

TARANAKI AND WELLINGTON **BACON-WORKERS**—AWARD

[Filed in the Office of the Clerk of Awards, Wellington]

In the Court of Arbitration of New Zealand, Taranaki and Wellington 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 Wellington, Nelson, Marlborough, and Taranaki Freezing-works, Abattoir, and Related Trades Employees' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers") :—

TARANAKI INDUSTRIAL DISTRICT

Borthwick, Thos. & Co., Ltd. (Aust.), Waitara.

Hutton, J. C. (N.Z.), Ltd., Eltham.

Walker, T. H., & Sons, Ltd., Tawhiti Road, Nolantown, Hawera.

WELLINGTON INDUSTRIAL DISTRICT

Beacon Bacon Co., Ltd., 162 Victoria Avenue, Wanganui.

Feilding Bacon Co., Warwick Street, Feilding.

Hastings Bacon Co. (E. Vogtherr), Karamu Road, Hastings.

Hutton, J. C. (N.Z.), Ltd., 61 Thorndon Quay, Wellington.

Kiwi Bacon Co., Ltd., Longburn, Palmerston North.

Palm Bacon Co., Ltd., Maire Street, Palmerston North.

Tiki Bacon Co., 213 Princess Street, Palmerston North.

Wanganui Bacon Co., Ltd., 162 Victoria Avenue, Wanganui.

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 30th day of June, 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 13th day of September, 1949.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to Which Award Applies

1. This award shall apply to the bacon industry in all its branches except the clerical branch, and to all trades related thereto except in so far as such related trades are carried on outside of and apart from the bacon industry and are covered by other awards or industrial agreements.

Hours of Work

2. (a) The ordinary hours of work shall not exceed forty hours per week nor eight hours per day to be worked on five days of the week, Monday to Friday inclusive, between 7.30 a.m. and 5 p.m.

(b) One hour shall be allowed for all meals, except where otherwise mutually arranged to the satisfaction of a majority of the workers in any department of the workers when a minimum of half an hour may be taken.

Overtime

3. (a) Except where otherwise provided, all time worked outside of or in excess of the hours mentioned in subclause (a) of clause 2 in any one day shall be considered overtime and shall be paid for at the rate of time (or rate) and a half for the first three hours and double time (or rate) thereafter.

(b) Work done on Saturdays shall be paid for at time (or rate) and a half for the first four hours and double time (or rate) thereafter: Provided that work done after noon on Saturday shall be paid for at double time (or rate).

(c) After eleven hours' work, overtime rates shall be paid until the worker has had a break of one hour for every two hours worked, with a minimum break of eight hours. This

provision shall apply whether the period so worked falls wholly within one day or partly within one day and partly within the succeeding day.

(d) When a worker has been notified on the previous day of intention to work overtime, such worker shall receive a minimum of one hour's pay at overtime rates.

(e) When men are required to work more than one hour's overtime and have not been notified the night previously, a suitable hot meal shall be provided by the employer, or the employer shall pay each worker the sum of 3s.

"Smoke-oh"

4. Ten minutes' spell and fifteen minutes for freezing-chamber hands without stoppage of pay shall be allowed for "smoke-oh" every morning and afternoon. When men are required to work overtime, "smoke-oh" or similar time shall be allowed every two hours.

Shifts

5. (a) In the engine-room, firemen, cleaners, greasers, gas-producers, and trimmers may work shifts. A shift shall consist of eight consecutive hours, including twenty minutes' crib time and two "smoke-ohs."

(b) Any time worked in excess of eight hours on each of the five days of the week, Monday to Friday, both days inclusive, shall be paid for at time (or rate) and a half for the first three hours and double time (or rate) thereafter.

(c) Work done on a Saturday shall be paid for at time (or rate) and a half for the first four hours and double time (or rate) thereafter.

(d) When a worker is employed on shift-work for less than five shifts in any one week the provisions of subclause (a) of clause 2 hereof shall apply.

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

Wages

6. The following shall be the minimum rates of wages payable to the undermentioned workers:—

(a) Workers employed at sticking, singeing, scalding, opening up, marking down, chopping, boning, rolling, gambrelling off, and cutting up, 4s. 1½d. per hour.

(b) Head curer, £8 16s. 8d. per week.

(c) First small-goods-man, £8 16s. 8d. per week.

