

SOUTHLAND ELECTRICAL WORKERS—AWARD

In the Court of Arbitration of New Zealand, Otago and Southland 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 persons, firms, and companies (hereinafter called "the employers") :—

Allison, G. C., 33 Main Street, Gore.
 Anison, G. R., Electrician, Chatton.
 Carr, C., 185 Ritchie Street, Invercargill.
 Conroy, G. R., Electrician, Winton.
 Diack, W. E., Electrician, Riverton.
 Fleming and Co., Ltd., Gerton Street, Gore.
 Frederick, J. A., 2 Bourke Street, Invercargill.
 Linton Coal Co., Ltd., Ohai.
 Macalister, J., Electrician, Otautau.
 Mataura Borough Council, Mataura.
 Melvin, N., 15 Deveron Street, Invercargill.
 Nelson, W. H., Electrician, Queenstown.
 New Zealand Paper Mills, Ltd., Mataura.
 Parkinson (Invercargill), Ltd., Invercargill.
 Patton, P. D., Ltd., 83 Spey Street, Invercargill.
 Shuttleworth, H., 120 Tay Street, Invercargill.
 Southland Frozen Meat Co., Ltd., 12 Esk Street, Invercargill.
 Springford, T., Electrician, Winton.
 Stewart, H. D., 139 Main Street, Gore.

THE COURT of Arbitration of New Zealand (hereinafter called "the Court"), having taken into consideration the matter of the above-mentioned dispute, and having heard the union by its representatives duly appointed, and having also heard such of the employers as were represented either in person or by their representatives duly appointed, and having also heard the witnesses called and examined and cross-examined by and on behalf of the said parties respectively, 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 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 2nd day of September, 1949.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to Which Award Applicable

1. This award shall apply to electrical wiremen registered under the Electrical Wiremen's Registration Act, 1925, when employed on work falling within the scope of clause 2 of this award.

Interpretation

2. (a) "Electrical workers' work" shall mean and include the constructing, erecting, installing, and repairing of all classes of electric lighting and power appliances, and of any other appliances which require a practical knowledge of electricity, and including all work which comes within the scope of the New Zealand Government Electrical Supply and Wiring Regulations.

(b) Nothing contained in this award shall apply to the construction, erection, or repairing of the mechanical operation of the above-mentioned appliances or machinery by a mechanical engineer, or to a motor electrician as defined in the Motor Mechanics' award; but nothing in this subclause shall be construed as in itself authorizing the employment of a mechanical engineer on electrical workers' work.

(c) Nothing herein contained shall apply to work done in connection with—

- (i) The manufacture in a factory of any electrical apparatus or appliances not requiring a technical knowledge of electricity; or
- (ii) Radio apparatus or appliances; or
- (iii) Storage batteries; or
- (iv) Electrical equipment on or intended for use on a motor vehicle.

(d) "Chargeman" shall mean the journeyman who is actually placed in charge of a job on which three or more men other than apprentices are employed. Chargemen shall be paid 3d. per hour in addition to the journeyman's rate whilst so employed.

Hours of Work

3. (a) Any ordinary week's work shall not exceed forty hours, of which not more than eight hours may be worked on each day from Monday to Friday inclusive and between the hours of 7.30 a.m. and 5 p.m. The times of starting and ceasing work between these hours shall be mutually arranged in each establishment with a break of not more than one hour for lunch.

(b) No worker shall be required to work more than $4\frac{1}{2}$ hours continuously without an interval of at least half an hour for a meal.

(c) Employers shall supply time sheets or time books for their workers in which the hours of work each day shall be entered by the workers.

Wages and Salaries

4. (a) The minimum rate of pay for journeymen registered under the Electrical Wiremen's Registration Act ("B" Licence) shall be—

3s. 10½d. per hour from the 28th March, 1949, to the 31st May, 1949;

4s. per hour on and from the 1st June, 1949.

(b) Journeymen shall be paid a tool and overall allowance of 1d. per hour.

(c) Workers coming within the scope of this award shall not have their wages reduced in any case where a higher rate is now being paid while they continue in their present position.

Overtime

5. (a) All time worked in any day outside of or in excess of the hours provided for in clause 3 hereof shall be paid for at the rate of time and a half for the first four hours and double time for all further time so worked: Provided, further, that all time worked after 10 p.m. on any day and before the commencing hour on the following day shall be paid for at double rates.

(b) Any worker having worked continuously for twenty-four hours, inclusive of intervals for meals, shall not be required to continue working without his consent. If he does continue working he shall be paid double rates for all time worked on the second day.

(c) Any worker having worked all day and having continued to work till after midnight shall be given eight hours off or be paid double rates for all time worked on the second day.

(d) If a worker is called back to work after reaching his home he shall be paid a minimum of two hours at rate and a half up to 9 p.m., and double time thereafter, calculated from the time of leaving and returning to his home.

(e) Any worker required to commence work after the cessation of public wheeled traffic or before the ordinary time of starting of such traffic, and any worker who may work continuously until after the cessation of public wheeled traffic and cease work before the starting of such traffic, shall be paid for time occupied in travelling to or from his home computed on three miles per hour at ordinary rate of pay. Public wheeled traffic shall mean trams, buses, or trains ordinarily used by the workers travelling to and from their work.

