

NORTHERN, WELLINGTON, CANTERBURY, AND OTAGO AND
SOUTHLAND FLOUR, OATMEAL, AND BARLEY MILLS
EMPLOYEES—AWARD

[Filed in the Office of the Clerk of Awards, Dunedin.]

In the Court of Arbitration of New Zealand, Northern, Wellington, Canterbury, and Otago and Southland Industrial Districts.—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 Federated Flourmill Employees' Industrial Association of Workers (hereinafter called "the union") and the undermentioned union (hereinafter called "the employers") :—

New Zealand Flour, Oatmeal, and Pearl-barley Millers' Industrial Union of Employers, Chamber of Commerce Building, corner of Oxford Terrace and Worcester Street, 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 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 Judge of the Court hath hereunto set his hand, this 12th day of August, 1949.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Hours of Work

1. (a) An ordinary week's work shall consist of forty hours and, except in the case of watchmen, shall be worked in shifts of eight hours on Monday to Friday inclusive, except that the last shift for the week may finish not later than 8 a.m. on Saturday morning.

(b) Employers shall so arrange the method of working that the men on the day shift shall be allowed reasonable time for a meal between the hours of 11 a.m. and 2 p.m. Shift-workers shall be allowed half an hour crib-time.

(c) No worker other than a watchman shall be required to work more than five hours without an interval for a meal.

Wages

2. (a) The minimum rate of wages for adult male workers shall be as follows:—

	Per Hour.	
	s.	d.
Rollerman or shift miller	4	2½
Oatmeal or barley miller	4	2½
Purifier man—the man on purifier and flour-dressing floors	3	9¾
Smutterman—the man in charge of wheat-cleaning machinery and wheat-tipping ..	3	9¾
Assistant smutterman or tipman	3	8¼
Kilnman	3	10½
Head storeman, or storeman solely in charge of store and responsible for receiving and delivery of goods	3	11
Assistant storeman—man who works under instructions from the office and not from head storeman (where the work of a storeman is performed by the head miller, such miller shall not be deemed to be a head storeman)	3	8¾
Packermen	3	9¼
All other adult male workers	3	8¼

(b) Workers employed on afternoon shifts shall receive 2s. 6d. per shift in addition to their ordinary rate of pay and workers employed on night shifts shall receive 3s. per shift in addition to their ordinary rate of pay. Any shift starting or finishing outside the hours of 7 a.m. and 5.30 p.m. shall be either an afternoon or night shift.

Employment of Boys and Youths

3. (a) The following shall be the minimum weekly rates of pay for boys and youths:—

Age Commencing.	First Year.		Second Year.		Third Year.		Fourth Year.	Fifth Year.
	First Half.	Second Half.	First Half.	Second Half.	First Half.	Second Half.		
Under 16	34/-	39/6	45/6	53/-	61/6	68/-	81/-	102/6
16 to 17	39/6	45/6	53/-	61/6	68/-	77/-	88/-	102/6
17 to 18	45/6	53/-	61/6	70/6	81/-	91/-	102/6	..
18 to 19	55/-	61/6	70/6	81/-	91/-	102/6	..	..
19 to 20	64/6	76/-	91/-	102/6	..	..	..	..
20 to 21	91/-	102/6	..	..	..	..	..	..

Thereafter, or on attaining the age of twenty-one years, not less than the minimum rate for adult workers.

(b) *Proportion of Boys to be Employed.*—The number of boys in any flourmill shall not exceed one to three or fraction of the first three men. The number of boys employed in any oatmeal-mill shall not exceed one to two men: Provided that boys may be temporarily transferred from the flourmill to the oatmeal-mill for the purpose of packing small bags.

(c) Except as provided in subclause (d) hereof, boys and youths may be employed in assisting in any work, providing they are not required to lift, unassisted, any weight over 100 lb.

(d) No youth under eighteen years of age shall relieve on packers, and youths over eighteen years may relieve on packers during meal intervals and "smoke-oh."

Employment of Females

4. Females may be employed in packing cereal food products and on research work at not less than the following weekly rates of wages:—

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 ..	30/6	36/-	41/6	47/6	53/-	58/6	65/6	72/6
16 to 17 ..	34/-	40/-	45/6	51/-	56/6	64/6	70/6	..
17 to 18 ..	39/-	44/6	50/6	56/-	63/6	69/6	..	..
18 to 19 ..	43/-	48/6	54/-	62/-	68/-	..	..	..
19 to 20 ..	47/6	53/-	60/-	67/-	..	..	..	..
20 to 21 ..	53/6	59/6	..	..	..	..	..	..

Thereafter, or on attaining the age of twenty-one years, not less than £4 14s. per week.

Overtime

5. (a) All time worked in any one day in excess of the hours provided in clause 1 hereof or outside the clock hours regularly worked by day-workers shall be overtime and shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

(b) Four hours may be worked on Saturday up to noon at time and a half rates. Time worked after noon on Saturday shall be paid at double rates. A worker required to work on Saturday morning shall be paid for a minimum of four hours. Nothing in this subclause shall apply to shift-workers employed up to 8 a.m.

(c) Any person other than a regular worker called upon to act as casual watchman after 5 p.m. on any working-day or on Sundays or holidays shall be paid not less than 3s. 6½d. per hour.

Payment of Wages

6. (a) Wages shall be paid weekly in the employer's time not later than Thursday.

