on spot or butt welding machines, for four hours or less in a day shall be paid 1s. extra per day; for more than four hours in a day, 1s. 6d. extra per day.

Dirty Work

9. (a) Any work that is by mutual agreement between the union and the employer certified as "dirty" shall be subject to an extra payment of 3d. per hour, with a minimum payment of 2s. per day.

(b) Workers employed in hot places shall be supplied with clogs and leather gloves. Workers employed on battery work shall be supplied with suitable aprons. Workers employed on oxy-acetylene and electric welding shall be supplied with regulation glasses, aprons, gloves, and shields. Workers employed on hosing down vehicles shall be supplied with gum boots. Workers employed outside in bad weather shall be supplied with waterproof and other protective clothing.

(c) All workers covered by this award shall be supplied with two suits of overalls per annum, to be laundered at the employer's expense, or the employer may elect to pay 1½d. per hour as clothing-allowance.

Heat and Confined-space Money

10. (a) Any worker required to work in any compartment or confined space where the heat exceeds 110 degrees Fahrenheit shall be paid, in addition to the rate of wages to which he is entitled for the time at which the work is performed, a special heat rate computed at ordinary time rates for the time he is so employed.

(b) No worker shall be compelled to work in any space where the temperature has been raised to above 130 degrees.

(c) Any worker required to work in a confined space the dimensions of which necessitates working in a stooped or otherwise cramped position, or without proper ventilation, or where confinement within a limited space is productive of unusual discomfort, shall be paid such extra rate as may be mutually agreed upon.

Tool Allowance

11. (a) Fitters, turners, tinsmiths, patternmakers, mechanics, water-meter fitters, sheet-metal workers, and blacksmiths shall receive an allowance of 2s. per week as tool allowance, provided they work not less than three days per week and supply their own tools.

(b) The tool allowance shall not be paid when the employer supplies all necessary tools.

Height-money

12. Where workers are engaged on work from ladders, bosun-chairs, or swinging stages involving the risk of a fall of more than 20 ft. they shall be paid the following extra rates:—

		Per Hour.
		d.
Over 20 ft. and up to 50 ft. 2
Over 50 ft. and up to 75 ft. 3
Over 75 ft. and up to 140 ft. 4
Over 140 ft. 5

All scaffolding shall be the responsibility of the employer.

Country and Suburban Work

13. (a) "Country work" shall mean work performed at a distance which requires a worker to sleep away from his usual place of residence.

(b) A worker employed on country work shall be conveyed by his employer to and from such work free of charge, or his travelling-expenses going to and returning from such work shall be paid by his employer, but once only during the continuance of the work if the work is uninterrupted and the worker is not recalled by his employer during the progress of the work: Provided that when the work is situated less than fifty miles from the employer's place of business, the

worker shall be returned to his home at the employer's expense once in every four weeks, and when over fifty miles, once in every three months, but in neither case shall travelling-time be paid for.

(c) When a worker is employed on country work at such a distance that he is unable to return to his home at night, suitable board and lodging shall be granted at the employer's expense.

(d) In the case of suburban work, each worker shall be at the place where the work is to be done at the time of commencement of work, but the employer shall pay the worker reasonable tram or bus fares from the usual place of employment to the place of work going to and coming from such work each day. If there is no tram or bus route, the employer shall pay the worker at the rate of three miles per hour walking-time in excess of one and a half miles from the chief post-office, or, alternatively, the employer (at his option) shall provide means of transport to and from the job once per working-day each way for such distance as may be in excess of one and a half miles from the chief post-office.

(e) Any worker who resides within a mile and a half, by a road used by foot passengers, of the place where the work is to be done shall not be entitled to any allowance under subclause (d) hereof.

(f) Any worker whose regular and usual place of work is in or at a permanent location shall not receive any allowance for travelling to and from such place of work.

Disputes

14. The essence of this award being that the work of the employer shall not on any account be impeded but shall at all times proceed as if no dispute had arisen between the parties as to any matter whatsoever arising out of or connected therewith and not specifically dealt with herein, every dispute or difference shall be referred to a committee to be composed of two representatives on each side, together with an independent Chairman to be mutually agreed on or, in default of agreement, to be appointed by the Conciliation Commissioner. The decision of the majority of the committee shall be binding, and if no decision is arrived at, either party may appeal to the Court of Arbitration, giving notice of such appeal to the other party within fourteen days after the failure of the disputes committee to arrive at a decision, or the disputes committee itself may refer the matter to the Court of Arbitration for decision.

Sanitary and Other Conveniences

15. It shall be the duty of the employer to provide suitable lockers wherein employees may keep their clothes, good ventilation, and proper sanitary conveniences, including reasonable washing facilities for the employees, with hot water, soap, and towels, and a sufficient supply of boiling water at meal-hour.

Right of Entry

16. (a) The union secretary or any other officer or representative of the union shall be empowered at all reasonable times to enter upon the premises of the employer for the purpose of interviewing any workers, but not so as to interfere unreasonably with the employer's business.

(b) The employer shall give recognition to any officer who is appointed shop steward in the department in which he is employed.

Workers to be Members of Union

17. (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.)

Term of Award

18. This award, in so far as the payment of wages is concerned, shall be deemed to have come into force as from the 2nd day of April, 1948, and so far as the other conditions are concerned it shall come into force from the day of the date hereof; and this award shall continue in force until the 31st day of May, 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 6th day of September, 1948.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The terms of settlement are incorporated in this award pursuant to section 3 (1) of the Industrial Conciliation and Arbitration Amendment Act (No. 2), 1939, but the Court expresses no opinion as to whether the whole of the award is valid or not.

A. TYNDALL, Judge.
