

WELLINGTON CITY COUNCIL **LABOURERS**—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 City Council Labourers award, dated the 2nd day of May 1951, and recorded in 51 Book of Awards 463.

IN pursuance and exercise of the powers vested in it by the Economic Stabilization Regulations 1952, and of every other power in that behalf enabling it, and upon application made under regulation 9 (1) of the said Regulations by the Wellington, Nelson, Westland, and Marlborough Local Bodies, other Labourers, and Related Trades Industrial Union of Workers party to the above-mentioned award, and upon hearing the duly appointed representatives of the parties, 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 2 and substituting the following clause:—

“ *Wages* ”

“ 2. The following are the minimum rates of wages payable to workers covered by this award:—

	Per Hour.		Per Week.		
	s.	d.	£	s.	d.
“(i) (a) Workers not otherwise specified	4	5 $\frac{3}{4}$	8	19	2
“ Aggregate-mixer	4	10 $\frac{3}{4}$	9	15	10
“ Attendant, conveniences (male)	4	4 $\frac{1}{2}$	8	15	0
“ Baths custodian	4	10 $\frac{1}{2}$	9	15	0
“ Blaster	5	0 $\frac{3}{4}$	10	2	6
“ Blaster in tunnels	5	2 $\frac{1}{2}$	10	8	4
“ Beach attendant	4	5 $\frac{3}{4}$	8	19	2
“ Cemetery ganger	4	8 $\frac{1}{2}$	9	8	4
“ Caretaker, Wellington Cemetery	4	6 $\frac{1}{2}$	9	1	8
“ Crematorium operator	4	10 $\frac{3}{4}$	9	15	10
“ Crusher-feeder	4	8 $\frac{1}{2}$	9	8	4
“ District roadman	4	7	9	3	4
“ Dog Inspector	4	6 $\frac{3}{4}$	9	2	6
“ Driller, machine	4	10 $\frac{3}{4}$	9	15	10
“ Funeral attendant	4	6 $\frac{1}{2}$	9	1	8
“ Fireman (paving plant)	4	8 $\frac{1}{2}$	9	8	4
“ Fireman (incinerator)	5	1 $\frac{1}{4}$	10	4	2
“ Flagger (leading)	4	10 $\frac{1}{2}$	9	15	0
“ Flagmaker in charge	5	0	10	0	0
“ Gardener, qualified	5	2 $\frac{3}{4}$	10	9	2
“ Gardener	4	9 $\frac{1}{2}$	9	11	8
“ Head foreman, Botanical Gardens .. .. .	..	..	11	18	4
“ Plant-propagator	5	3	10	10	0
“ Grave-digger	4	6 $\frac{1}{2}$	9	1	8
“ Groundsman in Charge	4	7	9	3	4
“ General cleaner of conveniences and maintenance man	4	10 $\frac{1}{2}$	9	15	0
“ Hammer and drill man (not machine man)	4	8 $\frac{1}{2}$	9	8	4
“ Jumper, gad or bar workers	4	7 $\frac{1}{2}$	9	5	0
“ Jointer	4	10 $\frac{3}{4}$	9	15	10
“ Kerbers, flaggers and flagmakers	4	8 $\frac{1}{2}$	9	8	4
“ Labourers	4	5 $\frac{3}{4}$	8	19	2

