

AUCKLAND ROPE AND TWINE WORKERS—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 Rope and Twine Workers Industrial Union of Workers (hereinafter called “the union”) and the undermentioned company (hereinafter called “the employers”):

Donaghy’s Rope and Twine Co. Ltd., Auckland.

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 22nd day of July 1961 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 11th day of August 1959.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Interpretation

1. This award shall apply to all workers employed by the employer named herein, except clerical and office workers and workers specifically provided for in other awards.

Hours of Work

2. (a) Except as otherwise provided, the ordinary hours of work shall not exceed eight per day from Monday to Friday, both days inclusive, to be worked between the hours of 7.45 a. m. and 5 p.m.

(b) Notwithstanding anything contained in this award, subsection (3) of section 19 of the Factories Act 1946, relating to the employment of workers in making preparations for the work of the factory shall be deemed to be incorporated herein.

(c) Not more than four and three-quarter hours shall be worked continuously without an interval of not less than three-quarters of an hour for a meal.

Night Shifts

3. Night shifts may be worked subject to the following conditions:

- (i) Not more than five shifts of eight hours each shall be worked in any one week;
- (ii) In the case of a night-shift worker, overtime shall only be payable for work done in excess of eight hours on any one shift or in excess of forty hours in any one week;
- (iii) A shift-worker shall be allowed half an hour crib-time without deduction from pay;
- (iv) Workers employed on night shifts shall be paid 6d. per hour in addition to the rates prescribed for day workers.

Wages

4. The minimum rates of wages for adult male workers shall be as follows:

| | Per Week | | |
|--|----------|----|----|
| | £ | s. | d. |
| Head ropemaker | 10 | 10 | 6 |
| Assistant ropemaker | 9 | 15 | 2 |
| Small-goods ropemaker | 9 | 15 | 2 |
| Hackling machinists and leading hand on first spreader | 9 | 11 | 4 |
| Machine operator | 9 | 7 | 6 |
| General hands | 8 | 19 | 2 |

A worker when in charge of travelling machine on rope walk, head ropemaker, assistant ropemaker, small-goods ropemaker and hackling machinists and leading hands on first spreader shall be paid adult wages whilst so employed.

Boys and Youths

5. (a) The minimum weekly rates of wages payable to youths shall be as follows:

| | Per Week | | |
|-----------------------------|----------|----|----|
| | £ | s. | d. |
| Under 17 years of age | 4 | 3 | 0 |
| 17 to 18 years of age | 4 | 18 | 0 |
| 18 to 19 years of age | 6 | 1 | 0 |
| 19 to 20 years of age | 6 | 16 | 0 |
| 20 to 21 years of age | 7 | 16 | 6 |

Thereafter not less than the rate for general adult hands.

(b) In the rope and twine department youths or boys may be employed in the proportion of two youths or boys to each three adult workers employed during the preceding six months for at least two-thirds full time, and there shall be no limit to the number of females who may be employed.

(c) In the shop twine and string department there shall be no limit to the number of youths, boys, or girls who may be employed.

Female Workers

6. The minimum weekly rates of wages payable to female workers shall be as follows:

| | Per Week | | |
|-----------------------------|----------|----|----|
| | £ | s. | d. |
| Under 17 years of age | 3 | 17 | 6 |
| 17 to 18 years of age | 4 | 17 | 0 |
| 18 to 19 years of age | 5 | 5 | 0 |
| 19 to 20 years of age | 5 | 13 | 6 |
| Thereafter | 6 | 4 | 6 |

Terms of Employment

7. (a) The employment shall be deemed to be a weekly employment and no deduction shall be made from the weekly wages prescribed in 4, 5, and 6 respectively except for time lost through the worker's default or sickness or through no fault of the employer.

(b) Not less than one week's notice, in the case of workers in weekly employment, shall be given by either party of the termination of the employment; but nothing in this clause shall prevent the employer from dismissing summarily any worker for misconduct.

Casual Labour

8. (a) The minimum rate of pay for casual workers shall be 5s. per hour.

