

CANTERBURY GELATINE AND GLUE WORKERS—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 Canterbury Freezing-works and Related Trades Employees' Industrial Union of Workers (hereinafter called "the union") and the undermentioned company (hereinafter called "the employers") :—

Davis Gelatine (N.Z.), Ltd., Woolston, 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 28th day of February, 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 14th day of March, 1949.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to Which Award Shall Apply

1. The industry to which this award shall apply is gelatine and glue manufacturing as carried on by Davis Gelatine (N.Z.), Ltd.

Hours of Work

2. (a) The ordinary hours of work shall consist of forty hours, eight hours to be worked on five days of the week, Monday to Friday inclusive, between 8 a.m. and 5 p.m. One hour shall be allowed for lunch, but this period may be reduced to not less than half an hour by mutual agreement between the union and the employer.

(b) *Shifts.*—(i) Shifts may be worked to whatever extent may be deemed necessary to cope with the work; and a shift shall consist of eight consecutive hours, including twenty minutes crib-time and two "smoke-ohs."

(ii) All time worked in excess of eight hours of five days of the week, Monday to Friday inclusive, shall be paid for at overtime rates.

(iii) When a worker is employed on shift-work for less than three consecutive working-days the provisions of subclause (a) hereof shall apply.

(c) Notwithstanding the provisions of subclause (a) hereof, the management may, by agreement with the union, vary the daily hours of commencing and ceasing work.

(d) Where necessary, Saturday work may be performed at overtime rates. Men called out for work on Saturday shall be paid for a minimum of four hours, and all time worked after noon on Saturdays shall be paid for at double time rates.

Wages

3. The following shall be the minimum rates of wages :—

- (a) Filtermen on continuous shifts, 3s. 10d. per hour.
 - (b) Other shift-workers, 3s. 8½d. per hour.
 - (c) Grease filtermen (when filtering), 3s. 6¾d. per hour.
 - (d) Agar Department : Man-in-charge, 3s. 7¾d. per hour ; other workers, 3s. 5¼d. per hour.
 - (e) Men working in lime pits, 3s. 8¼d. per hour ; other men working at lime pits, 3s. 6¾d. per hour.
 - (f) Yardmen (other than lime-pit men), 3s. 5¾d. per hour.
 - (g) Workers not otherwise specified, 3s. 4d. per hour.
 - (h) Workers while engaged in crushing and bagging Kesilghur shall be paid 3d. per hour extra.
 - (i) Workers while loading pans for sulphur-vats shall be paid collectively 1s. 9d. per vat extra for trotter and 5s. 3d. per vat for hide, to be divided equally amongst each member of the gang.
 - (j) Workers while engaged in chipping boilers, digesters, or cleansing boiler-flues shall be paid 1s. per hour extra.
 - (k) Workers whilst engaged unloading hot gelatine and glue pans or hot Agar digesters, when working inside these pans and digesters, shall be paid 9d. per pan or digester each extra.
 - (l) Workers engaged shovelling and trimming sulphur in bulk shall be paid 6d. per hour extra.
 - (m) Workers emptying sewer settling pits shall be paid 6d. per hour extra.
- Workers (other than yardmen or lime-pit men) who are required to clean out lime-pits shall be paid 2d. per hour extra whilst so engaged.
- Yardmen who are required to clean out lime-pits shall be paid ½d. per hour extra whilst so engaged.
- (n) Workers in Agar department shovelling out of tiled holding vats, removing cans from brine tanks, and thawing and emptying these cans, shall be paid 1d. per hour extra.
 - (o) Workers cleaning out under boards in boiling pans shall be paid 9d. per pan each extra.

Employment of Youths

4. (a) Boys and youths may be employed at the discretion of the employer at not less than the following weekly rates of wages :—

	Per Week.		
	£	s.	d.
Under 16 years of age	1	12	6
16 to 16½ years of age	1	18	6
16½ to 17 years of age	2	4	6
17 to 17½ years of age	2	10	0
17½ to 18 years of age	2	18	6
18 to 18½ years of age	3	5	0
18½ to 19 years of age	3	13	0
19 to 20 years of age	4	5	0
20 to 21 years of age	5	0	0

Thereafter, or on attaining the age of twenty-one years, the rates prescribed in clause 3 hereof.

(b) Boys shall not be employed in the yard.

Employment of Females

5. (a) No female worker shall be required to lift any weight in excess of 28 lb.

(b) Suitable heated dressing-rooms shall be provided for female workers.

(c) The minimum rates of wages for female workers shall be as follows :—

	Per Week.		
	£	s.	d.
For the first six months	1	12	0
For the second six months	1	19	0
For the third six months	2	6	0
For the fourth six months	2	12	6
For the fifth six months	3	2	0
For the sixth six months	3	8	6
Thereafter	4	0	0

(NOTE.—Attention is drawn to the provisions of the Minimum Wage Act, 1945.)

Overtime

6. Except where otherwise provided, all time worked in excess of the hours mentioned in clause 2 hereof in any one day shall be considered overtime and shall be paid for at the rate of time and a half for the first four hours and double time thereafter. This shall apply to men on shift only after eight hours have been worked.

Holidays

7. (a) The following shall be the recognized holidays : New Year's Day, Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Show Day, Christmas Day, and Boxing Day.

