

AUCKLAND **GLASS-WORKS' EMPLOYEES**—DECISION OF
EMERGENCY DISPUTES COMMITTEE

In the matter of the Strike and Lockout Emergency Regulations 1939; and in the matter of a dispute between the New Zealand Glass Workers' Union, of the one part (hereinafter called "the union"), and the New Zealand Glass Manufacturers' Co. Pty., Ltd., of the other part (hereinafter called "the employer"), relating to wages, hours, holidays, and other conditions of employment of members of the said union who are employed by the said employer; and in the matter of an Emergency Disputes Committee appointed for the purpose of deciding such dispute.

THE Emergency Disputes Committee appointed for the purpose of deciding the above-mentioned dispute sat at Auckland on 16th December, 1948, and arrived at a unanimous decision.

The Committee's decision is set out in the schedule hereto and is referred to therein as "this agreement."

DECISION OF EMERGENCY DISPUTES COMMITTEE

SCHEDULE

Industry to Which Agreement is Applicable

1. The industry to which this agreement applies is glass manufacturing.

PART I—DAY-WORKERS

Hours of Work

2. The hours of work shall be forty per week, and shall not exceed eight in any one day, to be worked between the hours of 8 a.m. and 5 p.m., Monday to Friday inclusive.

Overtime

3. (a) All time worked outside of or in excess of the hours provided for in clause 2 hereof shall be considered overtime and shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

Overtime shall be calculated on a daily basis.

(b) A worker required to work overtime at night or after 1 p.m. on Saturday, Sunday, or a holiday shall be provided with a meal or paid a meal allowance of 2s. 3d., but if twenty-four hours' notice is given that he will be required to work no meal allowance shall be payable.

Sundays and Holidays

4. (a) For work done on Sundays, New Year's Day, 2nd January, Anniversary Day, Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day, and Boxing Day, double rates shall be paid in addition to any payment to which the worker is entitled under clause 15 hereof.

(b) For the purpose of this agreement a holiday shall be deemed to commence at 8 a.m. on the morning of the holiday and terminate at 8 a.m. the following morning.

(c) When practicable, workers required to work during a week-end shall be notified not later than the preceding Thursday.

PART II—SHIFT-WORKERS

5. Operators, operators' assistants, sorters, sorters' assistants, firemen, sand-washers, batch-mixers, workers packing off the lehr, workers in the plastic factory, and employees in the cardboard-box factory may be employed on shifts.

Hours of Work

6. (a) The ordinary hours of work shall not exceed five eight-hour shifts, to be worked between 8 a.m. Monday and 8 a.m. Saturday.

(b) Shift-workers may work eight hours continuously: Provided that by mutual arrangement each worker shall have ample opportunity to partake of a meal during each shift without any cessation of work.

Overtime

7. (a) Time worked in excess of eight hours a shift during the period 8 a.m. Monday to 8 a.m. Saturday shall be deemed to be overtime and shall be paid for at the rate of time and a half for the first three hours and at the rate of double time thereafter.

(b) A worker required to work on his rostered day off shall be paid at overtime rates.

(c) Overtime rates shall be calculated on the rates prescribed in clauses 10, 13, and 14.

Saturdays, Sundays, and Holidays

8. (a) Time worked on Saturday after 8 a.m., or on Sunday, or on New Year's Day, 2nd January, Anniversary Day, Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day, or Boxing Day, shall not be reckoned as ordinary time or as overtime, but shall be paid for at the following special rates:—

On Sundays, double time.

On any of the holidays mentioned, double time in addition to any other payment to which the worker is entitled under clause 14 hereof.

On Saturdays after 8 a.m., time and a half for the first three hours and double time thereafter.

(b) For the purpose of this agreement a holiday shall be deemed to commence at 8 a.m. on the morning of the holiday and terminate at 8 a.m. the following morning.

(c) The employer shall, whenever practicable, give shift-workers seven days' notice of intention to work on any of the above-mentioned holidays.

(d) When practicable, workers required to work during a week-end shall be notified not later than the preceding Thursday.

Shift Allowance

9. (a) A worker employed on an afternoon or night shift shall be paid a shift allowance of 3s. a shift in addition to his ordinary wages.

(b) An afternoon shift means a shift commencing after 12 noon and finishing at or before midnight, and a night shift means any shift finishing subsequent to midnight and at or before 8 a.m.

PART III—APPLIES TO ALL WORKERS AS PROVIDED

Wages

10. The minimum rates of wages for adult male workers shall be:—

When employed on shift-work, 3s. 8d. per hour.

When employed on day-work, 3s. 6d. per hour.