				Per Hour.		Per Week.		
				s.	d.	£	s.	d.
" Nightwatchman	..	..	..	4	5 $\frac{3}{4}$	8	19	2
" Pipelayer	..	..	..	4	8 $\frac{1}{4}$	9	7	6
" Pump attendant	..	..	..	4	10 $\frac{3}{4}$	9	15	10
" Quarry workers	..	..	..	4	7	9	3	4
" Ratecatcher	..	..	..	4	11 $\frac{3}{4}$	9	19	2
" (Bonus 4 $\frac{1}{2}$ d. per rat; maximum 11s. 6d. per week.)								
" Refuse collector and loader (day)	..	..	..	4	10 $\frac{1}{2}$	9	15	0
" Reserves caretaker (non-resident) ..	..	..	..	4	8 $\frac{1}{2}$	9	8	4
" Reserves caretaker, golf-links (non-resident)	..	..	..	5	0	10	0	0
" Street orderly	..	..	..	4	5 $\frac{3}{4}$	8	19	2
" Scalesman (paving plant)	..	..	..	5	1 $\frac{3}{4}$	10	5	10
" Serviceman (waterworks)	..	..	..	5	0	10	0	0
" Turncock	..	..	..	4	11 $\frac{3}{4}$	9	19	2
" Tunneller	..	..	..	5	0 $\frac{3}{4}$	10	2	6
" Tree-planter, Akatarawa ..	..	..	..	4	6 $\frac{3}{4}$	9	2	6
" Tipman	..	..	..	4	9 $\frac{1}{2}$	9	11	8
" Yardman	..	..	..	4	8	9	6	8
" Zoo—								
" Head keeper	..	..	..	5	2	10	6	8
" Assistant head keeper	..	..	..	4	10 $\frac{1}{2}$	9	15	0
" Animal-keeper	..	..	..	4	6 $\frac{1}{2}$	9	1	8
" Elephant-keeper	..	..	..	4	7 $\frac{1}{2}$	9	5	0
" Gate-keeper	..	..	..	4	5 $\frac{3}{4}$	8	19	2

" To all workers covered by this part of this subclause with two or more years' continuous service shall be added 1 $\frac{1}{4}$ d. per hour to the rate of wages prescribed herein.

" (b) *Special Conditions: Reserves Department and Waterworks Caretakers:*—

				Per Week.		
				£	s.	d.
" Resident caretakers, with free house—						
" Central Park	..	..	..	10	9	5
" Golf-links	..	..	..	11	0	11
" Onslow Reserve	..	..	..	11	0	11
" Otari Reserve	..	..	..	10	8	10
" Kelburn Park	..	..	..	9	17	5
" Karori Park	..	..	..	9	17	5
" Kilbirnie Park	..	..	..	9	17	5
" Miramar Park	..	..	..	9	17	5
" Nairnville Park	..	..	..	9	17	5
" Martin Luckie Park	..	..	..	9	17	5
" Chaytor Street Park	..	..	..	9	17	5
" Hataitai Park	..	..	..	9	17	5
" Anderson Park and Botanical Gardens	..	..	..	9	4	8
" Resident caretakers and assistant caretakers—						
" Head caretaker, Wainuiomata	..	..	..	10	14	11
" Head caretaker, Orongorongo	..	..	..	10	2	10
" Head caretaker, Karori	..	..	..	10	5	10
" Assistant caretaker, Wainuiomata, Orongorongo, and Karori	..	..	..	9	16	9

" (ii) (a) For the purpose of computing broken time, the basis of calculation shall be on the hourly rates set out herein. Workers employed for a period of more than four consecutive weeks shall, for the purposes of this award, be deemed to be weekly workers.

“(b) No worker covered by this award now in receipt of a higher rate of wages shall have his wages reduced by virtue of the coming into force of this award.

“(c) A worker in sole charge of a power concrete-mixing machine shall be paid 3½d. per hour additional on his ordinary rate for the time he is so employed. Workers engaged in handling, mixing, or spreading wet concrete shall be paid 2¼d. per hour extra.

“(d) A worker required to act as the timberman on any excavation work shall be paid 4½d. per hour additional on his ordinary rate for the time he is so employed, with a minimum payment of four hours.

“(e) (i) Workers employed on clearing or repairing blocked or defective sewers or foul drains shall be paid 2s. 11d. per day additional on the ordinary rate for the time they are so employed.

“(ii) Workers when required to come into contact with faecal or sewerage matter or enter an operating septic tank for purposes other than inspection shall be paid 5s. 9d. per day additional on their ordinary rate for the time they are so employed.

“(f) Workers employed inside storm-water drains or culverts shall be paid 4d. per hour additional to their ordinary rates for the time they are so employed with a minimum payment of four hours.

“(g) Workers working inside boilers, tar-kettles, flues, or combustion chambers sealing or removing soot or other encrustations shall be paid 2s. 11d. per day in addition to their usual rates.

“(h) Workers engaged excavating trenches (not graves) 6 ft. or more in depth, shafts between 6 ft. and 12 ft. in depth, and excavations requiring workers to shovel over 6 ft. in height from the bottom shall be paid 2¼d. per hour additional to their ordinary rates. Workers engaged excavating trenches over 12 ft. in depth and up to 15 ft. shall be paid 4½d. per hour additional to their ordinary rates. Over 15 ft., tunnel rates only shall be paid.

