

CHRISTCHURCH LOCAL BODIES' SHIFT ENGINEERS—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 and Boards (hereinafter called “the employers”):—

Christchurch City Council, Christchurch.

Christchurch Drainage Board, Christchurch.

Christchurch Tramways Board, Christchurch.

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 7th day of July, 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 13th day of September, 1949.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Hours of Work

1. (a) The maximum number of hours (exclusive of overtime) to be worked in any week by any worker bound by this award shall be forty.

(b) The length and starting and finishing times of each shift shall be mutually agreed upon between the shift engineers and the representative of the employer.

(c) Whenever the requirements of the work allow, shifts shall rotate weekly.

(d) A worker shall be allowed a period of not less than eight hours off between two working shifts.

Shift Allowance

2. A shift allowance of 2s. 6d. per shift extra shall be paid on shifts where at least four hours of the shift are outside of the period from 8 a.m. to 5 p.m.

Overtime

3. All time worked outside or in excess of ordinary shift hours shall be paid for at the rate of time and a half for the first three hours and double time rates thereafter. Overtime shall be calculated on a daily basis.

Saturday, Sunday, and Holiday Work

4. The provisions of the Factories Act, 1946, shall apply to all time worked between 12 noon on Saturday and 12 midnight on Sunday and on the following holidays: Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Monday, Anzac Day, Labour Day and the birthday of the reigning Sovereign.

This provision shall apply to all workers covered by this award, whether they are employed in factories within the meaning of the Factories Act or not.

Wages

5. (a) The minimum rate of wages for shift engineers shall be £500 per annum.

(b) Substation attendants employed at the City Council main substation in Armagh Street shall be paid £442 per annum.

(c) Power-station attendants employed at the Tramway Board power-station shall be paid £442 per annum, provided a shift engineer shall be on each shift; but if an attendant takes charge of a shift he shall be paid the shift engineer's rate.

(d) Wages shall be paid weekly or fortnightly and in the employer's time.

Annual Leave

6. (a) Three weeks' annual leave on full pay shall be granted each year after one complete year of service.

(b) All workers shall receive proportionate holiday allowance if and when their employment is determined.

(c) Annual leave shall be mutually arranged as near to the Christmas holidays as possible.

Termination of Employment

7. Except in the case of dismissal for misconduct, one month's notice shall be given on either side.

Conveniences for Washing and Dressing

8. Reasonable provision shall be made for washing and dressing, with separate lockers and facilities for obtaining hot water. The above facilities shall be in accordance with the Factories Act and its amendments.

Accidents

9. A modern first-aid emergency case, fully equipped, shall be kept in a convenient and accessible place in or near the engine-room.

Dirty Work

10. When shift engineers are on dirty work, overalls shall be provided for such work. Dirty work means work done at the back end of the boilers, or in combustion chambers, or overhaul work on Diesel engines.

Matters Not Provided For

11. 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 the local Conciliation Commissioner, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Commissioner, may appeal to the Court upon giving notice in writing of such appeal to the other party within seven days after such decision shall have been communicated to the party desiring to appeal.

Workers to be Members of Union

12. (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.)

Scope of Award

13. This award shall apply only to the parties named herein.

Term of Award

14. This award, in so far as the provisions relating to the rates of wages to be paid are concerned, shall be deemed to have come into force on the 7th day of July, 1949, and so far as all other provisions of the award are concerned it shall come into force on the day of the date hereof; and this award shall continue in force until the 7th day of July, 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 13th day of September, 1949.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The matters settled by the Court were as follows: Hours of work, shift allowance, overtime, Saturday, Sunday, and holiday work, wages, annual holidays, supply of overalls, and date of operation of provisions relating to wages.

In compliance with the direction of the Legislature contained in section 89 (8) of the Industrial Conciliation and Arbitration Act, 1925, as amended by section 21 of the Statutes Amendment Act, 1948, the provisions of the award relating to rates of wages have been made to take effect from the 7th July, 1949, the date first appointed for the hearing of the dispute by the Conciliation Council.

A. TYNDALL, Judge.