

NORTHERN INDUSTRIAL DISTRICT FELLMONGERY, BOILING-DOWN WORKS, AND GLUEWORKS EMPLOYEES—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 Curriers', Beamsmen's, Fellmongers', Tanners', Soapworkers', and General Tannery Employees' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

Auckland By-Products, Ltd., Boiling-down Works, Te Papapa.

Auckland Fellmongery Co., Fellmongers, Southern Cross Building, Auckland.

Auckland Meat Co., Ltd., Boiling-down Works, Wakefield Street, Auckland.

Donald, Alex., Ltd., Fellmongers, Drury.

Lichtenstein, E., and Co., Ltd., Fellmongers, Onehunga, Auckland.

N.Z. Glue Co., Ltd., Gluemakers, Neilson Street, Onehunga, Auckland.

Sutherland, W., and Co., Ltd., Fellmongers, 8 Cook Street, Auckland.

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 3rd day of March, 1950, 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 3rd day of March, 1949.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to Which Award Applicable

1. This award shall apply throughout the Northern Industrial District to the industry of fellmongering, boiling-down, and gluemaking carried on outside of and apart from the freezing industry.

Hours of Work

2. (a) A week's work shall not exceed forty hours, to be regulated by the employer according to the special requirements and circumstances of his business, but so that the ordinary hours of work shall be eight per day on five days of the week between 7.45 a.m. and 5 p.m. Not less than three-quarters of an hour shall be allowed for a meal unless otherwise agreed upon.

(b) (i) Shifts of eight hours may be worked if necessary on five days of the week. Workers employed on shift-work shall not work more than forty hours in any one week without payment of overtime, and shall during each shift be allowed thirty minutes for a meal without deduction from wages.

(ii) No worker under the age of twenty-one years shall be employed on the morning or evening shifts.

(iii) Where it is practicable, shifts shall be worked on a regular rotation.

(iv) A worker employed on shift-work between the hours of 4 p.m. and 8 a.m. shall be paid 3s. per shift in addition to the wage specified in clause 3 hereof.

Wages

3. The following shall be the minimum rates of wages for the several classes of workers hereinafter specified:—

	Per Hour.	
	s.	d.
Piece and pie men	3	10½
Pullers	3	8½
Pelt classers and curers	3	7½
Machine and hand scudders on pelts	3	5½
Machine pelt-fleshers	3	5½
Manure and tallow hands	3	5½
Painters	3	5½
Fleshing hands	3	5½
Wool-scourers	3	4½
Wool-driers	3	4½
Pickle hands	3	4½
Glue boilers and evaporators	3	6½
Lime dolly workers	3	6½
All other workers	3	4

Youths

4. (a) Youths may be employed at the following minimum rates of pay:—

	Per Week.		
	£	s.	d.
Under 16 years of age	2	13	0
16 to 16½ years of age	2	18	6
16½ to 17 years of age	3	4	6
17 to 17½ years of age	3	10	0
17½ to 18 years of age	3	18	6
18 to 18½ years of age	4	4	6
18½ to 19 years of age	4	12	6
19 to 20 years of age	5	4	0
20 to 21 years of age	5	18	6

(b) No deduction shall be made from the weekly wages mentioned in this clause except for time lost by the worker through his own default or sickness.

(c) No youth shall be employed in any cooling-chamber while the temperature therein is below 32 degrees Fahrenheit or on lime dollies or fleshing-machines.

Overtime

5. (a) Time worked in any day outside of or in excess of the hours specified in clause 2 hereof shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

(b) In the case of shift-workers, overtime at the above-mentioned rates shall be paid in excess of the specified shift-hours.

(c) Subject to the provisions of the Factories Act, a meal allowance of 2s. 3d. shall be paid to all workers required to work overtime.

Piecework

6. Where piecework is performed, the rates for such work shall be agreed upon between the employees and the employer concerned.

Holidays

7. (a) All workers shall receive the following holidays in each year: New Year's Day, 2nd January, Anniversary Day, Good Friday, Easter Monday, Anzac Day, Labour Day, Christmas Day, Boxing Day, and the birthday of the reigning Sovereign.

(b) Each of the holidays mentioned in subclause (a) of this clause shall be subject to the provisions of the Factories Act, 1946, and shall be paid in accordance therewith as an ordinary working-day. Pieceworkers shall in such case be paid the rates specified herein for time-workers.

(c) All work done on any of the holidays mentioned in subclause (a) of this clause shall be paid for at double rates in addition to the ordinary rates payable under subclause (b) of this clause.

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

(e) In the event of a holiday, other than Anzac Day, falling on a Saturday and/or a Sunday, such holiday shall be observed on the following Monday and/or Tuesday.

Annual Holidays

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

General

9. (a) The employer shall provide all tools and equipment necessary to carry on the work.

(b) Where necessary, workers shall be supplied with overalls, waterproof aprons, waterproof leggings, vamps, and gloves, and either clogs, gum boots, or watertight boots.

(c) An interval of ten minutes for "smoke-oh" shall be allowed each morning and afternoon.

(d) A first-aid outfit shall be kept in a convenient place accessible to workers with a person in charge.

(e) The award shall not operate so as to reduce the wages of any worker during his present employment.

(f) A worker who leaves the factory at the end of a day's work and is called back to work overtime shall be paid a minimum of two hours at overtime rates of pay.

(g) Accommodation and facilities shall be provided in accordance with the Factories Act.

(h) A worker required to work for any period in a cooling-chamber while the temperature therein is below 32 degrees Fahrenheit shall be paid 3d. per hour extra during such period in addition to his ordinary wage.

(i) A worker, other than a piece and pieman, handling piece and pie wool shall be paid 5d. per hour in addition to his usual rate set out in clause 3 hereof during such period he is so employed.

Payment of Wages

10. Wages shall be paid weekly not later than Thursday of each week and during working-hours.

Termination of Employment

11. Three days' notice shall be given on either side of the termination of employment.

Right of Entry

12. Every employer bound by this award 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.

Disputes

13. 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.

Workers to be Members of Union

14. (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

15. (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

16. 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

17. This award shall operate throughout the Northern Industrial District.

Term of Award

18. This award, in so far as it relates to wages, shall be deemed to have come into force on the 2nd day of February, 1949, 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 3rd day of March, 1950.

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 3rd day of March, 1949.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

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

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

A. TYNDALL, Judge.

NORTHERN INDUSTRIAL DISTRICT FELLMONGERY, BOILING-DOWN WORKS, AND GLUEWORKS EMPLOYEES—AMENDMENT OF AWARD

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 Northern Industrial District Fellmongery, Boiling-down Works, and Glueworks Employees' award, dated the 3rd day of March, 1949, and recorded in 49 Book of Awards.

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 award shall be amended by deleting clause 3 and substituting therefor the following clause:—

“ Wages

“ 3. The following shall be the minimum rates of wages for the several classes of workers hereinafter specified:—

	Per Hour.	
	s.	d.
“ Piece and pie men	4	0½
“ Pullers	3	10½
“ Pelt classers and curers	3	9¾
“ Machine and hand scudders and pelts	3	7¾
“ Machine pelt-fleshers	3	7¾
“ Manure and Tallow hands	3	7¾
“ Painters	3	7¾
“ Fleshing hands	3	7¼
“ Wool-scourers	3	6¾
“ Wool-driers	3	6¾
“ Pickle hands	3	6¾
“ Glue boilers and evaporators	3	8¼
“ Lime dolly workers	3	8¼
“ All other workers	3	6”

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

Dated this 19th day of May, 1949.

[L.S.]

A. TYNDALL, Judge.