

## NELSON CITY ABATTOIR EMPLOYEES—AWARD

In the Court of Arbitration of New Zealand, Nelson 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 Nelson Operative Butchers Industrial Union of Workers (hereinafter called “the union”) and the undermentioned Council (hereinafter called “the employers”):—

Nelson City Council, Nelson.

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 August, 1952, 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 28th day of August, 1951.

[L.S.]

A. TYNDALL, Judge.

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SCHEDULE

*Industry to Which Award Applicable*

1. (a) This award shall apply to all workers engaged in the normal and usual work carried out in the Nelson City Abattoir and shall apply to stockmen and shepherds but shall not apply to any manager or overseer employed by the employer for the purpose of seeing that the work is done in a proper manner or to clerical workers or tally clerks whose duties are of an exclusively clerical nature.

(b) Stockmen and shepherds shall be deemed to mean workers substantially employed in or about the abattoir in the delivery, receiving, drafting and penning of stock as required to suit the conditions of the abattoir.

*Hours of Work*

2. The ordinary hours of work shall be eight per day (including "smoke-oh") to be worked between 7 a.m. and 5 p.m. on five days of the week, Monday to Friday inclusive.

*Shepherds and Stockmen*

3. Shepherds and stockmen shall come under the provisions of this award, except that daily starting and finishing times as provided for in clause 2 hereof may be arranged between the employer and employee, provided that not more than forty hours are worked in any one week without payment of overtime.

*Wages*

4. The following shall be the minimum rates of wages for adult workers:—

|     |   |    |    | Per Week. |     |    |
|-----|---|----|----|-----------|-----|----|
|     |   |    |    | £         | s.  | d. |
| (a) | Slaughtermen                            | .. | .. | 9         | 8   | 6  |
|     | Slaughterhouse assistants and labourers | .. | .. | 7         | 19  | 6  |
|     | Shepherds and stockmen                  | .. | .. | 7         | 19  | 6  |
| (b) | Casual employees—                       |    |    | Per Hour. |     |    |
|     |   |    |    |           | s.  | d. |
|     | Slaughtermen                            | .. | .. | 5         | 11½ |    |
|     | Labourers                               | .. | .. | 4         | 1½  |    |

(c) A casual employee is a worker employed for one week of forty hours or less. The daily hours of work for a casual shall not exceed eight hours without payment of overtime.

*Youths*

|    |   |    |    | Per Week. |    |    |
|----|---|----|----|-----------|----|----|
|    |   |    |    | £         | s. | d. |
| 5. | Youths may be employed at the following rates:— |    |    |           |    |    |
|    | Under seventeen years of age                    | .. | .. | 3         | 13 | 0  |
|    | Between seventeen and eighteen years of age     | .. | .. | 4         | 10 | 0  |
|    | Between eighteen and nineteen years of age      | .. | .. | 5         | 5  | 0  |
|    | Thereafter, the minimum wage for adult workers. |    |    |           |    |    |

*Increase in Rates of Remuneration*

6. All rates of remuneration including time and piece wages and overtime and other special payments prescribed in this award but excluding payments relating to tools, bicycles, motor vehicles, clothing, or footwear shall be subject to the provisions of the general order, dated the 30th day of January, 1951, increasing rates of remuneration by 15 per cent.

*Loading Out*

7. All time worked before 7 a.m. shall be paid for at overtime rates with a minimum payment for one hour.

*Overtime*

8. Except as otherwise provided, all time worked in excess of forty hours in any one week shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

*Holidays*

9. (a) All workers shall receive the following holidays:—

- (i) New Year's Day, Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day, Boxing Day, Anniversary Day.

Should any of the above mentioned holidays other than Anzac Day fall on a Saturday or a Sunday, then such holiday shall be observed on the following Monday. Should any such Monday, however, be also a holiday such holiday shall be observed on the following Tuesday.

- (ii) Show Day, or another day to be arranged between the union and the employer.

(b) Except as otherwise provided herein, all holidays mentioned in paragraph (i) of subclause (a) hereof shall be paid for as an ordinary working day of eight hours.

(c) All time worked on Saturdays, Sundays, or holidays mentioned in paragraph (i) of subclause (a) hereof shall be paid for at double rates in addition to the ordinary rate, with a minimum payment for six hours on any such day worked.

(d) All time worked on the holidays mentioned in paragraph (ii) of subclause (a) hereof shall be paid for at the rate of time and a half.

(e) Subclause (b) of this clause shall be subject to the conditions of the Factories Act, 1946.

*Annual Holidays*

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

*General Conditions*

11. (a) All saws shall be properly sharpened when required and a suitable grindstone shall be provided and kept in good condition.

(b) Fifteen minutes in the morning and fifteen in the afternoon to count as time worked shall be allowed for "smoke-oh." On any day when nine hours or more are being worked, a "smoke-oh" of fifteen minutes may be taken at 5 p.m. by mutual agreement between the employer and the employee.

(c) Wages shall be paid fortnightly in cash on the ceasing of work on Thursdays. Casual employees shall be paid when discharged.

(d) The employer shall have the fullest right of control (subject to the special conditions of this award), over its abattoirs and works, and make such rules for the necessary and proper management thereof as may be deemed expedient.

(e) A first-aid outfit containing the minimum equipment as laid down by the Health Department shall be provided and maintained at the abattoir and shall be kept as near the board as possible.

(f) Subject to the proper care being taken of them, the employer shall provide aprons (rubber where necessary), canvas for leggings, knives, steels and pouches wherever necessary. Workers working outside shall be provided with waterproof coats. Each worker requiring footwear shall be supplied as required.

(g) Suitable dining-room accommodation, properly ventilated with provision for the boiling of water, shall be provided. It is agreed that the employer shall proceed forthwith with its proposal for the erection of a dining and ablution block and for the raising of a loan for the same and this clause shall be read subject to such agreement and to the completion of the necessary arrangements.

(h) Showers, ablution basins, hot and cold water, soap and towels for the use of persons employed in and about the premises shall be provided.

(i) All stock shall be penned.

(j) All stock that die outside shall not be skinned by slaughtermen.

(k) All slaughtering of every class of stock shall be turned out in a workmanlike manner, and to the satisfaction of the employer. Heads shall be left on all the sheep as required.

(l) All workers shall carry out such duties as may be required by the manager from time to time for the proper conduct of the abattoir.

#### *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.)

#### *Under-rate Workers*

13. (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 wages 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.

#### *Disputes*

14. If any dispute or difference should arise between the parties bound by this award, or any of them, as to any matter whatsoever arising out of or connected therewith and not satisfactorily dealt with in this award, every such dispute or difference as the same shall arise shall be referred to a committee to be composed of two representatives of each side, together with an independent chairman to be mutually agreed upon or, in default of agreement, to be appointed by the Conciliation Commissioner for the district. Each side shall have the right to appeal to the Court against a decision of any such committee upon giving to the other side written notice of such appeal within fourteen days after such decision has been made known to the party desirous of appealing.

#### *Scope of Award*

15. This award shall apply to the Nelson City Abattoir, Annesbrook, and shall bind only the parties named herein.

#### *Term of Award*

16. This award, in so far as it relates to rates of wages, shall be deemed to have come into force on the 1st day of August, 1951, and so far as all 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 August, 1952.

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 28th day of August, 1951.

[L.S.]

A. TYNDALL, Judge.

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#### 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.