

NORTHERN INDUSTRIAL DISTRICT **BACON-WORKERS.**—AWARD

In the Court of Arbitration of New Zealand, Northern 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 Auckland Butchers' Industrial Union of Workers (hereinafter called "the union") and the undermentioned union (hereinafter called "the employers") :—

Auckland Bacon-curers' Industrial Union of Employers,
12 O'Connell Street, Auckland.

THE Court of Arbitration of New Zealand (hereinafter called "the Court"), having taken into consideration the matter of the above-mentioned dispute, and having heard the union by its representatives duly appointed, and having also heard such of the employers as were represented either in person or by

their representatives duly appointed, and having also heard the witnesses called and examined and cross-examined by and on behalf of the said parties respectively, 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 29th day of November, 1948, and shall continue in force until the 31st day of December, 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 24th day of November, 1948.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Hours of Work

1. (a) Except as otherwise provided herein, the hours of work shall not exceed forty per week or eight per day, to be worked between the hours of 7.30 a.m. and 5 p.m. on five days of the week, Mondays to Fridays inclusive.

(b) When a worker is called out on a Saturday or on a holiday and there is no work or less than four consecutive hours' work available, he shall receive not less than four hours' pay at the appropriate rate.

(c) One hour shall be allowed for lunch each day, unless otherwise mutually arranged between the employer and the union.

(d) For motor-drivers and horse-drivers the hours shall be regulated in advance by the employer, subject to the following restrictions:—

- (i) The hours of work in any one day shall be consecutive, save that if a worker is required to commence work before 7 a.m. he shall be allowed one half-hour for breakfast, and if he is required to work after 12 noon he shall be allowed one hour for lunch.
- (ii) The daily hours shall not exceed eight hours on five days of the week, Monday to Friday inclusive.

Overtime

2. All work done outside of or in excess of the hours specified in clause 1 hereof shall be deemed to be overtime and shall be paid for at the rate of time and a half for the first four hours and double time thereafter.

Wages

3. The following shall be the minimum rates of wages for adult male workers:—

| | Per Week. | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----|----|
| | £ | s. | d. |
| (a) Slaughtermen | 8 | 5 | 0 |
| A worker who does any of the following operations shall be classed as a slaughterman: the sticking, scalding, scraping, singeing, black scraping, scrubbing, and thoroughly cleaning, opening up, and removing insides, washing, and hanging off of pigs. A slaughterman may be required to do any other work covered by this award for the purpose of making up the weekly hours. | | | |
| (b) First small-goods man | 8 | 5 | 0 |
| (c) First bacon-curer | 8 | 5 | 0 |
| (d) Driver-salesman—viz., a worker who travels beyond a radius of twenty-five miles from the chief post-office in the city or town in which the employer's place of business is located | 7 | 11 | 11 |
| (e) Orderman—viz., a worker who sells goods or canvasses for orders for goods, but is not covered by subclause (d) hereof .. | 7 | 4 | 0 |

| | Per Week. |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| | £ s. d. |
| (f) Workers employed at marking-down, chopping, boning, rolling, and curing, cellar-men, chamber hands, storemen, assistant small-goods-men, poultry hands, and digester hands | 7 4 0 |
| (g) Lard-hands and all others not specified .. | 6 18 9 |
| (h) In the case of drivers engaged in carting meat or other material in wholesale quantities only— | |
| (i) For those driving and attending to motor-vehicles with a combined weight of vehicle and maximum load not exceeding 2 tons | 6 19 5 |
| (ii) For those driving and attending to motor-vehicles with a combined weight of vehicle and maximum load exceeding 2 tons but not exceeding 4 tons | 7 2 4 |
| (iii) For those driving and attending to motor-vehicles with a combined weight of vehicle and maximum load exceeding 4 tons but not exceeding 5½ tons | 7 5 3 |
| (iv) For those driving and attending to motor-vehicles with a combined weight of vehicle and maximum load exceeding 5½ tons but not exceeding 10 tons | 7 9 9 |
| (v) For those driving and attending to motor-vehicles with a combined weight of vehicle and maximum load exceeding 10 tons | 7 13 3 |

Youths

4. (a) Employers may employ youths.

(b) All youths shall be paid not less than the wages specified in the following scale:—

| | Per Week. |
|-------------------------------------|-----------|
| | £ s. d. |
| From 16 to 16½ years of age | 2 7 0 |
| From 16½ to 17 years of age | 2 15 6 |
| From 17 to 18 years of age | 3 3 6 |
| From 18 to 19 years of age | 3 12 6 |
| From 19 to 20 years of age | 4 7 0 |
| From 20 to 21 years of age | 4 18 6 |

Thereafter, the minimum rate of wages for adults.

(c) The proportion of youths employed shall not exceed one youth to every three journeymen or fraction of the first three journeymen employed.

