

**BATA RUBBER FOOTWEAR OPERATIVES—INDUSTRIAL AGREEMENT**

[Filed in the Office of the Clerk of Awards, Wellington]

THIS industrial agreement made in pursuance of the Industrial Conciliation and Arbitration Act 1954 this 4th day of February 1959 between Bata Co. (N.Z.) Ltd., Wellington, and the New Zealand Federated Footwear Trade Industrial Association of Workers.

SCHEDULE

*Industry to Which Agreement Applies*

1. This agreement shall apply to the assembly and manufacture of fabric rubber soled footwear and waterproof rubber footwear.

*Hours of Work*

2. The ordinary hours of work shall not exceed 40 per week nor eight per day, to be worked on the five days of the week, Monday to Friday, both days inclusive, between the hours of 7 a.m. and 5 p.m. for male workers and between 8 a.m. and 5 p.m. for female workers: Provided that no worker shall be required to start at 7 a.m. unless his usual form of transport is available to him.

*Shift Work*

3. Shift work may be required on terms to be arranged between the employer and the federation.

*Overtime*

4. (a) All time worked outside or in excess of the daily hours prescribed in clause 2 hereof shall be overtime, and shall be paid for at the rate of time and a half for the first three hours and double time thereafter: All overtime shall be optional provided that when overtime is worked on Saturday morning, the rates shall be time and a half for the first four hours and double time thereafter.

(b) Workers required to work on Saturday shall be employed for a minimum of four hours.

(c) When a worker is required to work overtime beyond half an hour after his usual time for ceasing work and has not been notified on the previous day, he shall be paid the sum of 4s. 6d. meal money. If such a worker is notified that he is to work and overtime is not worked, such worker shall be paid an allowance of 4s. 6d.

*Holidays*

5. (a) All workers shall receive the following holidays in each year: New Year's Day, the day following New Year's Day, Good Friday, Easter Monday, Anzac Day, Labour Day, Christmas Day, Boxing Day, Anniversary Day and the birthday of the reigning Sovereign.

(b) All work performed on any of the above-mentioned holidays shall be paid for at double rates. This payment shall be made in addition to the weekly wage payable to the worker concerned.

(c) All work performed on Sunday shall be paid for at double rates.

(d) In the event of a holiday, other than Anzac Day, falling on a Saturday or 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.

*Annual Holidays*

6. An annual holiday shall be allowed in accordance with the provisions of the Annual Holidays Act 1944.

*Wages*

7. (a) Adult male workers shall be paid not less than the following weekly wages:

1. <i>Gumboot Cutting Section Department</i> —		£	s.	d.
Beam press cutter	.....	12	7	10
Hand outsole cutter	.....	12	19	7
Machine outsole cutter	.....	12	7	10

*Making Department Gumboot Section*—

Fitting shin to last and attaching foot and heel lasting	.....	12	15	9
Fitting and lasting vamp	.....	12	15	9
Fitting rubber vamp, lasting and levelling	.....	12	15	9
Fitting outer sole and levelling cleats	.....	12	7	10
Rolling and wealing outsole	.....	12	15	9
Examiner	.....	12	15	9
Vulcaniser	.....	12	12	0
Other adult male workers	.....	11	17	3
Male workers (19-21 years)	.....	11	2	3

2. *Fabric Shoe Section*—

Beam press cutter	.....	12	7	10
Press hand	.....	12	12	0
Other adult male workers	.....	11	17	3
Male workers (19-21 years)	.....	11	2	3

Further to the above rates persons employed on evening shift work shall receive an additional 17s. 6d. per week. The rate for vulcanising press hands and mixing mill operatives employed on evening shift work shall be £2 17s. 6d. per week in addition to the weekly rate.

(b) The minimum weekly rates of wages for youths shall be:

<i>Age Commencing at Trade</i> —		£	s.	d.
Under 16	.....	6	0	0
16 to 17	.....	7	0	0
17 to 18	.....	8	0	0
18 to 19	.....	9	10	0

Thereafter, the minimum rate of wages prescribed in subclause (a).

(c) *Females*: The minimum weekly rates of wages for female workers shall be:

<i>Age Commencing at Trade</i> —		£	s.	d.
15 to 16	.....	4	14	5
16 to 17	.....	5	18	0
17 to 18	.....	7	7	6
Thereafter	.....	7	18	9

(d) Notwithstanding anything contained herein, the wages of any worker at present receiving more than the rates prescribed herein shall be maintained at not less than the present rates during the currency of this agreement.

(e) The proportion of youths to adult males shall not exceed one to three.

*Bonus Payments*

8. Bonus payments to workers shall be permitted in terms to be arranged between the employer and the union.

*Terms of Employment*

9. (a) Twenty-four hours' notice, (one working day) of the termination of the services of the worker shall be given by the employer to the worker or by the worker to the employer; but this shall not prevent summary dismissal for misconduct.

