

NELSON CITY **ABATTOIR EMPLOYEES**—INDUSTRIAL
AGREEMENT

In the Court of Arbitration of New Zealand, Nelson Industrial District.—In the matter of the Economic Stabilization Emergency Regulations, 1942; and in the matter of the industrial agreement made on the 31st day of January, 1949, between the Nelson Operative Butchers' Industrial Union of Workers and the Mayor, Councillors, and Citizens of the City of Nelson.

WHEREAS by the Economic Stabilization Emergency Regulations, 1942, it is provided that no industrial agreement made in pursuance of the Industrial Conciliation and Arbitration Act, 1925, shall come into force until it is filed under section 28 of the said Act: And whereas it is provided further that no such industrial agreement shall be accepted by a Clerk of Awards for filing as aforesaid unless it has been approved by the Court for the purposes of the said regulations: And whereas application has been made for approval of the industrial agreement made on the 31st day of January, 1949, between the Nelson Operative Butchers' Industrial Union of Workers, of the one part, and the Mayor, Councillors, and Citizens of the City of Nelson, of the other part: Now, therefore, the Court, having had regard to and having taken into consideration the matters and things as required by the said regulations, doth hereby approve the said industrial agreement for the purposes of the said regulations.

Dated this 18th day of February, 1949.

[L.S.]

A. TYNDALL, Judge.

NELSON CITY ABATTOIR EMPLOYEES—INDUSTRIAL AGREEMENT

THIS industrial agreement made in pursuance of the Industrial Conciliation and Arbitration Act 1925 this 31st day of January 1949 between the Nelson Operative Butchers' Industrial Union of Workers (hereinafter referred to as "the union") of the one part and the Mayor Councillors and Citizens of the City of Nelson (hereinafter referred to as "the employer") of the other part whereby it is mutually agreed by and between the said parties hereto as follows, that is to say:—

1. That the terms, conditions, stipulations and provisions contained and set out in the schedule hereto shall be binding upon the said parties and they shall be deemed to be and are hereby incorporated in and declared to form part of this agreement.

2. That the said parties hereto shall respectively do, observe and perform every matter and thing by this agreement and by the said terms, conditions, and stipulations and provisions respectively required to be done, observed and performed and shall not do anything in contravention of this agreement or of the said terms conditions stipulations and provisions but shall in all respects abide by and perform the same.

In witness whereof the parties hereto have executed these presents the day and the year first before written.

 SCHEDULE
Industry to Which Agreement Applicable

1. (a) This agreement shall apply to all workers engaged in the normal and usual work carried out in the Nelson City Abattoir and shall apply to stockmen and shepherds but shall not apply to any manager or overseer employed by the employer for the purpose of seeing that the work is done in a proper manner or to clerical workers or tally clerks whose duties are of an exclusively clerical nature.

(b) Stockmen and shepherds shall be deemed to mean workers substantially employed in or about the abattoir in the delivery, receiving, drafting and penning of stock as required to suit the conditions of the abattoir.

Hours of Work

2. (a) The ordinary hours of work shall be eight per day (including "smoke-oh") to be worked between 7 a.m. and 5 p.m. on five days of the week, Monday to Friday inclusive.

Shepherds and Stockmen

3. Shepherds and stockmen shall come under the provisions of this agreement, except that daily starting and finishing times as provided for in clause 2 hereof may be arranged between the employer and employee, provided that not more than forty hours are worked in any one week without payment of overtime.

Wages

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

	Per Week.		
	£	s.	d.
(a) Slaughtermen	8	10	0
Slaughterhouse assistants and labourers	7	2	0
Shepherds and stockmen	7	2	0
(b) Casual employees—	Per Day.		
Slaughtermen	5s.	8½d.	per hour.
Labourers	3s.	7d.	per hour.
(c) A casual employee is a worker employed for one week of forty hours or less. The daily hours of work for a casual shall not exceed eight hours without payment of overtime.			

Youths

5. Youths may be employed at the following rates:—

	Per Week.		
	£	s.	d.
Under seventeen years of age	3	3	0
Between seventeen and eighteen years of age	4	0	0
Between eighteen and nineteen years of age	4	10	0
Thereafter, the minimum wage for adult workers.			

Overtime

6. Except as otherwise provided, all time worked in excess of forty hours in any one week shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

Holidays

7. (a) All workers shall receive the following holidays:—

- (i) New Year's Day, Good Friday, Easter Monday, Anzac Day, Sovereign's Birthday, Labour Day, Christmas Day, Boxing Day, Anniversary Day.

Should any of the above mentioned holidays other than Anzac Day fall on a Saturday or a Sunday, then such holiday shall be observed on the following Monday. Should any such Monday, however, be also a holiday such holiday shall be observed on the following Tuesday.

- (ii) Show Day, or another day to be arranged between the union and the employer.

