

WELLINGTON, MARLBOROUGH, NELSON, AND WESTLAND **CONCRETE AND PUMICE
GOODS 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, Marlborough, Nelson, and Westland Concrete and Pumice Goods Workers award, dated the 10th day of August 1950, and recorded in 50 Book of Awards 947.

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 subclauses (a) and (b) of clause 3 (Wages) and substituting the following subclauses:—

“(a) The following shall be the minimum rates of wages:—

“(i) Working foremen (where there are less than four workers including the foreman employed) shall be bound by the provisions of this award except as to the hours and overtime, and shall be paid not less than £10 3s. 9d. per week.

	Weekly Workers.			Hourly Workers.	
	£	s.	d.	s.	d.
“(ii) Head moulder	9	8	6	4	8½
“(iii) Metal-reinforcement welders (hand)	9	7	7	4	8½
“(iv) Men on cement-spray gun in tile-works	9	5	8	4	7¾
“(v) Junction fitters and makers	9	3	9	4	7
“Pattern or wooden mould makers for concrete sundries	9	3	9	4	7
“(vi) Mixers for concrete pipes, posts, and other concrete products	9	1	10	4	6½
“Moulders	9	1	10	4	6½
“Moulders lining iron or steel pipes with concrete	9	1	10	4	6½
“Men engaged on breeze-block machine	9	1	10	4	6½
“Men mixing for precast stone	9	1	10	4	6½
“(vii) Metal-reinforcement welders (machine)	8	19	11	4	6
“Metal-reinforcement makers	9	3	9	4	7
“Concrete-roofing-tile makers	8	19	11	4	6
“Assemblers for pipes	8	19	11	4	6
“(viii) Men engaged in the making of concrete and/or pumice coppers	8	18	0	4	5½
“(ix) All other workers	8	15	1	4	4½

“An employer shall, when engaging any worker under this subclause, inform the worker whether he is to be employed on a weekly or on an hourly basis.

“(b) Subject to the limit of the forty-hour week, men engaged on night-work firing boiler and steaming pipes shall not be subject to the limitation of hours prescribed in clause 2 hereof, and shall be paid not less than 4s. 8¾d. per hour, which rate includes a special allowance in consideration of night-work: Provided that all time worked in excess of eight hours on any day, Monday to Saturday inclusive, shall be paid for as overtime in accordance with clause 7 (a) of this award: Provided, also, that any time worked on Sundays or on any of the holidays mentioned in clause 8 (a) shall be paid for at double time rates.”

(2) By deleting subclause (a) of clause 4 (Youths) and substituting the following subclause :—

“(a) The following shall be the minimum weekly rates of wages for youths :—

	Per Week.
	£ s. d.
“ Under 18 years of age	3 16 6
“ 18 to 18½ years of age	4 4 0
“ 18½ to 19 years of age	4 12 0
“ 19 to 19½ years of age	4 19 0
“ 19½ to 20 years of age	5 6 6
“ 20 to 20½ years of age	6 0 0
“ 20½ to 21 years of age	6 14 0
“ Thereafter adult rate.”	

(3) By inserting after clause 4 the following new clause :—

“ Exclusion from Operation of General Order

“ 5. The rates of remuneration provided for in this award shall *not* be subject to the provisions of the general order of the Court, dated the 30th January 1951, and made under the Economic Stabilization Regulations 1950.”

(4) 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 Column.</i>	<i>Second Column.</i>
Clause 4 (b)	2d.	2¼d.
Clause 7 (b)	2s. 6d.	2s. 10½d.
Clause 11 (f)	7s. 6d.	8s. 7½d.
Clause 11 (h)	6d.	7d.

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

Dated this 23rd day of July 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.

WELLINGTON, MARLBOROUGH, NELSON, AND WESTLAND CONCRETE AND
PUMICE GOODS WORKERS—APPLICATION FOR 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, Marlborough, Nelson, and Westland Concrete and Pumice Goods Workers award, dated the 10th day of August 1950, and recorded in 50 Book of Awards 947.

JUDGMENT OF THE COURT, DELIVERED BY STILWELL, J.

THIS is an application made by the Wellington, Nelson, Westland, and Marlborough Local Bodies, other Labourers, and Related Trades Industrial Union of Workers under regulation 9 (2) of the Economic Stabilization Regulations 1952 for further amendment of the Wellington, Marlborough, Nelson, and Westland Concrete and Pumice Goods Workers award, dated the 10th August 1950.

On the 23rd July 1952 the Court of its own motion made an order amending the rates of remuneration prescribed by the award for the purpose of giving effect to its standard wage pronouncement of the 12th July 1952. As the wage rates in the award were the same as those in the amendment made by the Court on the 4th May 1949 to give effect to its 1949 pronouncement there were no increases to which the Court was required to have due regard in accordance with regulation 9 (1) of the regulations. The wage rates in the amendment made on the 23rd July 1952, therefore, represent increases of 14s. 1d. per week for weekly workers and 4.225d. per hour to the nearest farthing for hourly workers.

The union in its application now seeks to have the weekly wage rates in clause 3 (a) (ii) to (ix) further increased generally by 1s. 8½d. per week and the hourly wage rates generally by ½d. per hour. The union also asks that the wage rate for working foremen in clause 3 (a) (i) be increased from £10 3s. 9d. to £10 9s. 8d. per week.

The special grounds stated in the application are as follows:—

“The amendment reduces the status of the workers established over a number of years by precedent, practice and custom.”

At the hearing the representative of the union submitted that since 1947 the hourly wage rate for the classification “all other workers” has been the same as the Court’s lowest standard rate for semi-skilled workers and to maintain this position the Court should increase the “all other workers” hourly rate of 4s. 4½d. to 4s. 5d., this being the new lowest standard rate for semi-skilled workers. It follows from this submission that all the other rates in the clause should be correspondingly increased.

Regarding the rate for working foremen, it was contended that these workers should have received the same increase as skilled workers since 1949.

For the employers it was submitted that as all the wage rates under the award had been increased by the full amount of the Court's pronouncement (4.225d. per hour and 14s. 1d. per week) and as the "all other workers" rate had been maintained at the same margin over the Court's standard minimum rate for unskilled workers, no further increases are justified.

A majority of the Court (Mr. Allerby dissenting) is not satisfied that the applicant has established a case for any further increases as a result of the Court's pronouncement and the application is therefore declined.

Dated this 26th day of November 1952.

[L.S.]

W. F. STILWELL, Judge.
