

WELLINGTON (EXCEPT HAWKE'S BAY PROVINCIAL DISTRICT), MARLBOROUGH, NELSON, AND WESTLAND **LOCAL BODIES' GARDENERS, LABOURERS, AND OTHER 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 Regulations 1952; and in the matter of the Wellington (except Hawke's Bay Provincial District), Marlborough, Nelson, and Westland Local Bodies' Gardeners, Labourers, and Other Workers award, dated the 16th day of May 1951, and recorded in 51 Book of Awards 641.

In pursuance and exercise of the powers vested in it by the Economic Stabilization Regulations 1952, 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 July 1952, doth hereby order as follows:—

1. That the said award shall be amended in the manner following:—

(1) By deleting clause 3 and substituting the following clause:—

“ *Wages*

“ 3. The minimum rates of pay shall be as follows:—

“ (a) For all labourers and other workers not specifically mentioned hereunder: 4s. 5½d. per hour; £8 19s. 2d. per week.

“ One penny farthing per hour additional shall be paid to each above-mentioned worker who as at the date of the making of this award has been employed continuously with the same employer for one year or more or who subsequently completes one year with his present employer.

“ (b) The following rates shall be paid to the undermentioned workers in addition to the rate mentioned in subclause (a) hereof:—

“ Scythe-men and workers directing motor mowers on foot shall be paid 3½d. per hour additional with a minimum payment of 1s. 2d. per day whilst actually engaged in mowing.

“ Workers employed in sinking shafts, sumps, pier-holes, or working in trenches over six feet in depth shall be paid the following extra payments:—

“ Over six feet and up to and inclusive of twelve feet, 2¼d. per hour extra.

“ Over twelve feet and up to and inclusive of twenty feet, 3½d. per hour extra.

“ Over twenty feet, the last-mentioned rate plus 1¼d. per hour additional for every seven feet over twenty feet.

“ A worker (other than a ganger or a tunnel-man) required to act as a timber man on excavation work shall be paid 3½d. per hour additional for the time he is so employed.

“ Tunnel-men shall be paid 3½d. per hour additional.

“ Men handling, mixing, or spreading concrete or compo shall be paid 2¼d. per hour additional.

“ Refuse collectors or loaders other than drivers shall be paid 4½d. per hour additional.

“ A worker other than a foreman gardener required to work as a working ganger, working foreman, or leading hand shall be paid 2s. 10½d. per day or part of a day additional to his usual rate.

“ Certified quarrymen using explosives shall be paid 2s. 3½d. per day additional. Other quarrymen shall be paid 1s. 1¾d. per day additional.

“ Kerb-layers (men actually laying and fixing) shall be paid 3½d. per hour additional.

“ Men on night-soil work, cleaning, clearing, or repairing the inside of septic tanks, shall be paid 5s. 2d. per day or part of a day in addition to the ordinary rates.

“ Men clearing blocked sewers or coming into contact with faecal matter shall be paid 2s. 10½d. per day extra.

“ Sanitary-drainlayers, men working on water-mains two inches and over in diameter, and men laying service connections shall be paid 2¼d. per hour.

“ Compressor men and workers using power vibrators and mechanical rammers, drills, borers, or breakers shall be paid 3½d. per hour additional, and when used in tunnels or quarries, 4½d. per hour additional.

“ Crusher-feeders shall be paid 2¼d. per hour additional.

“ Workers using gads, drills, or borers by hand and workers using hammer in conjunction with same, 2¼d. per hour additional.

“ Workers other than quarrymen using explosives, 3½d. per hour additional.

“ (c) The undermentioned workers shall be employed on a weekly basis and shall be paid the following rates of wages :—

	Per Week.
	£ s. d.
“ Pump attendants	9 7 10
“ Gardeners or plant propagators	10 2 2
“ Foremen gardeners	10 13 8
“ Refuse-burners at destructors, or tipmen	9 2 1
“ Greenkeepers, sextons, custodians, and caretakers in charge of playing areas, baths (not seasonal), motor camps, or recreation grounds	9 2 1
“ Caretakers at waterworks or sewerage works	9 7 10

“ One penny farthing per hour additional shall be paid to each above-mentioned worker who as at the date of making of this award has been employed continuously with the same employer for one year or more or who subsequently completes one year with his present employer.