(b) Except as otherwise provided herein, all holidays mentioned in paragraph (i) of subclause (a) hereof shall be paid for as an ordinary working day of eight hours.

(c) All time worked on Saturdays, Sundays, or holidays mentioned in paragraph (i) of subclause (a) hereof shall be paid for at double rates in addition to the ordinary rate, with a minimum payment for six hours on any such day worked.

(d) All time worked on the holidays mentioned in paragraph (ii) of subclause (a) hereof shall be paid for at the rate of time and a half.

(e) Subclause (b) of this clause shall be subject to the conditions of the Factories Act, 1946.

Annual Holidays

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

General Conditions

9. (a) All saws shall be properly sharpened when required and a suitable grindstone shall be provided and kept in good condition.

(b) Fifteen minutes in the morning and fifteen in the afternoon to count as time worked shall be allowed for "smoke-oh." On any day when nine hours or more are being worked, a "smoke-oh" of fifteen minutes may be taken at 5 p.m. by mutual agreement between the employer and the employees.

(c) Wages shall be paid fortnightly in cash on the ceasing of work on Tuesdays. Casual employees shall be paid when discharged.

(d) The employer shall have the fullest right of control (subject to the special conditions of this agreement) over its abattoirs and works, and make such rules for the necessary and proper management thereof as may be deemed expedient.

(e) Employers shall provide a first-aid outfit, which shall be kept as near to the board as possible.

(f) Subject to the proper care being taken of them, the employer shall provide aprons (rubber where necessary), canvas for leggings, knives, steels and pouches wherever necessary. Workers working outside shall be provided with waterproof coats. Each worker requiring footwear shall be supplied as required.

Disputes

10. If any dispute or difference should arise between the parties bound by this agreement, or any of them, as to any matter whatsoever arising out of or connected therewith and not satisfactorily dealt with in this agreement, every such dispute or difference, as the same shall arise, 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. Each 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.

Workers to be Members of Union

11. (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 agreement to employ or 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.

(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 agreement for workers of the age of twenty-one 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 agreement, 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

12. (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.

Scope of Agreement

13. This agreement shall apply to the Nelson City Abattoir, Annesbrook, and shall bind only the parties named herein.

Term of Agreement

14. This agreement shall, in so far as it relates to wages, be deemed to have come into force on the first day of January, 1949, and, in so far as all other conditions of this agreement are concerned, it shall come into force on the day of the date on which it is approved by the Court of Arbitration, and this agreement shall continue in force until the first day of January one thousand nine hundred and fifty one.

The common seal of the Mayor Councillors and Citizens of the City of Nelson was affixed hereto in the presence of—

[L.S.]

J. A. HARLEY, Mayor.
F. MITCHELL, Town Clerk.

The common seal of the Nelson Operative Butchers' Industrial Union of Workers was affixed hereto in the presence of—

[L.S.]

O. SWENSSON, President.
J. L. LIDDLE, Secretary.

NELSON CITY **ABATTOIR EMPLOYEES**—AMENDMENT OF
INDUSTRIAL AGREEMENT

In the Court of Arbitration of New Zealand.—In the matter of the Industrial Conciliation and Arbitration Act, 1925, and the Economic Stabilization Emergency Regulations 1942; and in the matter of the Nelson City Abattoir Employees' industrial agreement, made on the 31st day of January, 1949, and recorded in 49 Book of Awards 179.

IN pursuance and exercise of the powers vested in it by the Economic Stabilization Emergency Regulations 1942, and of every other power in that behalf thereunto enabling it, this Court, for the purpose of giving effect to the pronouncement made by it on the 12th day of April, 1949, doth hereby order as follows:—

1. That the said industrial agreement shall be amended by deleting clauses 4 and 5 and substituting therefor the following clauses:—

“ *Wages* ”

“ 4. The following shall be the minimum rates of wages for adult workers:—

	Per Week.
	£. s. d.
“(a) Slaughtermen	8 15 5
“ Slaughterhouse assistants and labourers	7 7 5
“ Shepherds and stockmen	7 7 5

“(b) Casual employees—	Per Day.
“ Slaughtermen	5s. 8½d. per hour.
“ Labourers	3s. 10½d. per hour.

“(c) A casual employee is a worker employed for one week of forty hours or less. The daily hours of work for a casual shall not exceed eight hours without payment of overtime.”

“ Youths

“ 5. Youths may be employed at the following rates:—

	Per Week.		
	£	s.	d.
“ Under seventeen years of age ..	3	3	0
“ Between seventeen and eighteen years of age	4	0	0
“ Between eighteen and nineteen years of age	4	15	0
“ Thereafter, the minimum wage for adult workers.”			

2. That this order shall be deemed to have come into force on the 1st day of June, 1949.

Dated this 26th day of July, 1949.

[L.S.]

A. TYNDALL, Judge.
