

OTAGO PLACES OF AMUSEMENT (OTHER THAN THEATRES) EMPLOYEES—
AWARD

In the Court of Arbitration of New Zealand, Otago and Southland Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of an industrial dispute between the Dunedin Theatrical and Shows Employees (Other than Stage Hands) Industrial Union of Workers (hereinafter called “the union”) and the undermentioned persons, firms, and companies (hereinafter called “the employers”):

Brown, J. A., Town Hall Dance, 161 Stuart Street, Dunedin.
Dunedin Jockey Club, 91 Crawford Street, Dunedin.
Fitzpatrick, J., Dance Promoter, 104 Surrey Street, Dunedin.
Forbury Park Trotting Club, Crawford Street, Dunedin.
Oamaru Racing Club, 101 Thames Street, Oamaru.
Oamaru Trotting Club, 101 Thames Street, Oamaru.
Otago Agricultural and Pastoral Society, 83 Crawford St., Dunedin.
Otago Boxing Association, A.M.P. Buildings, Dunedin.
Otago Football Association (Inc.), Dunedin.
Otago Rugby Football Union, A.M.P. Buildings, Dunedin.
Otago Wrestling Association, 20 Crawford Street, Dunedin.
Waikouaiti Racing Club, 101 Thames Street, Oamaru.

THE Court of Arbitration of New Zealand (hereinafter called “the Court”), having taken into consideration the terms of settlement arrived at in the abovementioned dispute and forwarded directly to the Court pursuant to the provisions of section 130 of the Industrial Conciliation and Arbitration Act 1954, 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 March 1957 and thereafter as provided by section 152 of the Industrial Conciliation and Arbitration Act 1954.

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 16th day of March 1956.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE
Application

1. This award shall apply to attendants employed at boxing, wrestling, and sporting fixtures, races, dances, balls, shows, band contests, exhibitions, and any other display.

Dances, Balls, etc.

2. (a) The ordinary hours shall not be more than five hours to be continuous between 6.30 p.m. and 12.30 a.m. on the following day.

(b) Work performed outside or in excess of these hours shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

(c) Work performed on Christmas Day, Boxing Day, New Year's Day, Anniversary Day, Easter Monday, Labour Day, and the birthday of the reigning Sovereign shall be paid for at double time rates.

(d) The wages shall be not less than :

	Per Performance
	£ s. d.
Master of Ceremonies	1 17 6
Other attendants	1 5 0

Boxing and Wrestling

3. The wages shall be not less than :

	Per Performance
	s. d.
Ticket-sellers	19 3
Other attendants	16 6

Sporting Fixtures

4. (a) Attendants employed at racing, trotting, and hunt club meetings shall be paid :

	Per Day
	£ s. d.
Turnstile keepers handling cash	2 11 6
Ticket-seller	2 11 6
All other male attendants	2 4 0
All other female attendants	1 16 6

Where a worker has to travel more than ten miles to the place of employment the employer shall provide transport and one meal.

(b) Attendants at agricultural and pastoral society shows shall be paid not less than 4s. 9d. per hour.

(c) In respect of all other fixtures, the rate of pay shall be 4s. 9d. per hour.

(d) In the case of workers employed by the hour, the engagement shall be for a minimum period of three hours.

Annual Holidays

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

Increase in Rates of Remuneration

6. The rates of remuneration determined by this award shall be increased to the extent and in the manner prescribed by the general order of the Court made under the Economic Stabilisation Regulations 1953, and dated the 28th day of October 1954.

(EXPLANATORY NOTE.—The general order of the 28th October 1954 increased rates of remuneration determined by awards and industrial agreements by an amount equal to 13 per cent thereof, but excluded from the scope of the increase—

(1) Such portion of the remuneration of each worker in each week as exceeded the amount of £12 in the case of adult male workers, the amount of £9 in the case of adult female workers, and the amount of £7 in the case of male and female workers under the age of 21 years; and

(2) All allowances in respect of tools, bicycles, motor vehicles, protective or special clothing, or special footwear.

The term "remuneration" means salary or wages; and includes time and piece wages and overtime and bonus and other special payments; and also includes allowances, fees, commission, and any other emolument, whether in one sum or several sums; and also includes travelling expenses.)

Uniforms and Dress Suits

7. Where an employer requires a worker to wear a uniform, such shall be supplied by the employer, who shall also arrange for its washing, laundering, and repair. A uniform is a special dress, other than a worker's suitable ordinary clothing, and the colour and/or the style of which is dictated by the employer. Where an employer requires an attendant to wear dress shirts, they shall be deemed to be part of a uniform.

Transport

8. In the case of workers employed until it is too late to travel by the last train, tram, or other regular public conveyance to the worker's home, the employer shall provide proper conveyance for the worker if a female, to her home, or if a male, to his home if more than a mile from his place of employment.

Commencement of Engagement

9. All workers directed by the employer to report for work shall be paid from the time he or she was directed to attend and did attend, whether work is ready to be commenced or not, and shall be paid for not less than two hours.

Matters Not Provided For

10. The essence of this award being that on no account whatsoever shall the work be impeded, 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 Conciliation Commissioner or other person mutually agreed upon, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Commissioner or such other person, may appeal to the Court upon giving written notice of such appeal to the other party within seven days after such decision shall have been communicated to the party desiring to appeal.

Right of Entry

11. The secretary or other authorised representative of the union shall be permitted to interview employees at their place of employment on any one day in each week at a suitable time to be arranged between the employer and the secretary of the union.

Workers to be Members of Union

12. (a) Subject to the provisions of sections 174 (5) and 175 of the Industrial Conciliation and Arbitration Act 1954, 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 section 174 (3) of the Industrial Conciliation and Arbitration Act 1954 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 wage 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.

Application of Award

14. This award shall apply to the original parties named herein, and shall extend to and bind as subsequent party hereto every industrial union, industrial association, or employer who, not being an original party hereto, is, when this award comes into force or at any time whilst this award is in force, connected with or engaged in the industry to which this award applies within that portion of the industrial district to which this award relates.

Scope of Award

15. This award shall operate throughout the Otago and Southland Industrial District excluding that portion formerly known as the province of Southland.

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 17th day of February 1956, and so far as all other conditions 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 31st day of March 1957.

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 16th day of March 1956.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The award, including the operative date of provisions relating to wages, embodies the terms of settlement arrived at by the assessors in Conciliation Council.

A. TYNDALL, Judge.