

**WELLINGTON INDUSTRIAL DISTRICT WOOLPACK AND
TEXTILE WORKERS—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 Manawatu Flax-mill and Flax Textile Employees' Industrial Union of Workers (hereinafter called "the union") and the undermentioned Company (hereinafter called "the employers") :—

The New Zealand Woolpack and Textiles, Ltd., 44 Watson Street, Foxton.

THE undersigned Deputy Judge of the Court of Arbitration, acting in pursuance of an order of delegation of the said Court of Arbitration, (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 doth also 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 doth also further order that this award shall take effect as hereinafter provided and shall continue in force until the 31st day of May, 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 undersigned Deputy Judge of the Court hath hereunto set his hand, this 30th day of June, 1949.

[L.S.]

D. J. DALGLISH,

Deputy Judge of the Court of Arbitration
acting in pursuance of an order of delegation of the
Court of Arbitration.

SCHEDULE

Industry to Which Award Applies

1. This award shall apply to the preparing, spinning, and weaving of fibres and the manufacture of the resultant cloth.

Hours of Work

2. (a) Except where otherwise expressly provided, the week's work shall not exceed forty hours.

(b) The ordinary hours of work shall not exceed eight hours per day from Monday to Friday, both days inclusive, to be worked between the hours of 7.45 a.m. and 5 p.m. provided that owing to circumstances over which the employer has no control, eight hours may be worked between the hours of 7.30 a.m. and 5.30 p.m. by arrangement between the Management and the Union.

(c) An interval of at least three-quarters of an hour shall be allowed for the midday meal.

(d) Night shifts may be worked, subject to the condition that not more than five shifts of eight hours each shall be worked by any worker in any one week.

Rates of Pay

3. The following shall be the minimum rates of wages for the under-mentioned classes of workers:—

	Column No. 1 (payable from 1st December, 1948, to 31st May, 1949, both dates inclusive). Per Hour.		Column No. 2 (payable on and from 1st June, 1949). Per Hour.	
	s.	d.	s.	d.
Feeders on softeners, openers, carders, and goods machines	3	4	3	6
Manglers	3	4	3	6
Spinner hands (on front of spinner)	3	4	3	6
All other adult male workers ..	3	3	3	5

Employment of Youths

4. The minimum weekly rates of wages payable to youths shall be as follows:—

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 ..	33/6	39/6	46/-	52/-	58/6	65/-	71/-	77/6	90/-	103/-
16 to 17 ..	37/-	43/6	49/6	56/-	62/-	71/-	77/6	83/-	90/-	103/-
17 to 18 ..	43/6	49/6	56/-	65/-	74/-	83/-	90/-	103/-	..	..
18 to 19 ..	49/6	56/-	65/-	74/-	83/-	90/-	..	..	..	..
19 to 20 ..	61/6	68/-	80/-	90/-	..	..	..	..	..	..
20 to 21 ..	80/-	90/-	..	..	..	..	..	..	..	..

Thereafter, or on attaining the age of twenty-one years; not less than the rate for general adult hands.

Employment of Females

5. The minimum weekly rates of wages payable to female workers shall be as follows:—

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.
Under 16	32/-	37/-	42/-	47/-	52/-	57/-	69/-	75/-
16 to 17	37/-	42/-	47/-	52/-	57/-	69/-	75/-	..
17 to 18	42/-	47/-	52/-	57/-	69/-	75/-	..	..
18 to 19	47/-	52/-	57/-	69/-	75/-	..	..	..
19 to 20	52/-	57/-	69/-	75/-	..	..	..	..
20 to 21	57/-	69/-	..	..	..	..	..	..

Thereafter, or on attaining the age of twenty-one years, not less than £4 4s. per week if during the period 1st December, 1948, to 31st May, 1949 (both dates inclusive), and not less than £4 8s. 2d. per week if on or after 1st June, 1949.