Special Payments

11. (a) In addition to the wage prescribed in clause 10 hereof, a worker shall be entitled to extra payment in accordance with the following scale for the time worked on the class of work stated:—

	Per Hour.
	d.
(i) Press-machine operators	6
(ii) Operator's assistants, sorters, firemen, transferers and takers out on press machine ..	1
(iii) Sorters on model "R." (in addition to (ii))	3½
(iv) Batch-mixers	7½
(v) Weighman, batch-house	2½
(vi) Raw-material-store hands	1
(vii) Batch-house employees—soda allowance ..	4
(viii) Bag-packers (packing with hay)	2½
(ix) Workers handling cullett under Nos. 2 and 3 tanks	2
(x) Operators on double backing machines—card-board department	5½
(xi) Operators on single facer	5
(xii) Operator on fast splitter	4½
(xiii) All other machinists	1½
(xiv) Tailer-out, rollman, and one other worker on double backer	3

(b) A worker required to clean the crowns of glass-furnaces shall be paid, in addition to his ordinary wage, the sum of 10s. for each furnace.

(c) The extra payments prescribed in this clause are flat payments, and are not to be increased when the time worked is overtime, or on a holiday, Saturday, or Sunday.

Bonus Rates

12. (a) Bonus rates for operators shall be as follows:—

- (i) Up to 6 oz. weight, 2d. per gross over 40 gross.
Over 6 oz. and up to 11 oz. weight, 1½d. per gross over 20 gross.
Over 11 oz. and up to 15 oz. weight, 2d. per gross over 20 gross.
Over 15 oz. and up to 27 oz. weight, 2d. per gross over 15 gross.
Over 27 oz. weight, 2d. per gross over 10 gross.
Over 40 oz., 2d. per gross over 5 gross.
- (ii) Model "B" or "Baby" machine—
Up to 2 oz. weight, 2d. per gross over 50 gross.
Over 2 oz. and up to 4 oz. weight, 2d. per gross over 40 gross.
Over 4 oz. weight, 2d. per gross over 30 gross.
- (iii) 1 oz. essence, plain and screw top, and 1 oz. "inks,"
2d. per gross over 70 gross.

(b) Press-and-blow machine bonus rates shall be as follows:—

- Up to 2 oz. weight, 2d. per gross over 50 gross.
- Over 2 oz. and up to 6 oz. weight, 2d. per gross over 40 gross.
- Over 6 oz. and up to 11 oz. weight, 1½d. per gross over 20 gross.
- Over 11 oz. and up to 15 oz. weight, 2d. per gross over 20 gross.
- Over 15 oz. and up to 27 oz. weight, 2d. per gross over 15 gross.
- Over 27 oz. weight, 2d. per gross over 10 gross.

An allowance of 4s. a shift shall be paid to the operator of a press-and-blow machine in addition to his ordinary wage.

(c) All good bottles not annealed shall be counted in assessing bonuses.

(d) All rates prescribed in subclauses (a) and (b) of this clause shall be increased by 5 per cent.

Females

13. Adult female workers employed packing pressed ware and bottles in cardboard containers, and screwing caps on bottles, shall be paid a minimum wage of £4 12s. 6d. per week.

Youths

14. Subject to the provisions of the Factories Act, youths may be employed in any department at the following minimum rates of wages:—

	Per Week.
	£ s. d.
Under sixteen years of age	1 13 4
Sixteen to seventeen years—	
First six months	2 0 10
Second six months	2 7 6
Seventeen to eighteen years—	
First six months	2 15 0
Second six months	3 5 0
Eighteen to nineteen years	3 10 0
Nineteen to twenty years	3 17 6
Twenty to twenty-one years	4 5 10
Thereafter, the minimum rates:	

Provided that youths shall not be employed on any of the following adult jobs: Operators, operators' assistants, sorters, packers (except youths packing in corrugated cardboard), batch-house hands (except mixing-machine operators), general yard hands, sand-washers, single-facer operators or assistants in cardboard factory, double-backer operators or assistants in cardboard factory, sawyers, firemen: Provided, further, that one youth may be employed on each shift to assist the assistant operator in cleaning floors.

Holidays

15. (a) The following are the recognized holidays under this award: New Year's Day, 2nd January, Anniversary Day, Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day, and Boxing Day.

(b) The attention of the parties is drawn to the provisions of the Public Holidays Act and amendments, which provides for the transference of certain holidays which fall on Saturdays or Sundays.

(c) Payment of wages for the said holidays shall be made to all persons who perform work under this award at any time during the fortnight ending on the day on which the holiday occurs.

(d) Where any worker has been employed by more than one employer during the fortnight ending on the day on which any of the above holidays occur, he shall be entitled to receive payment for the holiday from such one or more of those employers, and if more than one, in such proportions as the Inspector of Awards determines.

(e) For the purpose of this agreement a holiday shall be deemed to commence at 8 a.m. on the morning of the holiday and terminate at 8 a.m. the following morning.