(b) A casual worker is a worker who is employed for less than one week.

Increase in Rates of Remuneration

9. 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 26th day of October 1956.

(EXPLANATORY NOTE—The general order of 26 October 1956 increased rates of remuneration determined by awards and industrial agreements by an amount equal to 18 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 £13 in the case of adult male workers, the amount of £9 15s. in the case of adult female workers, and the amount of £7 10s. 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.)

Holidays (Statutory)

10. (a) The following shall be recognised holidays which shall be paid for: Christmas Day, Boxing Day, New Year's Day and the day following that upon which New Year's Day is observed, Good Friday, Easter Monday, Anzac Day, Labour Day, the birthday of the reigning Sovereign, and Anniversary Day or a day in lieu thereof.

(b) For work done on any of the above-mentioned days double time rates shall be paid in addition to the day's wages.

(c) For work done on Sundays, double time rates shall be paid.

(d) In the event of a holiday (other than Anzac Day) falling on a Saturday or a Sunday, such holiday shall be observed on the succeeding Monday, and in the event of another holiday falling on such Monday, such other holiday shall be observed on the succeeding Tuesday.

Holidays (Annual)

11. The provisions of the Annual Holidays Act 1944, shall apply to workers covered by the provisions of the award.

Meal-money

12. Employers shall give 24 hours' notice of overtime; failing that, they shall allow meal-money at the rate of 4s. per meal where workers are required to work overtime after 6 p.m., provided that such workers cannot reasonably get home to their meals.

Overtime

13. (a) All time worked on any day outside of or in excess of the hours prescribed in clause 2 of this award shall be deemed to be overtime and shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

(b) Whenever possible, workers shall not be required to work overtime on Friday nights.

Payment of Wages

14. Wages shall be paid not later than Thursday in each week and within 10 minutes of knocking-off time.

Accidents

15. A St. John Ambulance first-aid outfit, fully equipped, shall be kept in a convenient and accessible place in the factory, and also convenience for supplying hot water at short notice.

Conveniences

16. (a) Employers shall provide toilet soap and proper sanitary and washing conveniences, which shall be kept clean by the employer.

(b) Provision shall be made for suitable dining and dressing accommodation, also facilities for boiling water at meal-times.

(c) These conveniences shall be arranged by the employer and the secretary of the union, and shall be kept clean by the employer.

Termination of Employment

17. All wages shall be paid on the dismissal of the worker. When a worker leaves his employer of his own accord, all wages due to him shall be paid by the employer within 24 hours.

Matters Not Provided For

18. Any dispute in connection with any matters not specifically provided for in this award shall be settled between the particular employer concerned and the executive of the union, and in default of any agreement being arrived at, then such dispute shall be referred to the Conciliation Commissioner for the district, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Commissioner, 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.

Access to Factory

19. Every employer bound by this award shall permit the secretary or other authorised officer of the union to enter at all reasonable times (to be mutually arranged between the employer and the union) upon the premises or works and there interview any workers, but not so as to interfere unreasonably with the employer's business.

General Conditions

20. (a) When necessary, the employer shall, every six months supply each female worker with a smock in good order, which when supplied, shall be laundered and kept clean by the worker.

(b) The employer shall, where necessary, supply polishers, tar-room men, and all operators working machines on tarred goods with water-proof aprons and gloves.

(c) A 10 minute interval each morning and afternoon shall be allowed provided there is no complete cessation of work.

(d) A clothing allowance of $\frac{1}{2}$ d. per hour shall be paid to all male workers covered by this award.

Workers to be Members of Union

21. (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 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

22. (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.

Transport

23. Where workers are called upon to work overtime, or workers on shift-work cease work, after the ordinary means of transport have ceased running, such workers shall be conveyed to their homes at the expense of the employer.

Scope of Award

24. This award shall apply to the parties named herein and to such other parties that may from time to time be added by order of the Court.

Term of Award

25. 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 22nd day of July 1959, 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 22nd day of July 1961.

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 11th day of August 1959.

[L.S.]

A. TYNDAL, 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.