(f) Meal-money: Where a meal is not provided, the employer shall allow meal-money at the rate of 2s. 3d. per meal when workers are called upon to work overtime after 6 p.m., provided they cannot reasonably get home for their meals and return to work in one hour.

(g) Supper and crib time when working overtime shall be paid for.

Dirty Work

6. Dirt-money at the rate of 2s. per day or portion of a day shall be paid for all work done by any worker coming within the scope of this award in cement-works, chemical-works, lime-works, soap-works, foundries, fellmongeries, manure-works, or work that may be mutually agreed upon as being dirty work. Workers engaged on reconditioning transformer-oil or bitumen-filled bushings or joint boxes, or in storage-battery works, shall be paid 2s. per day or portion of a day extra.

Holidays

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

(b) The provisions of the Public Holidays Act, 1910, and its amendments, shall apply to any of the above holidays (except Anzac Day) which fall on a Saturday or a Sunday.

(c) Time worked on any Sunday or on any of the holidays mentioned in subclause (a) hereof shall be paid for at the rate of double time in addition to any payment to which a worker may be entitled under subclause (a) hereof.

(d) Annual holidays shall be granted in accordance with the provisions of the Annual Holidays Act, 1944.

Outside Work

8. If a worker is required by his employer to work at a place outside of the employer's factory, workshop, or ordinary place of employment, and is thereby put to expense in travelling to and from his work greater than that which he incurs when working in the factory, workshop, or ordinary place of employment, the employer shall reimburse him for such extra expense.

If the time occupied in travelling to the job necessarily is longer than to his ordinary place of employment, then such excess time shall be paid for at ordinary rates of pay.

Country Work

9. (a) Should a worker be required by his employer to proceed to work in the country at such distance from his usual place of employment that he is unable to return to his usual place of abode on the same day, the employer shall provide such worker with suitable board and lodging.

(b) Workers who are required to proceed to country work as aforesaid shall be conveyed by the employer to and from such work free of charge, or their travelling-expenses going to and returning from such work shall be paid by the employer, but once only during the continuance of the work, unless the worker is recalled and again sent to the job.

(c) Time occupied in travelling to the work shall be paid for at ordinary rates, but not more than an ordinary day's wages shall be paid for time spent in travelling on any day.

General Conditions

10. (a) Workers who provide themselves with necessary overcoat and leggings for use in wet weather on outside work shall receive 1s. 6d. per week allowance.

(b) Workers shall provide the following tools: pliers, screw-drivers, brace and bits, footprints, hammer, hack-saw frame, chisels, padsaw handle, 3 ft. rule. The employer shall provide all other necessary tools, for which the workers to whom the tools are issued shall be responsible.

(c) It shall be the duty of the employer to provide suitable accommodation wherein inside workers may keep their clothes, good ventilation, and proper sanitary arrangements; also a sufficient supply of boiling water at meal-hours and for washing at knock-off times.

(d) An employer shall provide reasonable facilities for supplying warmth for men working in workshops in cold weather.

(e) No worker shall be required to work a ladder over 10 ft in length unless suitable assistance is available.

Termination of Employment

11. In the case of hourly workers two hours' notice of the termination of the employment shall be given by either party, but nothing in this clause shall prevent the summary dismissal of a worker for misconduct or other good cause.

Matters Not Provided For

12. Any dispute in connection with any matter not provided for in this award shall be settled between the particular employer concerned and the secretary or president of the union, and in default of any agreement being arrived at, then such dispute shall be referred to a Conciliation Commissioner, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Conciliation Commissioner, may appeal to the Court upon giving written notice of such appeal to the other party within fourteen days after such decision shall have been communicated to the party desiring to appeal.

Access to Workshop, and Shop Steward

13. The union secretary or any other person duly appointed shall be allowed access to any workshop at any time for the purpose of interviewing any worker coming within the scope of this award upon business connected therewith; and the employer shall give recognition to any worker who is appointed shop steward.

Improvers

14. An apprentice at the end of five years' service may be employed as an improver either by the employer with whom he served or by another employer at a rate to be fixed by the union representative and the employer concerned, until he receives his licence: Provided that he shall take every opportunity to secure such licence, but in no case shall he be employed as an improver for a longer period than two years: Provided, always, that an apprentice who has passed the examination set for workers under the Electrical Wiremen's Registration Act, 1925, or its amendments, shall rank as a journeyman on completion of five years' service as an apprentice, and shall not be required to serve as an improver.

Workers to be Members of Union

15. (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 posi-

tion 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

16. (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

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 that portion of the industrial district to which this award relates.

Scope of Award

18. This award shall operate throughout that portion of the Otago and Southland Industrial District formerly known as the Province of Southland.

Term of Award

19. Except where otherwise provided, this award, in so far as it relates to rates of wages, shall be deemed to have come into force on the 28th 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 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 2nd day of September, 1949.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

After hearing the representatives of the parties the Court has determined the wage rate which is to operate on and from the 1st June, 1949.

By agreement, an adjustment has been made to clause 1 to make it clear that the award is to apply to electrical wiremen registered under the Electrical Wiremen's Registration Act only.

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

A. TYNDALL, Judge.