

NORTHERN INDUSTRIAL DISTRICT RACECOURSE AND SPORTS BODIES' EMPLOYEES—AWARD

In the Court of Arbitration of New Zealand, Northern Industrial District—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of an industrial dispute between the Auckland Theatrical and Places of Amusement Employees Industrial Union of Workers (hereinafter called “the union”) and the undermentioned corporation, clubs, firms, and associations (hereinafter called “the employers”):

Auckland Aero Club, 24 Customs Street, Auckland.
 Auckland Amateur Cycling Centre, 27 Arakau Avenue, Epsom, Auckland.
 Auckland City Corporation, Town Hall, Queen Street, Auckland.
 Auckland Cricket Association, 46 Imperial Building, Queen Street, Auckland.
 Auckland Football Association, Blandford Park, Grafton, Auckland.
 Auckland Golf Association, Strand Arcade, Queen Street, Auckland.
 Auckland Hockey Association, Hobson Park, Remuera, Auckland.
 Auckland Lawn Tennis Association, 37 Shortland Street, Auckland.
 Auckland Public Relations Office (Inc.), Nathan's Building, Customs Street, Auckland.
 Auckland Racing Club, Shortland Street, Auckland.
 Auckland Rowing Club, Box 1209, Auckland.
 Auckland Rugby League, Colonial and Mutual Building, Queen Street, Auckland.
 Auckland Rugby Union, Safe Deposit Building, High Street, Auckland.
 Auckland Softball Association, 4 Mapau Road, Auckland.
 Auckland Trotting Club, Durham Street, Auckland.
 Avondale Jockey Club, Victoria Street, Auckland.
 Bay of Plenty Jockey Club, Wharf Street, Tauranga.
 Cambridge Trotting Club, Lake Street, Cambridge.
 Franklin Racing Club, Pukekohe.
 Hamilton Lawn Tennis Association, Ohaupo Road, Hamilton.
 Hamilton Rugby Union, Victoria Street, Hamilton.
 Matamata Racing Club, Matamata.
 North Auckland Football Union, Cameron Street, Whangarei.
 Ohinemuri Jockey Club, Belmont Road, Paeroa.
 Poverty Bay Racing Club, Gisborne.
 Poverty Bay Turf Club, Peel Street, Gisborne.
 Rotorua Racing Club, 65 Hinemoa Street, Rotorua.
 South Auckland Rugby League, Main Street, Huntly.
 Taumarunui Racing Club, Hakiaha Street, Taumarunui.
 Te Aroha Jockey Club, Rewi Street, Te Aroha.
 Thames Jockey Club, Pollen Street, Thames.
 Thames Trotting Club, Mary Street, Thames.
 Waikato Hunt Club, Cambridge.
 Waikato Racing Club, Alma Street, Hamilton.
 Waikato Trotting Club, 100 Victoria Street, Hamilton.
 Waipa Racing Club, Alexandra Street, Te Awamutu.
 Western Springs Speedways Limited, Argus House, High Street, Auckland.
 Whangarei Racing Club, 54 Cameron Street, Whangarei.

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 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 July 1959 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 hereunto been affixed, and the Judge of the Court hath hereunto set his hand, this 10th day of October 1958.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

PART I

This Part of this award shall apply to workers employed by racing, trotting, and hunt clubs.

Hours of Work

1. The hours of work shall not exceed eight per day without restriction as to clock-hours.

Wages

2. The minimum rates of wages shall be:

	Per Day
	£ s. d.
Number-board men	2 16 3
Ticket-sellers	2 16 3
Money-changers	2 16 3
Cash turnstile attendants	2 9 3
Ticket-collectors	2 6 6
Men in charge of admission gates to public enclosures	2 16 3
Parking attendants	2 9 6
Rangers on boundaries, doorkeepers, and all other male attendants and gatekeepers other than above	2 6 6
Cloakroom attendants	2 6 6
Female employees in lavatories	2 0 0

Meal Allowance

3. All workers shall be allowed a reasonable time for a meal and shall be provided with a meal, or in lieu thereof a meal allowance of 4s. 5d.

Commencement of Engagement

4. In the event of postponement each worker directed by the employer to report for work and who does report on time shall be paid not less than 7s.

PART II

This Part of this award shall apply to workers employed by cycle clubs, cricket clubs, football clubs, tennis clubs, hockey clubs, speedways, rowing clubs, and the like.

Wages

5. The minimum rate of pay shall be 5s. 9d. per hour: Provided that the minimum payment on any one day shall be three hours' pay.

Meals

6. Where the engagement exceeds six hours a worker shall not be employed for more than four hours continuously without an interval for a meal and he shall either be provided with a meal or be paid 4s. 5d.

PART III

This Part of this award shall apply to workers employed under Parts I and II.

Overtime

7. All work done in excess of eight hours in any one day shall be paid at the rate of time and a half for the first three hours and double time thereafter.

Special Clothing

8. Special clothing required by the employer to be worn by the worker shall be supplied and kept in good repair by the employer.

Annual Holiday

9. (a) The provisions of the Annual Holidays Act 1944, shall apply to all workers covered by this award.

(b) Holiday pay shall be paid to workers with wages immediately after the completion of engagement.

Deduction of Union Fees

10. It shall be a condition of employment under this award that the employer shall deduct all union fees, and remit them to the union. The names and addresses of all employees shall, on request, but not more often than each 12 months, be supplied to the union.

Wet Weather

11. All workers required to work in the rain shall be supplied with waterproof clothing or an appropriate shelter.

Matters Not Provided For

12. 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.

Copy of Award

13. The employer shall have a copy of the award exhibited in a conspicuous place where it can be seen by the members of the staff.

Right of Entry

14. The secretary or other authorised representative of the union shall have the right to enter upon the premises of the employer for the purpose of interviewing the workers, but not so as to interfere with the carrying on of the employer's business.

Workers to be Members of Union

15. (a) All workers covered by the award shall become and remain members of the Auckland Theatrical and Places of Amusement Employees Industrial Union of Workers.

(b) For the purposes of subclause (a) of this clause a person of the age of 18 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 21 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

16. (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 14 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

17. (a) 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 the 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 the industrial district to which this award relates.

(b) This award shall not apply to any member of any amateur club, amateur society, or amateur association, or to any other persons giving services to such amateur body, but if a person receives any valuable consideration for any services to any amateur body, whether by way of cash, free tickets, or otherwise, he shall be bound by all the provisions of the award.

Scope of Award

18. This award shall operate throughout the Northern Industrial District.

Term of Award

19. This award, in so far as the provisions relating to the rates of wages to be paid are concerned, shall be deemed to have come into force on the 1st day of August 1958, and so far as all other provisions 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 July 1959.

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 10th day of October 1958.

[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.

Clause 10 (Deduction of Union Fees) has been inserted in the form agreed upon in Conciliation Council, but its incorporation is not to be taken as an indication that the Court is satisfied with its validity.

A. TYNDALL, Judge.