- (d) Other small-goods-man, 4s. per hour.
 "Small-goods-man" means a worker employed at mincing, mixing, and filling and cutting up boneless meat for small goods.
- (e) Pig catchers, black scrapers, scuadders, shavers, cellar-men, and bacon-washers, 4s. per hour.
- (f) All other workers, 3s. 9½d. per hour.
- (g) Leading lard hand, 3s. 11d. per hour.
- (h) Man in charge of ham cooking department, 3s. 11d. per hour.
- (i) Workers engaged in building furnace bridges, in removing soot from flues, or when employed inside the boilers cleaning, by chipping or otherwise, the insides of boilers, shall be paid 2s. 9d. per day extra, irrespective of time spent in boilers, and 1s. 2d. per hour extra when in temperatures above 110°. For the purpose of this award a flue shall be deemed to extend from the firing-door of boiler to foot of smoke-stack.
- (j) Workers employed in freezing-chambers, manure and casing workers, preservers, tinsmiths, firemen, greasers, cleaners, gas-producer attendants, and trimmers shall be paid not less than the rates fixed for similar workers by the Freezing-works Employees' award for the time being in force in the Wellington Industrial District.
- (k) Where the work of attending electric motors does not necessitate the full-time employment of a worker, he may be called upon to do other work.

Pieceworkers

7. The following shall be the minimum rates of wages:—
 Pieceworkers slaughtering and boning—

Calves, up to 60 lb. per head (actual dressed weight)	..	s.	d.
		0	8½
Calves, 61 lb. to 80 lb. per head (actual dressed weight)	..	1	0
Calves, 81 lb. to 130 lb. per head (actual dressed weight)	..	1	9½
Calves, 131 lb. to 200 lb. per head (actual dressed weight)	..	2	5
Calves, over 200 lb. per head (actual dressed weight)	..	Cattle rates.	
Pigs, up to 120 lb. per head (actual dressed weight)	..	1	7¾
Pigs, 121 lb. to 200 lb. per head (actual dressed weight)	..	2	4

Pieceworkers slaughtering and boning—
continued

Pigs, over 200 lb. per head (actual dressed weight)	s. d.
.. ..	3 6½
Skinning chopper pigs, mechanically skinned, all weights, per head ..	3 5½
Skinning chopper pigs, hand skinned, all weights, per head	4 5½
Boars, 120 lb. and over	Double rates.

For every pig singed, 2d. shall be added to the above rates.

For every pig mechanically scudded, 4d. shall be deducted from the above rates.

Youths

8. (a) The minimum rates of wages for youths shall be as follows:—

				Per Week.		
				£	s.	d.
16 to 16½ years	..	..	..	2	5	0
16½ to 17 years	..	..	..	2	13	6
17 to 17½ years	..	..	..	3	3	6
17½ to 18 years	..	..	..	3	10	0
18 to 18½ years	..	..	..	3	16	6
18½ to 19 years	..	..	..	4	6	0
19 to 19½ years	..	..	..	4	18	6
19½ to 20 years	..	..	..	5	14	0

And thereafter, the minimum wage for adults: Provided that the wages of any youths at present employed shall not be reduced during the term of this award.

(b) Youths under sixteen years of age shall not be employed.

Females

9. (a) Females may be employed at the following and similar classes of work, that is to say:—

Small-goods Department: Cutting off, weighing, and wrapping sausages:

Lard Department: Attending cooling-machines, attending patting-machine, gumming cartons, inserting parchment liners and filling same, packing cartons or pats in boxes:

Bacon Department: Bagging, sewing, and seeding bacon and hams; wrapping rashers of bacon, and cartoning:

Preserving Department: Labelling and packing:

Bagmaking Department: Sewing and printing bags:

Provided that no female worker shall be required to handle raw meats or to handle any weight in excess of 20 lb.: Provided, also, that the employer shall supply smocks and suitable footwear, also wooden gratings where circumstances demand.

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

(c) The ordinary hours of work shall not exceed forty hours per week. Not more than eight hours shall be worked on five days of the week, Monday to Friday, both days inclusive, between the hours of 8 a.m. and 5 p.m. The hours of work shall be continuous save for an interval of one hour for lunch.

(d) Time worked on any day outside of or in excess of the hours mentioned in the preceding subclause shall be deemed to be overtime, and shall be paid for at the rate of time and a half.

(e) The following shall be the minimum weekly rates of payment for female workers:—

Age	First Six Months.	Second Six Months.	Third Six Months.	Fourth Six Months.	Fifth Six Months.
Under 18	46/6	57/6	67-6	81/6	96/-
18 to 19 ..	58/6	67/6	81/6	96/-	
19 to 20 ..	70/-	81/6	96/-		
20 to 21 ..	81/6	96/-			
21 and over	96/-				

(f) No female under the age of sixteen years shall be employed.

Payment of Wages

10. (a) Wages shall be paid weekly, where possible not later than Thursday, in the employer's time. Two days' lie-time shall be allowed. Any error or omission in the pay-sheet shall be adjusted within forty-eight hours.

(b) If any worker leaves his employment or is dismissed by his employer, his wages shall be paid in cash immediately following such leaving or dismissal.

(c) No deduction shall be made from the weekly rates prescribed herein excepting in respect of the time lost through sickness, accident, or default or time off allowed a worker at his or her own request.

Holidays

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

(b) Notwithstanding the foregoing, another day may be substituted for Anniversary Day by agreement between the union and the employer.