(b) No deduction shall be made from weekly wages except for time lost through sickness, accident, or default.

(c) In case of a breakdown of machinery or a stoppage of power, workers shall do any other work required of them.

Terms of Service

7. One week's notice of termination of employment shall be given by either party, unless the worker is dismissed for misconduct, when the dismissal may be summary.

Holidays

8. (a) The following shall be the recognized holidays which shall be paid for: Christmas Day, Boxing Day, New Year's Day, the day following that upon which New Year's Day is observed, Labour Day, Anzac Day, Good Friday, Easter Monday, the birthday of the reigning Sovereign, and Anniversary Day or a day in lieu thereof.

(b) For all work done on any of the days mentioned in subclause (a) hereof double ordinary rates shall be paid in addition to the ordinary rate of pay.

(c) Work performed on Sundays shall be paid for at double ordinary rates.

(d) Should any of the above holidays, except Anzac Day, fall on a Saturday or on a Sunday, such holiday or holidays shall be observed on the next succeeding working day or days.

Annual Holidays

9. Annual holidays shall be allowed in accordance with the Annual Holidays Act, 1944.

Packermen

10. (a) A "packerman" is a worker who fills, weighs, sews, and places in its allotted place stock he is taking off the packer.

(b) Packermen when relieved for meals shall have their packers attended to in their absence so that they will not have to catch up back work when they resume. Where two and three shifts are worked, packermen shall be allowed not less than thirty minutes for meals in each shift without deduction for the time lost. The man in charge of the shift shall arrange amongst the men of the shifts for relief for packermen during their meal intervals.

(c) The number of packermen shall be as follows: Mills taking off the packer up to sixteen sacks of products per hour, one packerman; over sixteen sacks of products and up to thirty-two sacks per hour, two packermen; over thirty-two sacks of products and up to forty-eight sacks per hour, three packermen; over forty-eight sacks of products and up to sixty-four sacks per hour, four packermen; over sixty-four sacks of products and up to eighty sacks per hour, five packermen: Provided that the classification and number of packers shall be reviewed in manner prescribed by clause 12 on the application of either party and modified, if necessary, following on the use in the industry of smaller-sized sacks and/or a change in the extraction percentage of flour.

(d) A packerman shall be employed in all mills taking off five sacks of flour per hour and over.

(e) When packermen are taking off twenty-fives, extra assistance shall be given.

(f) In mills taking off eight sacks of flour or over per hour, sacks shall be cleaned and branded for the packerman.

(g) Should any question arise concerning the work of packermen under this clause, it shall be dealt with by the disputes committee in accordance with clause 12 hereof.

General Conditions

11. (a) Any employer shall be at liberty to employ a man to combine the duties of more than one class of work, provided he is paid the higher rate of wages for any time while so employed with a minimum payment as for one hour worked.

(b) Men relieving each other on shift-work by consent of the employer shall not be entitled to overtime rates.

(c) Not less than two men shall be employed where sacks of flour and grain have to be dragged on stacks.

(d) All workers shall be allowed two periods of ten minutes' rest period during each day's work.

(e) Suitable provision for the changing of clothes, for the storing of clothing and personal effects, and dining-room shall be provided for mill and store workers.

(f) Employers shall make provision for workers to have hot water for meals and in case of emergency.

(g) A modern first-aid outfit, fully equipped, shall be kept in a convenient and accessible place at each mill and store.

(h) When a mill is closed for overhaul and men are employed cleaning or overhauling machinery, they shall be paid 1s. 6d. per day extra.

(i) Unless notice is given on the previous day, workers required to continue to work overtime for more than one hour after their usual hour for ceasing work shall be paid a meal allowance of 2s. 6d. If a worker is notified the previous day that he will be required to work overtime and overtime is not worked, the meal allowance shall be paid.

(j) When requested by the worker a respirator shall be provided.

(k) Workers who have completed six months' service with the same employer shall be supplied with two sets of overalls per annum, the employer and the worker each to bear half of the nett cost.

(l) Workers whilst employed on the stack stacking grain shall be paid 1½d. per hour extra: Provided that this shall not reduce stacking rates already being paid in any mill.

Matters Not Provided For

12. Anything not specifically provided for in this award, or any dispute that may arise over anything that is provided for in this award, shall be mutually arranged between representatives of the local union and of the employer concerned. In the event of their being unable to agree, the matter shall be referred to the Conciliation Commissioner for settlement. Either side, if dissatisfied with the decision of the Conciliation Commissioner, shall have the right of appeal to the Court of Arbitration upon giving written notice of such appeal to the other party within fourteen days after the decision of the Commissioner has been conveyed to the parties concerned.

Right of Entry

13. 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.

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.)

(d) On the written request of the secretary of the union, an employer shall supply to him a list of the workers in his employ, also their occupations, but not more often than once in three months.

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.

Research Workers

16. Workers engaged in research departments on flour-testing and bread-baking shall be covered by the provisions of this award, except that they may be employed on Saturday morning, but not for more than forty hours weekly, without payment of overtime.

Application of Award

17. 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 districts to which this award relates.

Scope of Award

18. This award shall operate throughout the Northern, Wellington, Canterbury, and Otago and Southland Industrial Districts.

Term of Award

19. This award, in so far as it relates to wages, shall be deemed to have come into force on the 1st day of June, 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 31st day of May, 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 12th day of August, 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.