

TARANAKI INDUSTRIAL DISTRICT COACHWORKERS.—AWARD

In the Court of Arbitration of New Zealand, Taranaki 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 undermentioned persons, firms, and companies (hereinafter called "the employers") :—

Battersy Bros., Motor-body Builders, King Street, New Plymouth
 Black's Garage, 93 St. Aubyn Street, New Plymouth
 Butcher, K. O., Gill Street, New Plymouth
 Butler, G., and Son, Rata Street, Inglewood
 Cubbon Bros., Gill Street, New Plymouth
 Elliott, S. N., 156-8 Devon Street, New Plymouth
 Eversfield, J. W., Matai Street, Inglewood
 Gray and Inch, 207 Devon Street, New Plymouth
 Green, L., Rata Street, Inglewood
 Griffiths, J., Motor-body Builder, Toko
 Grundy's Motors, Ltd., Liardet Street, New Plymouth
 Hurrell's, Ltd., Hawera
 Ibbotson Bros., Devon Street, New Plymouth
 Johnson Motors, Ltd., corner of Gover and Devon Streets, New Plymouth
 Johnson, L. H., Motors, Ltd., Hawera
 Johnson, L. H., Motors, Ltd., Stratford
 Jones, N. D., Manaia
 King, H., Hawera
 Kivalewski, Michael, Page Street, Stratford
 Kleeman and Bishop, Ltd., Post-office Box 129, Stratford
 Lacey, W., Patea
 Lawson, S., Gill Street, New Plymouth
 Leighton, H. V., 73 Gill Street, New Plymouth
 Lewis, O. W., Rahotu
 Low, C. R., Matai Street, Inglewood
 McCarty and Hunger, Ltd., Patea
 McEwen, A. E., Normanby
 McKinley, Rex, Motor-car Painter, Fenton Street, Stratford
 Mischeski, A. J., Pihama
 Moller, H. H., Ltd., 118 Devon Street E., New Plymouth
 Mowat and Hickey, Otakeho
 Mueli, O., Kakaramea
 Munro, A., Riverlea
 Munro, O., Kaponga
 Nolan, E. J., Hawera
 O'Reilly's Garage, Carrington Road, New Plymouth
 Palmer, L., Hawera
 Peters, G. H., Richmond Street, Inglewood
 Phillips Motors, Ltd., 100-2 Devon Street E., New Plymouth
 Phillips, W. R., Devon Street W., New Plymouth
 Richards and McKinley, Opunake
 Skerter and Lines, Panel-beaters, Hawera
 Slater, S. J., Cutfield Street, Inglewood

Spragg, W. A., Hawera
 Stratford Machinery Exchange, Juliet Street, Stratford
 Stratford Motor Painters, Broadway Street, Stratford
 Taylor, G. H., Repairer, Hawera
 White, A. H., 42 King Street, New Plymouth

and the Taranaki Coach and Motor-body Workers' Industrial Union of Workers (hereinafter called "the union").

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 December, 1948, 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 14th day of September, 1948.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to which Award Applicable

1. This award shall apply to all persons who are named under clause 3 of this award and to all employers who employ any such persons, whether they are employed for the whole or part time on any work covered by this award.

Hours of Work

2. The ordinary hours of work shall not exceed eight hours on five days of the week, Monday to Friday, both days inclusive, and shall be worked between the hours of 7.30 a.m. and 5 p.m.

Wages

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

	Per Hour.
	s. d.
Coachbuilders (woodmen), painters, black-smiths, vicemen, panel-beaters, machinists, and trimmers	3 8
Assemblers over the age of twenty-one years	3 5½
Trimmer-assemblers over the age of twenty-one years	3 5½
Helpers over the age of twenty-one years	3 3¼

(b) The minimum weekly wages for junior helpers and assemblers shall be as follows:—

Age commencing.	First Six Months.	Second Six Months.	Third Six Months.	Fourth Six Months.	Fifth Six Months.	Sixth Six Months.	Fourth Year.	Fifth Year.	Sixth Year.
Under 16	33/-	38/-	44/-	49/-	56/-	62/-	70/-	82/-	93/-
16 to 17	38/-	43/6	49/-	55/-	62/-	70/-	82/-	93/-	..
17 to 18	43/6	49/-	55/-	62/-	70/-	82/-	93/-	..	..
18 to 19	49/-	55/-	62/-	70/-	82/-	93/-	..	..	..
19 to 20	61/6	75/-	82/-	93/-	..	..	..	..	..
20 to 21	82/-	93/-	..	..	..	..	..	..	..

On attaining the age of twenty-one years, not less than the adult rates herein prescribed shall be paid.

(c) Proportion: The proportion of junior helpers shall not exceed one to every five in the smith's shop and one to every six or fraction thereof of assemblers and/or journeymen.