“ Five shillings and ninepence per week extra shall be paid to Palmerston North City Council convenience attendants whilst required to act as weighbridge attendants.

“ Workers coming within the scope of subclause (c) of clause 2 of this award shall be paid an allowance of 3s. 6d. additional for each Sunday on which they are required to work as part of their normal forty-hour week.

“ Notwithstanding anything contained in this clause, where it is found necessary to engage casual labour to undertake the duties of weekly workers, as in cases of sickness, emergency, or annual leave, the engagement of such workers may be on an hourly basis, and their wages shall be computed at the rate of one-fortieth part of the weekly rate prescribed above for each hour worked.

“ (d) No deductions shall be made from the wages of any weekly worker for loss of time other than for time lost through the worker's own default, sickness, or accident not arising out of the employment.

“ (e) No reductions shall be made in the wages of any worker at present employed by virtue of the coming into force of this award.

“ (f) Workers working inside boilers, flues, or combustion chambers scaling or removing soot or other encrustations shall be paid 2s. 10½d. per day on their usual rate.

“ (g) Workers whilst engaged in disinterment or reinterment work shall be paid 23s. additional to their ordinary rates per disinterment or reinterment, but in cases where these take place within twelve months of burial a further 23s. shall be allowed.

“ (h) Where workers are required to perform work of an unusually dirty, dangerous, or unpleasant nature or to carry extra responsibility not provided for in this award any additional rate for such work shall be determined by the officer in charge of the worker.

“ (i) Workers employed for a period of more than four consecutive weeks shall, for the purpose of this award, be deemed to be weekly workers.

“(j) Where no regular grave-digger or grave-digging sexton is employed, workers required to open graves or conduct interments shall be paid 5s. 9d. per grave or interment in addition to their usual rates.

	Per Week.
	£ s. d.
“(k) Convenience or rest-room attendants—	
“ Male	8 7 8
“ Female	6 4 6
“ Female bath attendants	6 4 6”

(2) By deleting clause 4 (Increase in Rates of Remuneration).

(3) By deleting from the undermentioned clauses the figures and symbols set out in the first column hereunder and substituting in each case the figures and symbols respectively set out in the second column hereunder :—

	<i>First</i> <i>Column.</i>	<i>Second</i> <i>Column.</i>
Clause 2 (b)	7s. 6d.	8s. 8d.
Clause 7	1s. 6d. 2s.	1s. 8 $\frac{3}{4}$ d. 2s. 3 $\frac{1}{2}$ d.
Clause 10 (c)	1s. 3s.	1s. 1 $\frac{3}{4}$ d. 3s. 6d.

2. That this order shall come into force on the 1st day of September 1952.

Dated this 4th day of August 1952.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The rates of remuneration prescribed in the award are *not* to be increased by the application of the provisions of the Court's general order of the 30th January 1951.

A. TYNDALL, Judge.

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IN pursuance and exercise of the powers vested in it by regulation 9 (2) of the Economic Stabilization Regulations 1952, and upon application made in that behalf by the union of workers party to the above mentioned award, and upon hearing the duly appointed representatives of the parties, this Court doth hereby order as follows:—

1. That the said award (as amended by order of the Court dated the 4th August 1952) shall be further amended in the manner following:—

(1) By deleting from subclause (c) of clause 3 the symbols and figures “ £10 2s. 2d.” (being the rates of wages for gardeners or plant propagators) and substituting the symbols and figures “ £10 7s. 11d.”

(2) By deleting from subclause (c) of clause 3 the symbols and figures “ £10 13s. 8d.” (being the rate of wages for foremen gardeners) and substituting the symbols and figures “ £10 19s. 5d.”

2. That this order shall be deemed to have come into force on the 1st day of September 1952.

Dated this 21st day of November 1952.

[L.S.]

W. F. STILWELL, Judge.

MEMORANDUM

The application of the union of workers sought to have the other rates of wages in subclauses (a), (c), and (k) of clause 3 further increased but a majority of the Court (Mr. Allerby dissenting) has decided that this portion of the application should be declined.

W. F. STILWELL, Judge.