(b) No deduction shall be made from the wages of any worker for whom a weekly wage is provided herein except for time lost through the illness or default of the worker or through accident not arising out of or in the course of the employment.

(c) Wages shall be paid on or before Thursday in each week and within working hours. When a holiday falls on a Friday wages shall be paid on the preceding Wednesday.

*General Conditions*

10. (a) Individual lockers shall be provided to store outer clothing. Adequate dining and sanitary facilities shall be provided. Adequate lighting and fresh air facilities shall be provided.

(b) Notice-boards shall be provided in a prominent position for the display of union notices.

(c) In each factory there shall be provided a suitable furnished place for the use of female workers.

(d) A 10 minute rest period shall be allowed morning and afternoon to all workers.

(e) Youths under the age of 19 shall not be employed on chain operations in the gumboot section (without permission of the Advisory Committee.)

Youths under the age of 19 years or females shall not be employed on the following operations in the fabric shoe section: Lasting, clicking, cutting of fabric uppers, skiving, solepressing, wellmanknife sole cutting.

Youths under the age of 19 years or females shall not be employed on the following operations in the sponge section: Lasting or vulcanising-moulder.

Youths under the age of 19 years or females shall not be employed on the following operations in the slipper section: Lasting or vulcanising-moulder.

Females employed on motorised jobs shall receive an additional rate of 3d. per hour.

When any new type of rubber footwear is to be produced the employment of females on any of the operations shall be discussed and settled by representatives of the union and employer before being put into production.

(f) Male workers shall be supplied yearly with two substantial aprons of a type suitable for the work being performed. Female workers shall be provided with two smocks to be replaced when necessary.

(g) No female worker or youth under 18 years of age shall be required to lift weights in excess of 50 lb.

(h) Washing facilities including hot water, soap, and towels, shall be provided by the employer.

(i) A properly equipped first-aid outfit shall be readily accessible to all workers while work is being carried on in the factory, and temporary dressings, bandages, and antiseptic shall be available in each department.

(j) Workers on completion of 10 years' continuous service and of each subsequent year of service shall be paid a service bonus of one week's wages. On completion of 20 years' service and of each subsequent year of service the service bonus shall be two weeks' wages. In addition the following awards will be made:

10 years' continuous service	.....	.....	£5
15 years' continuous service	.....	.....	£10
20 years' continuous service	.....	.....	£15
25 years' continuous service	.....	.....	Gold engraved wristlet watch

#### *Advisory Committee*

11. A committee consisting of two representatives of employers and two representatives of the union, and known as the "Advisory Committee", shall be set up to deal with all applications for permits to work at home, and to deal with such operations that females may be employed upon under subclause (e) of clause 10 hereof. No resolution of the committee permitting out-work shall be carried unless a majority of the representatives of each side is in agreement.

#### *Foremen and Forewomen*

12. The employer may appoint one foreman or forewoman in each department where five or more workers are employed, and, provided the person so appointed is engaged in supervising work for not less than 50 per cent of the working hours, such foreman or forewoman shall be exempted from the provisions of this award. It shall be the duty of the employer to notify the secretary of the union of the appointment of such foreman or forewoman.

#### *Disputes Committee*

13. Any dispute in connection with any matter not provided for in this award shall be settled between two representatives of the employer concerned and two representatives of the union, and in default of any agreement being arrived at, the dispute be referred to the union secretary then such dispute shall be referred to the Conciliation Commissioner, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Conciliation Commissioner, may appeal to the Court within seven days after such decision shall have been communicated to the party desiring to appeal.

#### *Workers to be Members of Union*

14. (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 agreement to employ or to continue to employ in any position or employment subject to this agreement any adult person who is not for the time being a member of an industrial union of workers bound by this agreement.

(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 agreement 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 agreement, 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*

15. (a) Any worker who considers himself incapable of earning the minimum wage fixed by this agreement 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.

*Right of Entry*

16. The secretary or other authorised officer of the union shall, with the consent of the employer (which consent shall not be unreasonably withheld), be entitled to enter at all reasonable times upon the premises or works and there interview any workers, but not so as to interfere unreasonably with the employer's business.

*Scope of Agreement*

17. This agreement shall apply to the parties named herein and shall operate in the Wellington Industrial District.

*Term of Agreement*

18. This agreement in so far as the provisions relating to rates of wages are concerned, shall be deemed to have come into force as from the 4th day of February 1959, and in so far as all other provisions of the agreement are concerned, it shall come into force on the day of the date hereof; and this agreement shall continue in force until the 31st day of March 1960.

## MEMORANDUM

It is further agreed by the parties to this agreement that any increases in rates of wages granted under the Footwear Manufacturing Employees Award shall be added to the rates of wages applicable to this agreement.

Dated at Wellington this 4th day of February 1959.

Signed on behalf of Bata Co. (N.Z.) Ltd.—

C. F. FINCH.

Signed on behalf of New Zealand Federated Footwear Trade Industrial Association of Workers—

G. ROBINSON.