Annual Holidays

16. (a) Annual holidays shall be granted in accordance with the provisions of the Annual Holidays Act, 1944.

(b) (i) In addition to the holiday to which he is entitled under subclause (a) of this clause, a worker who has worked on shift-work for a complete year shall be allowed an additional week's holiday on the same terms as to payment as are provided for in the Annual Holidays Act, 1944.

(ii) In addition to the holiday to which he is entitled under subclause (a) of this clause, a worker who has not worked on shift-work during the whole of the year, but for portion of the year only, shall be allowed such proportionate part of such additional week's holiday as is commensurate with the time he has worked as a shift-worker.

General Conditions

17. (a) A worker oiling machinery, cleaning floors, and performing general incidental duties of a like nature in the manufacturing department shall be deemed to be an operator's assistant.

One operator's assistant shall be employed to each three machines working.

This subclause shall apply only to No. 1 and No. 2 tanks: Provided that if eight machines are working on No. 3 tank, three assistants shall be employed.

(b) If a worker is required to work in any other department than his usual department, he shall be paid for the balance of the day at the rate prevailing in such department if such rate is higher than his usual pay.

(c) When a fireman is required to attend to a gas-producer in addition to his ordinary duties, an assistant shall be employed.

(d) Workers who report for work but are sent home before starting, to come back on another shift, shall be paid a minimum of two hours. Workers who commence work and are later sent home, to come back on another shift, shall be paid overtime rates for the time so served.

(e) Female workers shall not be required to lift any package exceeding 40 lb. in weight.

Youths under the age of eighteen years shall not be required to lift a greater weight than 70 lb.

(f) An interval of ten minutes shall be allowed morning and afternoon without loss of pay.

(g) Adequate washing facilities and hot and cold showers shall be provided.

(h) Boiling water for meals shall be provided.

(i) A modern first-aid room, fully equipped, shall be maintained.

(j) Lockers shall be provided for all workers.

(k) Oilskins and gum boots shall be provided for all workers required to work outside in wet weather, the workers to be responsible for such articles negligently lost or destroyed.

(l) Suitable shelter for cycles shall be provided.

(m) On the model "R" machine, two sorters shall be provided, who shall collect and wheel away their own crates.

(n) One sorters' assistant shall be employed to each three bottle-making machines working.

Terms of Employment

18. (a) No deduction shall be made from the weekly wages mentioned in this agreement except for time lost by a worker through sickness, accident, or default.

(b) The working-week shall end at midnight Sunday/Monday, and wages shall be paid on Wednesday.

(c) One week's notice of the termination of the engagement shall be given on either side: Provided that in the event of an accident to the plant no notice of the termination of the engagement shall be necessary.

Nothing in this subclause shall prevent the employer from dismissing a worker without notice for wilful misconduct.

(d) Workers shall record the time of their arrival at and departure from work on the apparatus provided for such purpose. Day-workers shall be permitted to finish work three minutes before the prescribed time to facilitate the observance of this provision.

Matters Not Provided For

19. Any dispute in connection with any matter not provided for in this agreement shall be settled between the management and the secretary and/or the president of the union, and in default of any agreement being arrived at, then such dispute shall be referred to a local dispute committee presided over by a Chairman appointed by the Minister of Labour, whose decision shall be final.

Access to Works

20. The employers bound by this agreement shall permit the secretary or other authorized officer of the union of workers to enter at all reasonable times (to be mutually arranged

between the employer and the union) upon the premises or works and there interview any workers, but not so as to interfere unreasonably with the employer's business.

Under-rate Workers

21. (a) Any worker who considers himself incapable of earning the minimum wage fixed by this agreement 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.

Workers to be Members of Union

22. (a) It shall not be lawful for any employer bound by this agreement to employ or to continue to employ in any position or employment subject to this agreement any adult person who is not for the time being a member of an industrial union of workers bound by this agreement or who is not for the time being a member of a trade-union which was registered as such before the 1st day of May, 1936, and which is bound by this agreement: Provided, however, that any non-unionist may be continued in any position or employ-

ment by an employer bound by this agreement during any time while there is no member of the union bound by this agreement who is available to perform the particular work required to be done and is ready and willing to undertake it.

(b) For the purpose of subclause (a) of this clause a person of the age of eighteen years and 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 agreement for workers of the age of twenty-one years and upwards, shall be deemed to be an adult.

(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 Agreement

23. The wage-rates prescribed in clauses 10 and 13 shall be paid retrospectively as from the 1st July, 1948, and the other provisions of this agreement shall come into operation on the day of the date hereof; and this agreement shall continue in force until the 30th day of June, 1950.

Dated the 27th day of December, 1948.

JAS. G. GILMOUR, Chairman.