(d) For the purpose of this award, "assemblers in mass-production factories" are adult workers who are substantially engaged at work necessary in the assembling of standardized

parts of motor-vehicles (other than mechanical parts). The work of an assembler shall include the necessary preliminary work to lacquering and including lacquering other than finishing-coats. An assembler-trimmer shall be permitted to tack in and assemble ready cut and sewn materials.

(e) An "assembler in customs built shops" is a worker engaged exclusively in assembling standardized wood and iron parts of motor-bodies, and shall use the following tools only to the extent required by such work: hammers, saws, paring-chisels, gimlets, braces and bits, screw-drivers, screw-driver bits, punches, files, cramps, and wrenches.

(f) Female workers may be employed in trimming-shops where mass production is carried on, and their operations shall be limited so as not to include machining repair work or renovations, the tacking-in of trimmings in cars, or the stuffing or making of cushions or squabs at the following minimum weekly rates of wages:—

Age commencing.	First Six Months.	Second Six Months.	Third Six Months.	Fourth Six Months.	Fifth Six Months.	Sixth Six Months.	Fourth Year.
Under 16	26/6	32/-	37/6	45/6	51/6	58/-	66/-
16 to 17	30/6	36/6	43/-	49/6	56/6	63/-	..
17 to 18	35/-	41/-	48/-	54/6	61/-	..	..
18 to 19	39/6	46/-	53/-	59/6	..	..	..
19 to 20	44/-	50/6	57/-	..	..	..	..
20 to 21	51/-	56/6	..	..	..	..	..

Thereafter, not less than £4 0s. 6d. per week.

Not more than one female, other than machinists, shall be employed in the trim-shop to every four male adult workers employed in the trimming department.

Female Machinists: The following shall be the minimum rates of wages for female machinists:—

	Per Week.		
	£	s.	d.
For the first six months	2	13	0
For the second six months	3	5	0
For the third six months	3	18	2
And thereafter	4	6	0

(g) Workers who on the coming into force of this award are receiving a higher wage than is prescribed herein shall not have their wages reduced because of anything contained in this clause.

(h) No deduction shall be made from the weekly wages prescribed in this clause except for time lost through sickness or default of the worker.

Overtime

4. (a) All times worked by weekly and hourly workers outside or in excess of the hours prescribed in clause 2 hereof, or in cases of shifts outside the usual shift hours, shall be paid for as overtime at the rate of time and a half for the first three hours on any day, thereafter at double time rates; except on Saturday morning, when overtime for four hours may be worked at time and a half rates.

(b) When a worker is called on to work overtime which extends beyond the time of the cessation of public wheeled transport, such worker shall be conveyed to his or her residence at the expense of the employer.

(c) If a worker is called back on overtime work and work is not then available, the worker shall be paid at ordinary overtime rates for any such waiting-time.

Shifts

5. (a) Shifts may be worked as required by the employer between the hours of 3 p.m. and 8 a.m.

(b) When shifts are worked, not more than eight hours shall constitute a shift and forty hours a week's work. Workers employed on shifts outside of the hours prescribed in clause 2 hereof shall be paid $4\frac{1}{2}$ d. per hour over and above the ordinary rates of pay.

(c) All time worked in excess of the ordinary shift shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

(d) Workers on night shifts shall be allowed half an hour crib-time on each shift without deduction from pay.

(e) This clause shall apply only when full weekly shifts are worked.

Improvership

6. If, in the opinion of the Apprenticeship Committee appointed in connection with this industry, any apprentice who has completed his term of apprenticeship is not sufficiently competent to earn the minimum rate of wages prescribed in this award, then and in such case such apprentice shall be rated as an improver for such period as the Committee shall determine in order that he may qualify as an efficient tradesman. The Committee shall determine the rates that shall be paid during the term of improvership. If the employer or the worker is dissatisfied with the decision of the Committee,

he may appeal to the Court within fourteen days after such decision has been communicated to him. In localities where no Apprenticeship Committee is functioning, the period of improvership shall be not more than twelve months and the minimum rate of wages shall be 3s. 5½d. per hour.

Time and Wages Book

7. Each employer shall keep a time and wages book or card system showing the name of each worker and his occupation, the hours worked each day, and the wages and allowances paid each week. An entry of time worked and wages paid shall be signed by the worker at the time of payment.

Deductions

8. Deductions may be made from the weekly wages for time lost by default, sickness, or accident.

Termination of Employment

9. (a) One hour's notice on either side shall terminate the engagement of hourly workers. Workers paid on a weekly basis shall give and shall be entitled to receive one week's notice of termination of employment.

(b) Each worker on leaving or being discharged from his or her employment shall, on application, be given a reference in writing stating the position held and the length of service.

Tools

10. If journeymen provide their own kit of tools, they shall receive a tool allowance of ½d. per hour. Alternatively to paying a tool allowance, the employer may supply each journeyman with the tools necessary for the work upon which he is employed.

