

**CHRISTCHURCH CITY COUNCIL TESTING-STATION  
EMPLOYEES—AWARD**

In the Court of Arbitration of New Zealand, Canterbury 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 Council (hereinafter called "the employers") :—

Christchurch City Council, Christchurch.

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 on the 1st day of April, 1949, and shall continue in force until the 31st day of March, 1951; 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 28th day of March, 1949.

[L.S.]

A. TYNDALL, Judge.

#### SCHEDULE

##### *Interpretation*

1. (a). This award shall apply only to the staff employed at the Vehicle Testing Station for the purpose of examining various types of motor vehicles, prior to the issue of either a certificate or warrant of fitness.

(b) "Senior Vehicle Examiner" shall mean a motor mechanic who has passed the prescribed examination and is the holder of an "A" Grade Motor Mechanic's Certificate (or National equivalent), whose duties shall include the supervision of the testing station during the absence of the Supervisor.

(c) "Vehicle Examiner" shall mean a worker who is fully qualified to conduct a detailed examination of all types of motor vehicles according to the requirements concerning the construction, condition, and equipment of such motor vehicles as prescribed by the Traffic Regulations, 1936, and the Transport Licensing Act, 1931.

#### *Hours of Work*

2. Forty hours shall constitute an ordinary week's work, of which not more than eight hours may be worked on each day from Monday to Friday inclusive, and between the hours of 8 a.m. and 5 p.m.

#### *Overtime*

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

All overtime shall be calculated on a daily basis.

#### *Wages*

4. The minimum rates of wages shall be as follows:—

	Per Week.		
	£	s.	d.
Senior Vehicle Examiner .. .. .	8	8	4
Vehicle Examiner .. .. .	7	18	4

A worker who has completed or completes five years' service shall be paid an additional 2s. 6d. per week; a worker who has completed or completes ten years' service shall be paid a further 2s. 6d. per week, making a total additional payment of 5s. per week.

#### *Holidays*

5. (a) The following shall be the recognized holidays, and no deductions shall be made from wages in respect of such holidays: New Year's Day and the day following, Good Friday, Easter Monday, the birthday of the reigning Sovereign, Labour Day, Show Day, Christmas Day, Boxing Day, Anzac Day, and such additional days as from time to time may be authorized.

(b) For all time worked on Sundays and recognized holidays as provided hereinafter or authorized from time to time, rates as follows shall be paid:—

Christmas Day and Good Friday, double rates.

For recognized holidays, one and a half rates.

Sundays, double rates.

(c) Two weeks' annual leave on full pay shall be granted to all workers covered by this award on completion of twelve months' service with the Council.

#### *Overalls*

6. Overalls shall be provided and laundered in accordance with existing practice.

#### *Termination of Employment*

7. One week's notice of termination of employment shall be given on either side.

#### *Access to Workshops*

8. A union representative may, by consent of the employer, interview any worker on matters coming within the scope of this award.

#### *General*

9. A ten minute break shall be granted morning and afternoon; these periods shall be taken in two groups between the hours of 9.50 a.m. and 10.10 a.m. in the morning, and 2.50 p.m. and 3.10 p.m. in the afternoon.

#### *Workers to be Members of Union*

10. (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*

11. (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.

#### *Relieving Employees*

12. Nothing in this award shall be construed so as to prevent the Council from temporarily employing in the testing-station any member of the staff of the traffic department in a

relieving position: Provided that any member of the traffic staff so employed shall be entitled to receive not less than the rate of wages provided for testing-station employees by the terms of this award.

*Matters not Provided For and Appeals*

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 hereby 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, including any difference or dispute as to the decision of the Council respecting the dismissal or disrating of any employee, 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 the Council and two representatives of the union, 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: Provided that all disputes shall be considered by the Committee within one month of the date of notification to the Council or the union of such dispute.

*Scope of Award*

14. This award shall apply to the parties named herein.

*Term of Award*

15. This award shall come into force on the 1st day of April, 1949, and shall continue in force until the 31st day of March, 1951.

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 28th 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.

A. TYNDALL, Judge.

CHRISTCHURCH CITY COUNCIL TESTING-STATION 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 Christchurch City Council Testing-station Employees' award, dated the 28th 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 4 and substituting therefor the following clause:—

“ Wages

“ 4. The minimum rates of wages shall be as follows:—

	Per Week.		
	£	s.	d.
“ Senior Vehicle Examiner ..	8	11	8
“ Vehicle Examiner ..	8	1	8

“ A worker who has completed or completes five years' service shall be paid an additional 2s. 6d. per week; a worker who has completed or completes ten years' service shall be paid a further 2s. 6d. per week, making a total additional payment of 5s. per week.”

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

Dated this 14th day of May, 1949.

[L.S.]

A. TYNDALL, Judge.

**CHRISTCHURCH CITY COUNCIL TESTING-STATION 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 Christchurch City Council Testing-station Employees' award, dated the 28th day of March, 1949, and recorded in 49 Book of Awards 443.

IN pursuance and exercise of the powers vested in it by Regulation 39A of the Economic Stabilization Emergency Regulations 1942, and upon application made in that behalf by the parties to the Christchurch City Council Testing-station Employees' award, dated the 28th day of March, 1949, and recorded in 49 Book of Awards 443, this Court doth hereby order as follows:—

1. That the said award (as amended by order of the Court dated the 14th day of May, 1949) shall be further amended by deleting clause 4, and substituting therefor the following clause:—

*“ Wages*

“ 4. The minimum rates of wages shall be as follows:—

	Per Week.		
	£	s.	d.
“ Senior Vehicle Examiner .. .. .	8	16	8
“ Vehicle Examiner .. .. .	8	6	8

“ A worker who has completed or completes five years' service shall be paid an additional 2s. 6d. per week; a worker who has completed or completes ten years' service shall be paid a further 2s. 6d. per week, making a total additional payment of 5s. per week.”

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

Dated this 23rd day of August, 1949.

[L.S.]

A. TYNDALL, Judge.

**MEMORANDUM**

This amendment gives effect to an agreement of the representatives of the parties.

A. TYNDALL, Judge.