

NEW ZEALAND

DEPARTMENT OF LABOUR

AWARDS, AGREEMENTS, ORDERS, AND DECISIONS

MADE UNDER THE

Industrial Conciliation and Arbitration Act, the Apprentices
Act, the Labour Disputes Investigation Act, and
Other Industrial Legislation

TAHUNA SANDS ASSOCIATION CARETAKERS AND OTHERS—INDUSTRIAL AGREEMENT

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

THIS industrial agreement made in pursuance of the Industrial Conciliation and Arbitration Act 1954, this 17th day of January 1960, between the Wellington, Nelson, Westland and Marlborough Local Bodies, Other Labourers and Related Trades Industrial Union of Workers (hereinafter called "the union") of one part, and the Tahuna Sands Association (Incorporated) (hereinafter called "the employer") of the other part, whereby it is mutually agreed by and between the said parties as set out in the following Schedule.

SCHEDULE

Industry to Which Agreement Applicable

1. This agreement shall apply to all workers employed by the association and engaged in the normal work carried out by the association in the exercise of its functions as the controlling body of the area known as the Sands Reserve at Tahunanui near the city of Nelson, but shall not apply to any person employed as a secretary or treasurer or to any person whose duties are of a clerical nature.

Hours of Work

2. (a) The hours of work shall be 40 per week to be worked between the hours of 7 a.m. and 5 p.m. on five days of the week, Monday to Friday (inclusive).

(b) Notwithstanding anything contained in sub-clause (a) hereof caretakers may be required to work on any day as determined by the association, Monday to Sunday inclusive, provided that one clear day of 24 hours off duty shall be allowed in each working week.

Overtime

3. (a) All time worked in excess of the hours mentioned in clause 2 hereof shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

(b) All time worked on Sundays or on any holiday mentioned in clause (4) hereof shall be paid for at double time but overtime for work done on any such holiday shall be in addition to the usual weekly rates. Overtime shall be computed at one-fortieth of the weekly rate.

(c) Nothing contained in the foregoing provisions of this clause shall be deemed to apply to caretakers employed in pursuance of the provisions of sub-clause (b) of clause (2) hereof.

Holidays

(4) (a) The following days shall be regarded as holidays: New Year's Day, 2 January, Anniversary Day, Good Friday, Easter Monday, Labour Day, the birthday of the reigning Sovereign, Christmas Day, Boxing Day, Anzac Day and one other day to be mutually agreed on.

(b) The provisions of the Public Holidays Act 1910 and its amendments shall be deemed to be incorporated in this agreement.

(c) Caretakers employed in pursuance of the provisions of sub-clause (b) of clause (2) hereof shall be allowed holidays up to 10 in number without deduction from wages such holidays to be taken at a time or times to be arranged between the worker concerned and the association.

(d) In addition to the holidays mentioned in sub-clause (c) hereof and to compensate for elasticity of the general conditions of work caretakers employed in pursuance of sub-clause (b) of clause (2) hereof shall be granted three weeks annual leave on full pay such leave to be taken during the months of May to November (inclusive) by arrangement between the worker concerned and the association.

Annual Holidays

5. (a) Except as provided hereunder the provisions of the Annual Holidays Act 1944 shall apply to this agreement.

(b) Workers shall be allowed and paid for three weeks' holiday annually for their tenth and subsequent years of service.

Wages

6. (a) The minimum rates of wages for workers employed under this agreement shall be:

		Per Week		
		£	s.	d.
Caretakers	12 10 0
Other workers	12 5 0

Commission on collection of fees by caretakers shall be on the basis at present in operation. The association shall notify the union of the basis at present operating.

If the total remuneration received by a caretaker, including wages and commission, during any period of twelve months ending on 30 September in any year is less than £750 the association shall pay such caretaker such sum as is necessary to bring his total remuneration for that period up to the amount of £750.

(b) For the purposes of removing any doubt, it is hereby declared that the rates of remuneration determined by this agreement shall not be increased in accordance with the general order of the Court of Arbitration dated the 18th day of September 1959, and made under the Economic Stabilisation Regulations 1953.

General Conditions

7. (a) Should any matter arise out of or in connection with the operation of this agreement or affect the relationship between the workers or any of them, and the association, the matter shall be considered between a representative of the union and a representative of the association. Failing a mutual agreement on any point that may arise, the union and the association shall refer the matter to an independent person for decision. Should the union and association fail to agree respecting the person to decide any issue, the matter shall be referred to the Conciliation Commissioner for the district whose decision shall be final.

(b) Workers required to work in wet weather shall be supplied with suitable oilskins, and workers required to clean conveniences and dispose of refuse or rubbish shall be supplied with overalls and gloves.

Workers to be Members of Union

8. (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 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 sub-clause (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).

Term of Agreement

9. This agreement shall, in so far as it relates to wages, be deemed to have come into force on the 12th day of October 1959, and, in so far as all other conditions of this agreement are concerned it shall come into force on the day of the date hereof and shall continue in force until the 10th day of November 1960.

The common seal of the Tahuna Sands Association Incorporated was affixed hereto in the presence of:

[L.S.]

A. C. HARRIS, Member of Executive.
C. CANNINGTON, Member of Executive.
W. R. P. JAUQUES, Secretary.

The common seal of the Wellington, Nelson, Westland and Marlborough Local Bodies' Other Labourers' and Related Trades Industrial Union of Workers was affixed hereto in the presence of:

[L.S.]

H. MAY, President.
P. M. BUTLER, Secretary.