When power-driven drills are installed, the employer shall provide the necessary drills for same. Files and rasps shall be provided for workers employed in all departments. Paint-brushes shall be provided for workers in paint-shops. Assemblers shall be supplied by the employer with the necessary tools to carry on their work.

Statutory Holidays

11. (a) The following holidays shall be allowed without deduction from wages whenever they fall within the working-week: a whole holiday on every Christmas Day, Boxing Day,

New Year's Day, Good Friday, Easter Monday, Anzac Day, Labour Day, Anniversary Day or a day in lieu thereof, and the birthday of the reigning Sovereign.

(b) Time worked on any of the above-named holidays or on Sundays or on the 2nd January shall be paid for at twice the ordinary rate.

(c) Payment of wages for the said holidays shall be made to all persons who have been employed in the factory at any time during the fortnight ending on the day on which the holiday occurs.

Annual Holidays

12. Holidays shall be allowed in accordance with the terms of the Annual Holidays Act, 1944.

Payment of Wages

13. Wages, including overtime, shall be paid weekly and not later than Thursday and within five minutes of ceasing work (preferably in working-hours). In factories where workers are at present being paid during working-hours, such practice shall continue.

Meal-money

14. Employers shall allow meal-money at the rate of 2s. 3d. per meal when workers are called upon to work overtime after 6 p.m., or after 12 noon on the day of the half-holiday, provided that they have not been notified of such overtime on the day preceding the working of such overtime.

Hot Water

15. Employers shall provide facilities for boiling water at meal-times.

Right of Entry

16. (a) The secretary or other authorized officer of the union of workers shall, with the consent of the employer (which consent shall not be unreasonably withheld), be entitled to enter at all reasonable times upon the premises or works and there interview any workers, but not so as to interfere unreasonably with the employer's business.

(b) The employer shall, on request, but not oftener than once a month, notify the secretary of the union of the names of the workers in his employ covered by this award.

Accidents

17. (a) Proper facilities shall be provided for rendering first aid to workers who meet with an accident while working at or about the employer's place of business.

(b) If an injured worker requires medical attention, means of transport shall be provided by the employer to convey the injured worker to the nearest doctor or hospital.

(c) In production factories where two hundred or more workers are employed, an ambulance-room shall be provided up to the specification of the St. John Ambulance orders. The rooms shall be used solely for the purpose of treatment and rest. There shall be employed in the factory one or more persons trained in first aid whose services shall be called upon as required.

(d) Equipment shall include a glazed sink with hot and cold water always available; a table with a smooth top; means for sterilizing instruments; a supply of suitable dressings, bandages, and splints; and a suitable couch and stretcher.

(e) First-aid boxes shall be provided in suitable places in the works so that they are readily available.

Sanitation

18. Employers shall provide proper sanitary conveniences in accordance with the requirements of the Factories Act.

Disputes

19. The essence of this award being that the work of the employers shall not on any account whatsoever be impeded but shall always proceed as if no dispute had arisen, it is provided that if any dispute or difference shall arise between the parties bound by this award, or any of them, as to any matter whatsoever arising out of or connected therewith and not dealt with in this award, every such dispute or difference shall be referred to a committee to be composed of two representatives of each side, together with an independent chairman to be mutually agreed upon or, in default of agreement, to be appointed by the Conciliation Commissioner for the district. Either side shall have the right to appeal to the Court against a decision of any such committee upon giving to the other side written notice of such appeal within fourteen days after such decision has been made known to the party desirous of appealing.

Award to be Posted

20. Every employer shall keep a copy of this award posted in an accessible place in the works, and shall permit *bona fide* union notices to be placed alongside.

General Provisions

21. (a) Workers engaged in operating abrasive buffs shall be provided with suitable aprons, goggles, respirators, and pads.

(b) Workers employed in handling or washing oily or greasy sheet metal shall be provided with suitable aprons, wooden clogs, and gloves.

(c) On the body acid wash, suitable rubber aprons, gloves, and gum boots shall be provided.

(d) Rubber aprons and gum boots shall be supplied to body wet sanders.

(e) Protective coloured goggles shall be supplied to arc, electric, and gas welders.

(f) The use of these protective articles shall be compulsory upon the workers.

(g) One pint of fresh milk shall be provided daily to spray painters whilst using paint with lead content.

Workers to be Members of Union

22. (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

23. (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

24. This award shall apply to the original parties named herein, and shall extend to and bind as subsequent party hereto every trade-union, industrial union, industrial association, or employer who, not being an original party hereto, is, when this award comes into force or at any time whilst this award is in force, connected with or engaged in the industry to which this award applies within the industrial district to which this award relates.

Scope of Award

25. This award shall operate throughout the Taranaki Industrial District.

Term of Award

26. This award, in so far as it relates to wages, shall be deemed to have come into force on the first pay-day after the 19th 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 1st day of December, 1948.

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 14th day of September, 1948.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

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

Wages have been made payable retrospectively, in accordance with the representatives of the parties.

The rates of remuneration agreed upon 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.
