

WELLINGTON INDUSTRIAL DISTRICT **ELECTROPLATERS**—  
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 companies (hereinafter called "the employers") :—

Hobson Plating Co., Ltd., 15 Lower Tory Street,  
Wellington.

Lane and Lewis, Ltd., 66 Hobson Street, Wellington.

Phoenix Plating Co. (W. Kenyon), 79-81 Adelaide Road,  
Wellington.

Sterling Electroplating Co., Ltd., 10 Marion Street,  
Wellington.

Waterhouse Manufacturing Co., Ltd., 100 Dixon Street,  
Wellington.

Whitehall Electro Plating Co., Ltd., 262 Taranaki  
Street, Wellington.

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 20th day of December, 1948, and shall continue in force until the 16th 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 18th day of December, 1948.

[L.S.]

A. TYNDALL, Judge.

#### SCHEDULE

##### *Industry to Which Award Applies*

1. This award shall apply to all workers engaged in the polishing and/or plating of metals, other than those workers covered by the Jewellers, Watchmakers, Engravers, and Die-sinkers' award.

*Hours of Work*

2. (a) Forty hours shall constitute a week's work, and eight hours in any day shall constitute a day's work. Subject to the provisions of subclause (b) hereof, the daily hours shall be worked between the hours of 7.30 a.m. and 5 p.m. from Monday to Friday inclusive.

(b) Shift-work shall be worked as and when required by the employer.

*Night Shifts*

3. (a) A "night shift" shall mean a shift of eight hours worked between the ordinary time of leaving off work in the evening and starting of work in the morning. One day and one night shift only shall be worked during each twenty-four hours. A worker required to work at night for less than five consecutive nights shall not be deemed to be a night-shift worker, but shall be paid for such work at overtime rates.

(b) Workers engaged on night shift shall be paid 3s. per shift extra if working on five or more consecutive nights.

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

(d) A night-shift worker required to work in excess of eight hours shall be paid overtime rates—time and a half for the first three hours and double time thereafter.

*Classification*

4. Electroplater: An "electroplater" means an adult worker engaged in electroplating and metal colouring, setting up and control of electrolytes, and maintenance of low voltage electric equipment to the supply generator.

Polishers: A "first-class polisher" means an adult worker engaged in polishing metals for finish or for electroplating.

A "second-class polisher" means an adult worker employed at grinding and/or rough polishing.

*Wages*

5. The following shall be the minimum rates of wages payable to adults:—

	Per Hour.	
	s.	d.
Electroplater with four years' or more experience .. .. .	3	9½
Electroplater with less than four years' experience .. .. .	3	7
First-class polisher .. .. .	3	9½
Second-class polisher .. .. .	3	7

*Boys and Youths*

6. (a) Boys and youths under twenty-one years of age may be employed in the proportion of one boy and/or youth to each adult worker. -

(b) The minimum weekly rates of wages payable to such boys and youths shall be in accordance with the following scale:—

Age commencing.	First Six Months.	Second Six Months.	Third Six Months.	Fourth Six Months.	Fifth Six Months.	Sixth Six Months.	Seventh Six Months.	Eighth Six Months.	Ninth Six Months.	Tenth Six Months.
Under 16 ..	30/-	35/6	41/6	47/6	55/6	61/6	67/6	73/6	82/-	93/-
16 to 17 ..	33/6	38/6	44/6	49/6	59/-	64/6	73/-	79/-	87/-	93/-
17 to 18 ..	39/-	44/6	53/-	58/6	67/-	76/-	87/6	93/-	..	..
18 to 19 ..	53/-	58/6	63/6	71/6	83/6	92/6	..	..	..	..
19 to 20 ..	66/-	72/-	86/-	92/-	..	..	..	..	..	..
20 to 21 ..	80/-	90/6	..	..	..	..	..	..	..	..

And thereafter, or on attaining the age of twenty-one years, not less than the appropriate adult rate according to the class of work he is called upon to perform.