(b) When any of the above holidays, other than Anzac Day, falls on a Sunday, such holiday shall be observed on the following Monday. When Christmas Day falls on a Sunday, Boxing Day shall be observed on the Tuesday following.

(c) Payment for the above-mentioned holidays shall be made to all hourly workers in accordance with the provisions of the Factories Act, 1946 : Provided that no workers shall receive payment for any holiday or part of a holiday which falls outside of the ordinary working-week.

(d) All work performed on the above-mentioned holidays shall be paid for at double rates in addition to any payment to which a worker is entitled under subclause (c) hereof : Provided that all work performed on Show Day shall be paid for at time and a half rates.

(e) All work performed on Sundays shall be paid for at double rates.

(f) Annual holidays shall be allowed in accordance with the Annual Holidays Act, 1944.

Payment of Wages

8. Wages shall be paid weekly. Two days' lie-time shall be allowed. Any error or omission in the pay-sheet shall be adjusted, where possible, within forty-eight hours.

Termination of Employment

9. Where the employment extends beyond one month, three days' notice of the termination of the employment shall be given by the employer or the worker, as the case may be ; but this shall not prevent the employer from summarily dismissing a worker for misconduct.

General Provisions

10. (a) Ten minutes' "smoke-oh" shall be allowed during the morning and afternoon of each day.

(b) Each worker shall be supplied, where necessary, with aprons, overalls, gloves, leggings, caps, clogs, or gum boots. Oilskins shall be provided for workers called upon to work outside in the rain.

(c) A suitable covered bicycle-stand shall be provided.

(d) Respirators shall be allowed to workers employed on crushing Kesilghur and bonedust.

(e) Where possible, sulphur-vats shall be drained off at least four hours before the men are required to work in them. In the case of any dispute as to whether it is possible to comply with this subclause, the workers concerned shall have the right to appeal to the manager.

(f) A first-aid outfit, suitably equipped, shall be available at the works.

(g) Workers shall be allowed ten minutes to cool off after completing work in hot pans.

(h) When a day-worker is required to work overtime after 6 p.m. he shall receive an allowance of 2s. 6d. for meal money.

Care of Accommodation

11. The union shall appoint delegates whose duty it shall be to see that the workers do everything in their power to keep the accommodation in a clean and tidy condition.

Disputes

12. Anything not 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 two representatives of the union and the works-management. 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 to appeal to the Court.

Workers to be Members of Union

13. (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 of 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

14. (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.

Scope of Award

15. This award shall operate throughout the Canterbury Industrial District.

Term of Award

16. This award, in so far as it relates to wages, shall be deemed to have come into force on the 7th day of March, 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 28th day of February, 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 14th day of March, 1949.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The award embodies the terms of settlement reached in Conciliation Council.

A. TYNDALL, Judge.

**CANTERBURY GELATINE AND GLUE WORKERS—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 Canterbury Gelatine and Glue Workers' award, dated the 14th 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 in the manner following:—

(1) By deleting subclauses (a), (b), (c), (d), (e), (f), and (g) of clause 3 (Wages) and substituting therefor the following subclauses:—

“(a) Filtermen on continuous shifts, 4s. per hour.”

“(b) Other shift-workers, 3s. 10½d. per hour.”

“(c) Grease filtermen (when filtering), 3s. 8¾d. per hour.”

“(d) Agar Department: Man in charge, 3s. 9¾d. per hour; other workers, 3s. 7¼d. per hour.”

“(e) Men working in lime-pits, 3s. 10¼d. per hour; other men working in lime-pits, 3s. 8¾d. per hour.”

“(f) Yardmen (other than lime-pit men), 3s. 7¾d. per hour.”

“(g) Workers not otherwise specified, 3s. 6d. per hour.”

(2) By deleting clause 4 and substituting therefor the following clause:—

“*Employment of Youths*

“4. (a) Boys and youths may be employed at the discretion of the employer at not less than the following weekly rates of wages:—

	Per Week.		
	£	s.	d.
“Under 16 years of age	1	13	0
“16 to 16½ years of age	1	19	6
“16½ to 17 years of age	2	6	0
“17 to 17½ years of age	2	12	6
“17½ to 18 years of age	3	1	6
“18 to 18½ years of age	3	9	0
“18½ to 19 years of age	3	17	6
“19 to 20 years of age	4	11	0
“20 to 21 years of age	5	7	6

“Thereafter, or on attaining the age of twenty-one years, the rates prescribed in clause 3 hereof.

“(b) Boys shall not be employed in the yard.”

(3) By deleting subclause (c) of clause 5 (Employment of Females) and substituting therefor the following subclause:—

“(c) The minimum rates of wages for female workers shall be as follows:—

	Per Week.		
	£	s.	d.
“ For the first six months	1	13	0
“ For the second six months	2	0	6
“ For the third six months	2	8	6
“ For the fourth six months	2	15	6
“ For the fifth six months	3	6	0
“ For the sixth six months	3	13	0
“ Thereafter	4	8	2

“(NOTE.—Attention is drawn to the provisions of the Minimum Wage Act, 1945.)”

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

Dated this 11th day of May, 1949.

[L.S.]

A. TYNDALL, Judge.