Shift Workers

6. (a) Workers when on night shift shall receive adult rates of pay and shall also receive 3s. 0d. per shift extra.

(b) Breaks totalling half-an-hour for workers employed on night shifts to be arranged by the management, without loss of pay.

Overtime

7. (a) All time worked on any day in excess of the hours mentioned 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) All time worked on Saturday morning shall be paid for at the rate of time and a half for the first four hours and thereafter double time. All time worked before 7 a.m. and after 12 noon on Saturday shall be paid for at double time rates. All time worked on Sundays shall be paid for at double time rates. Shift workers continuing their shifts from Friday evening and completing same on Saturday morning shall not be entitled to overtime rates, unless the shift exceeds 8 hours.

(c) No worker shall be worked in excess of four and a half hours without time being allowed for a meal.

(d) Any worker working during his regular meal times shall be paid time and a half rates for time so worked.

Holidays

8. (a) All workers covered by this award who have been employed at any time during the fortnight ending on the day on which the holiday occurs shall be entitled to the following

holidays at ordinary rates of pay: Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Monday, Anzac Day, Labour Day, the birthday of the reigning Sovereign, and the Provincial Anniversary Day or a day in lieu thereof.

(b) For work done on any of the above-mentioned days double time rates shall be paid in addition to the day's wages.

(c) For work done on Sundays double time rates shall be paid.

(d) In the event of a holiday other than Anzac Day falling on a Saturday or 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.

(e) (i) The provisions of the Annual Holidays Act, 1944, shall apply to all workers covered by this award.

(ii) Where a worker becomes entitled to the annual holiday and the holiday is not taken at the end of the year, workers shall receive at least two weeks' notice before leave has to be taken.

(iii) Annual holiday pay shall be paid to employees prior to commencing their holiday period.

Piecework

9. (a) The rates for pieceworkers shall be fixed by arrangement between the management and the union, but shall in any case be not less than will return to a competent worker not less than 10 per cent. more than the rates specified in clauses 3, 4, and 5.

(b) Pieceworkers, including weavers, required to wait five minutes or longer for any reason other than power failure shall be paid for all time so waiting at the rate prescribed in this award. Time-sheets shall be supplied for the purpose of entering such waiting time.

(c) Where any pieceworker is teaching a beginner, such pieceworker shall be paid 5s. per day additional to the amount of earnings during the day or part thereof while so teaching.

(d) Pieceworkers employed overtime shall be paid, in addition to their earnings, a sum equal to one-half of the amount of the said earnings for the first three hours, and a sum equal to their earnings thereafter, being not less in any case than 2s. per hour.

General Conditions and Special Payments

10. (a) Scissors, knives, and other equipment necessary shall be supplied by the employers and kept in repair by them.

(b) Workers who cannot reasonably journey to and from their homes for meals within an hour, being called back to work after 6 p.m. on ordinary days, on the afternoon of Saturday or on Sunday or on any holiday, having worked on the mornings of such days shall be provided by the employer with a meal or alternatively each such worker shall receive 2s. 6d. meal-money.

(c) Outside workers shall be paid 1d. an hour extra while engaged in any of the following duties: cleaning out dust houses and cleaning back of dust holes, carting bales of dust to boiler house, carting coal to factory and shovelling coal into bins, carting and stacking tow and fibre.

(d) Oilers, pinning and cleaning hands, and workers working with dye and dyed twine shall be supplied with overalls by the employer.

(e) When one worker only is employed in attending to small drawing frames in place of the customary two workers, he shall be paid 6d. an hour extra whilst so employed.

(f) When more than two spinners are allocated to and attended by one worker working on back, such worker shall be paid 6d. an hour extra whilst so employed.

(g) When one worker only is employed in attending to the working of three cards changing cans, &c., in place of the customary two workers, he shall be paid 6d. an hour extra whilst so employed.

Right of Entry Upon Premises

11. The secretary or other authorized officer of the union of workers is empowered to enter at all reasonable times upon the premises of any employer bound by this award and there to interview any workers, but not so as to interfere unreasonably with the employer's business.