“(i) Grave-diggers shall be paid an additional 4½d. per hour on the schedule rate for grave-diggers. Such payment shall be included in the hourly rate for the purpose of payment of overtime. The payment shall be deemed to be a comprehensive allowance for all unpleasant work attached to grave-diggers' duties, except disinterment and/or reinterment. This subclause shall be subject to the provisions of clause 9 of this award.

“(j) Workers engaged in boiling, spreading, mixing, or handling asphalt, tar, or bituminous mixtures shall be paid 1s. 1¾d. per day in addition to their usual rates; sprayers, 2s. 3½d. per day additional; and metal-spreaders working in conjunction with sprayers shall be paid 1s. 8¾d. per day additional to their usual rates.

“(k) Workers whilst engaged in disinterments or reinterments after one year and within ten years of the original interment shall be paid £1 3s. in each case, but in cases where this work is performed within twelve months of the original interment, £2 6s. shall be paid.

“(l) Workers employed in connection with the cleaning of septic tanks shall be paid 5s. 9d. per day additional on their ordinary rates.

“(m) Men in charge of tips shall receive 2s. 3½d. per day above the rate prescribed for tipmen.

“(n) Workers with mechanical sump-eductors shall receive 1s. 1¾d. per day additional on the minimum rates set out herein.

“(o) Any worker called upon to attend to lamps before or after the ordinary hours of work and who is not employed as a lamplighter shall be paid at the specified overtime rates for such work. On the holidays prescribed herein the minimum payment for such services shall be three hours at overtime rates.

“(p) A worker required to act as a ganger or foreman shall be paid 2s. 11d. per day or part of a day additional to his usual rate. A worker required to act as a leading hand shall be paid 1s. 8½d. per day or part of a day in addition to his usual rate.

“(q) Compressor attendants and worker using power vibrators, mechanical rammers, borers, or breakers shall be paid 3½d. per hour additional.

“(r) Workers engaged in demolition work shall be paid 2½d. per hour additional. The extra payment for demolition work shall not apply to demolition work arising out of alterations to a building, except in cases which have been agreed upon as a result of a decision reached through the dispute clause of this award.

“Workers engaged in the demolition of or repair to any building or fittings destroyed or damaged by fire which necessitates the handling of charred timber shall be paid 3½d. per hour additional.

“(s) Workers whilst engaged mowing with a scythe shall be paid 2s. 3½d. per day additional.

“(t) The resident caretaker at Orongorongo shall receive in compensation and as an isolation allowance the sum of 11s. 6d. per week, such payment to be in addition to the wage prescribed herein for such worker.

“(u) Where workers are required to perform work of an unusually dirty, dangerous, or unpleasant nature, or carry extra responsibility not provided for in this award, any additional rate for such work shall be determined by the head of the department concerned; should any difference arise in connection with this clause, the matter shall be determined in accordance with the provisions of clause 20.”

(2) By deleting clause 3 (Increase in Rates of Remuneration).

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

			<i>First Column.</i>	<i>Second Column.</i>
Clause 1 (b)	.....	.....	3s.	3s. 6d.
Clause 1 (m)	.....	.....	6s.	6s. 11d.
Clause 1 (n) (iv)	.....	.....	10s	11s. 6d.
Clause 1 (n) (v)	.....	.....	£1	£1 3s.
Clause 4 (c)	.....	.....	3s.	3s. 6d.
Clause 9	.....	.....	One penny and a halfpenny	One penny three- farthings
Clause 19 (d)	.....	.....	7s.	8s. 0½d.
Clause 19 (e)	.....	.....	1¼d.	1½d.

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

Dated this 30th day of March 1953.

[L.S.]

W. F. STILWELL, Judge.

MEMORANDUM

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

W. F. STILWELL, Judge.

DISSENTING OPINION OF MR. ALLERBY

I dissent from the majority decision of the Court in this amendment. These workers prior to the 1949 amendment received a bonus payment of 3d. per hour which was later incorporated by agreement of the parties in the 1951 award at 3¼d. per hour. To offset this amount is to deprive these workers of the full benefit of the Court's pronouncement and is, in my opinion, tantamount to substantially reducing the rates that should be awarded under this amendment to give effect to the Court's standard wage pronouncement.