Females

5. Female workers may be employed at suitable work in small-goods factories, bacon-factories, and in packing-rooms at the following minimum rates, provided that their hours of work shall be as prescribed by the Factories Act, 1946:—

| | Per Week. | | |
|--------------------------------------|-----------|----|----|
| | £ | s. | d. |
| During the first six months | 2 | 15 | 0 |
| During the second six months | 3 | 7 | 6 |
| Thereafter | 4 | 6 | 0 |

Deductions from Wages

6. In the case of workers on weekly wages the employment shall be deemed to be a weekly one and no deduction shall be made from wages except for time lost through the worker's sickness, accident, or default.

Casual Hands

7. Casual workers shall be paid not less than the following rates of wages:—

| | Per Hour. | |
|--------------------------------------------------------------------------------------|-----------|----|
| | s. | d. |
| Slaughtermen | 4 | 5 |
| Workers employed at work covered by subclauses (b) to (f) of clause 3 hereof | 3 | 8½ |
| Workers employed at work covered by subclause (g) of clause 3 hereof | 3 | 5½ |

Payment of Wages

8. Wages shall be paid in the employer's time on Thursday of each week.

Holidays

9. (a) The following holidays shall be observed: New Year's Day, 2nd January, Anniversary Day, Anzac Day, Good Friday, Easter Monday, Labour Day, Christmas Day, Boxing Day, and the birthday of the reigning Sovereign.

(b) (i) In the case of weekly workers, all work done on any of the holidays mentioned in subclause (a) hereof shall be paid for at the rate of double time in addition to the weekly wage.

(ii) In addition to any payment to which he is entitled under the Factories Act, a casual worker shall be paid at the rate of double time for any time worked on any of the holidays mentioned in subclause (a) hereof.

(c) In the event of a holiday, other than Anzac Day, falling on a Sunday, such holiday shall be observed on the succeeding Monday, and in the event of another holiday falling on such Monday, such other holiday shall be observed on the succeeding Tuesday.

(d) All work done on Sundays shall be paid for at double rates.

Annual Holidays

10. The provisions of the Annual Holidays Act, 1944, shall apply to this award.

General Conditions

11. (a) When working overtime or when loading out, meal-times shall be at intervals of not more than four hours.

(b) Spells of reasonable time shall be allowed chamber hands who are in a heated condition through working outside to cool before entering the freezing-chambers. No deduction shall be made from the men's wages on account of such spell.

(c) All freezing-chambers shall be provided with a light and adequate provision for communication with the outside.

(d) Where men are requested to work more than two hours' overtime without having been notified the day before, a suitable meal consisting of at least bread, butter, and meat, with tea, coffee, or cocoa, shall be provided or 2s. 6d. tea-money shall be paid, at the option of the employer.

(e) Ten minutes shall be allowed morning and afternoon for "smoke-oh" without deduction from pay.

(f) All chamber hands shall be provided with overalls, jerseys, and gloves, and all drivers shall be provided with overalls.

(g) Where necessary, all workers shall be supplied with the following articles: Overalls (or smocks in the case of females), aprons (waterproof where necessary), leggings, clogs or boots, gloves, and gum boots. Slaughtermen shall be supplied with materials as above, and spraymen on pigs or defrosters with waterproofs.

(h) Suitable dressing-rooms, dining-rooms, and drying-rooms shall be provided.

(i) Each dressing-room shall contain sufficient locker accommodation to provide each worker with a locker suitable for hanging up clothes.

(j) A hot-water urn shall be provided convenient to the dining-room.

(k) Suitable rooms, equipped with hot and cold showers and wash-hand basins, shall be provided.

(l) Suitable accommodation shall be provided for the parking of bicycles.

Termination of Employment

12. Except in the case of casual workers, one week's notice of the termination of the employment shall be given by the employer or the worker, as the case may be; but this shall not prevent the employer from summarily dismissing a worker for serious misconduct.

Workers to be Members of Union

13. (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 the 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

14. (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.

Partial Exemption

15. Workers regularly employed in the operation of the digester owned by the Opotiki Bacon Co., Ltd., Opotiki, shall not be covered by this award so long as not more than 50 per cent. by weight of the material fed into the digester during each week is derived from the operations of the firm's bacon-factory as distinct from the abattoir which is also operated by the firm.

Application and Scope of Award

16. (a) 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 the 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.

(b) This award shall apply to the bacon-curing industry, including the killing and dressing for sale of poultry of any kind when such killing and dressing is carried on by any employer party to this award in the Northern Industrial District.

Term of Award

17. This award shall come into force on the 29th day of November, 1948, and shall continue in force until the 31st day of December, 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 24th day of November, 1948.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The principal matter settled by the Court related to hours of work, overtime, all wage-rates, holidays (subclause (a)), general conditions (subclauses (d), (f), and (g)), partial exemption, and term of award.

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.