Provisions as to Smoking and Rest Periods

12. (a) Workers shall not smoke at all when handling or in the proximity of dry fibre or in any other place prohibited by the employer.

(b) Workers shall not carry wax matches.

(c) Workers shall be allowed a rest interval of ten minutes from machine to machine during both morning and afternoon. The employer shall have the right to fix the places for smoking,

and when fixed workers shall not smoke in any other places, and they shall use pipe-caps if directed by the employer. The provisions prevailing for shift workers shall continue.

(d) Workers may partake of morning and afternoon tea only during rest intervals.

Wages and Time Record

13. Every employer bound by this award shall keep a time and wages book in which shall be correctly recorded by each employer (a) the name of every worker employed; (b) the kind of work on which he or she is employed; (c) the daily hours of his or her employment; (d) the wages paid each week; and (e) the starting and finishing times of all workers.

Payment of Wages and Termination of Employment

14. (a) All wages and other payments shall be paid in cash fortnightly, not later than Thursday, within working-hours, either on the works or at the employer's workshop. Any waiting-time outside of working-hours shall be paid for at over-time rates. No more than two days' pay shall be kept in hand by the employer. -

(b) In the event of the pay-day being a holiday, wages and other payments shall be paid under the same conditions as set out in subclause (a) hereof on the day preceding the holiday.

(c) When a worker is discharged or leaves at any time other than the ordinary pay time for the week, he shall be paid without delay all wages and other payment due to him at the time of dismissal or time of leaving, as the case may be.

(d) In the case of workers employed at a weekly wage, seven days' notice of the termination of the employment shall be given by either side. Workers employed on a daily basis shall give or be given at least one day's notice of termination. Other workers shall give or receive at least four hours' notice of termination.

Matters Not Provided For

15. Any dispute in connection with any matter not provided for in this award shall be settled between the particular employer concerned and two duly appointed representatives of the union and in default of any agreement being reached, then such dispute shall be referred to a Committee comprising two representatives of the employers and two duly appointed representatives of the union, with the Conciliation Commissioner for the district as Chairman, or, if the Commissioner is unable to so act, with a Chairman appointed by him. Failing the Committee

coming to a decision, the decision of the Chairman shall be the decision of the Committee. Either party, if dissatisfied with the decision of the Committee, may appeal to the Court upon giving written notice to the other party within fourteen days after such decision shall have been communicated to the party desiring to appeal.

Workers to be Members of Union

16. (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

17. (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 wages, to examine the permit or agreement by which such wage is fixed.

Application of Award

18. 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

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

Term of Award

20. Except as otherwise provided, this award in so far as it relates to wages shall be deemed to have come into force on the 1st day of December, 1948, 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 31st day of May, 1950.

In witness whereof the seal of the Court of Arbitration hath hereto been put and affixed, and the under-mentioned Deputy Judge of the Court of Arbitration hath hereunto put his hand, this 30th day of June, 1949.

[L.S.]

D. J. DALGLISH,

Deputy Judge of the Court of Arbitration
acting in pursuance of an order of delegation of
the Court of Arbitration.

MEMORANDUM

In the terms of settlement forwarded to the Court the assessors recorded the following statement:—

“It is agreed by the parties to this agreement that the increased rates of remuneration recommended herein shall operate from the 1st of December, 1948, and shall be deemed to be in satisfaction or part satisfaction of any increase which may follow a new Standard Wage Pronouncement or Wage Order increasing the remuneration and issued by the Court of Arbitration.”

In making the award therefore, the Court, after consultation with the representatives of the parties, has fixed where necessary two rates of wages, one incorporating the rates agreed upon in Conciliation Council to operate from the 1st December, 1948, and the other to give effect to the Court's pronouncement of the 12th April, 1949, and to operate from the 1st June, 1949.

D. J. DALGLISH, Deputy Judge.