(c) All holidays mentioned in subclause (a) of this clause, except 2nd January, shall be paid for as an ordinary working day of eight hours. All work done on any of the foregoing holidays, except 2nd January, shall be paid for at double time or rate in addition to the ordinary rate provided for herein. All work done on 2nd January shall be paid for at ordinary time or rate in addition to the ordinary rate prescribed herein.

(d) In the event of a holiday, other than Anzac Day, falling on a Sunday, such holiday shall be observed on the succeeding Monday, and in the event of another holiday falling on such Monday, such holiday shall be observed on the succeeding Tuesday.

(e) Where weekly hands are employed on any holiday they shall be paid the rate specified for holidays in addition to the weekly wage provided in this award.

Annual Holidays

12. Holidays shall be allowed in accordance with the provisions of the Annual Holidays Act, 1944.

General Conditions

13. (a) When working overtime or when loading out, meal-times shall be at intervals of not more than four hours.

(b) Spells of a reasonable time, being not less than ten minutes, shall be allowed chamber hands who are in a heated condition, through working outside, to cool down before entering the freezing-chambers. No deduction shall be made from the men's wages on account of such spell.

(c) All freezing-chambers shall be provided with a light, and adequate provision shall be made for communication with the outside.

(d) Disinfectants shall be supplied in any department where necessary.

(e) All workers shall be supplied with articles reasonably necessary to carry on the work, or materials for making the same. All such articles shall be replaced by the employer when worn out and beyond repair as the result of fair wear-and-tear, and shall remain the property of the employer. The articles to be supplied in the various departments shall be as follows:—

- (i) Chamber Hands: Two-piece overalls, gloves, jerseys, and rubber-soled moccasins and waterproof clothing when defrosting.
- (ii) Preserving, Killing, and Washing Department and Pig-catchers and Yardmen: Overalls, clogs or boots, gumboots where necessary, aprons (waterproof where necessary), stones, knives, pouches, steels, leggings.
- (iii) Manure and Tallow Department: Overalls, aprons (waterproof where necessary), clogs or boots, gumboots where necessary.

(f) Where chamber hands are called upon to work overtime for more than four consecutive hours, the employer shall provide a meal at the end of or during each such four hours.

(g) A St. John or similar first-aid outfit shall be provided in each factory.

(h) Provision shall be made by the employer for a suitable place for the workers to place their bicycles in during working hours.

(i) The union representative shall be allowed to interview the members of the union at the factory at a time to be arranged with the employer.

(j) When men are employed grinding bones, only double ordinary rates shall be paid.

(k) Five minutes shall be allowed all hands for changing clothes at knock-off time without deduction from the workers' pay.

(l) Grindstones driven by power shall be provided where necessary.

(m) Clocks shall be supplied in all factories or in departments where necessary.

(n) In all cases where men are called out on Saturdays, Sundays, or holidays and there is no work or less than four consecutive hours' work available, they shall receive not less than four consecutive hours' pay at the rates specified.

Dining, Dressing, and Bath Rooms

14. Accommodation for dining, for dressing, for washing, and for drying clothes shall be provided in accordance with the following conditions:—

- (a) A room sufficiently large to provide space for dining and dressing, or one room for dining and another room for dressing, shall be provided.
- (b) A separate drying-room for no other purpose than drying clothes shall be provided.
- (c) Facilities for shower-baths shall be provided.
- (d) Hot water and cold water shall be provided for wash-hand basins and showers.
- (e) Hot-water urns and an ample supply of fresh drinking-water and sufficient accommodation for the seating of all workers properly using the dining-room shall be provided in the dining-room.
- (f) A number of lockers shall be provided in the dressing-room sufficient to supply each worker.
- (g) Every dining-room shall be fitted with fly-proof doors and windows where necessary, and shall be cleaned after each meal.
- (h) The employer shall not permit or suffer any dressing-room, bathroom, water-closet, or urinal to become insanitary.
- (i) The accommodation above referred to shall be kept clean by the employers, who shall clean the dining-room after each meal.
- (j) Subject to the consent of the Court, the conditions of the above subclauses may be varied by arrangement between the employer and the union.
- (k) The union shall appoint delegates whose duty it shall be to see that the workers do everything in their power to maintain the dining, dressing, and bath rooms in a clean and tidy condition.
- (l) The dressing and dining rooms shall be suitably heated.
- (m) Where required, proper facilities for heating food shall be supplied.

Disputes

15. 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 of the employer. 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

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

Application of Award

18. (a) 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.

(b) Nothing in this award shall apply to foremen and other officials approved as such by the union.

Scope of Award

19. This award shall operate throughout the Wellington and Taranaki Industrial Districts.

Term of Award

20. 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 30th day of June, 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 13th day of September, 1949.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

Apart from the rates for pieceworkers, the award embodies the terms of settlement arrived at by the assessors in Conciliation Council.

As regards the rates for pieceworkers, these have been adjusted in accordance with an agreement of the representatives of the parties.

A. TYNDALL, Judge.