*Overtime*

7. (a) All time worked in excess of the hours prescribed in clause 2 hereof shall count as overtime and shall be paid for at the rate of time and a half for the first four hours and double time thereafter: Provided that all work done up to and including half an hour shall be deemed half an hour for the purpose of computing overtime payable, and all work done for any period exceeding half an hour and up to one hour shall count as one hour in the computation of overtime.

(b) No worker shall be employed for more than four and a half hours without an interval for a meal.

*Termination of Employment*

8. Not less than twenty-four hours' notice shall be given by either party of the termination of employment, except in the case of casual workers, who shall be paid immediately upon discharge: Provided that nothing in this clause shall prevent an employer from summarily dismissing any worker for wilful misconduct or insubordination.

*Payment of Wages*

9. Wages shall be paid weekly and in cash on any day not later than Thursday, and in the employer's time, except in the case of casual workers, who shall be paid immediately upon discharge.

*Holidays*

10. (a) The following shall be recognized holidays and shall be allowed without deduction from pay: New Year's Day, Anniversary Day or a day in lieu thereof, Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day, and Boxing Day. The provisions of the Public Holidays Act, 1910, and its amendments, shall be deemed to be incorporated in this award.

(b) Persons who are entitled to holidays without deduction from pay shall be: All those who have been working at any time during the fortnight ending on the day on which the holiday occurs. No payment over and above an ordinary week's wages shall be made to any worker for a holiday which falls on what is not ordinarily a working-day, except for work actually performed on such day. This shall not apply to workers employed elsewhere than at the employer's place of business, except regular workers employed on outside work.

(c) For work done on any of the holidays mentioned in subclause (a) or on Sunday, double time shall be paid.

*Annual Holiday*

11. Holidays shall be allowed in accordance with the provisions of the Annual Holidays Act, 1944.

*Meal-money*

12. The employer shall supply a suitable meal, or allow meal-money at the rate of 2s. 3d. per meal, when workers are called upon to work overtime after 6 p.m. on Sunday, Monday, Tuesday, Wednesday, Thursday, or Friday, or after 1 p.m. on Saturday, unless such workers can reasonably get home for a meal and return to their work in one hour, in which case the meal allowance need not be paid.

*Meal-hours*

13. Not less than three-quarters of an hour shall be allowed for meals unless a lesser period is agreed upon, but in no case shall the meal hour be reduced to less than half an hour.

*Certificate of Service*

14. The employer shall, on the request of any person leaving employment in the factory, give such person a certificate under his hand stating correctly the period during which such person has been so employed.

*First-aid Kits*

15. A first-aid kit, suitably equipped, shall be provided in each factory, and shall be accessible to workers at all times. A representative of the union shall have the right to inspect the kit at any time.

*General Conditions*

16. (a) Suitable accommodation shall be provided for the safe keeping of workers' clothes, also washing facilities, with a sufficient supply of hot water in case of accidents, and also boiling water for meal-times.

(b) Rubber gloves and rubber aprons shall be supplied to workers engaged in chromium-plating.

(c) A ten minute rest period shall be allowed every morning and afternoon.

*Right of Entry*

17. The secretary or other authorized representative of the union 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.

*Workers to be Members of Union*

18. (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*

19. (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.

#### *Disputes*

20. 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, 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 within fourteen days after such decision has been made known to the party desirous of appealing.

*Application of Award*

21. 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*

22. This award shall operate throughout the Wellington Industrial District.

*Term of Award*

23. This award shall come into force on the 20th day of December, 1948, and shall continue in force until the 16th 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 18th day of December, 1948.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The matters referred to and settled by the Court were as follows: Hours of work (subclause (a)), classification (definition of polishers), adult wage-rates, counter-proposal relating to the employment of females, overtime (subclause (a)), termination of employment, holidays (subclause (a)), claims for workers to be allowed time for washing, claim for polishers to be provided with aprons and gloves, claim for workers to have x-ray examination, and term of award.

A. TYNDALL, Judge.