

MARLBOROUGH, NELSON, WESTLAND AND CANTERBURY ELECTRICAL WORKERS—AWARD

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

In the Court of Arbitration of New Zealand, Marlborough, Nelson, Westland and Canterbury Industrial Districts—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of an industrial dispute between the New Zealand Engineering, Coachbuilding, Aircraft and Related Trades Industrial Union of Workers (hereinafter called “the union”) and the under-mentioned union, boards, councils, persons, firms and companies (hereinafter called “the employers”):

MARLBOROUGH INDUSTRIAL DISTRICT

Catto, J., High Street, Picton.
Cresswell, R., and Son, Queen Street, Blenheim.
Myles, T., Auckland Street, Picton.
Picton Borough Council, High Street, Picton.
Whiting, A. A., High Street, Picton.

NELSON INDUSTRIAL DISTRICT

Anchor Shipping and Foundry Co. Ltd., Port Nelson.
Mather, L., Motueka.
Murchison County Council, Murchison.
Richards and Co., Electricians, Bridge Street, Nelson.

WESTLAND INDUSTRIAL DISTRICT

Gifford, W. H., Greymouth.

CANTERBURY INDUSTRIAL DISTRICT

Brosnan, K., 269 Durham Street, Christchurch.
Brown Bros., 590 Colombo Street, Christchurch.
Canterbury Auto Electric Service Ltd., 127 St. Asaph Street, Christchurch.
Canterbury Engineering Co., 66–68 Kilmore Street, Christchurch.
Canterbury Electrical Contractors Industrial Union of Employers, 226 Armagh Street, Christchurch.
Christchurch Battery Co., 83 Kilmore Street, Christchurch.
Claude Neon Light Co., Lichfield Street, Christchurch.
Lyttelton Harbour Board, Lyttelton.
New Zealand Farmers Co-op. Association of Canterbury Ltd., Christchurch and Ashburton.
South Canterbury Farmers Co-op. Association, Beswick Street, Timaru.
Turnbull and Jones Ltd., 77 Cashel Street, Christchurch.
Urlwin, H. C., Ltd., 204 Manchester Street, Christchurch.
Vigilant Automatic Fire Alarm Co. Ltd., 173 Gloucester Street, Christchurch.
Whittington, W. L., 94 Riccarton Road, Riccarton.
Wooff and Salvesen Ltd., 17–19 Lichfield Street, Christchurch.
Young Bros., Stafford Street, Timaru and Christchurch.

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 30th day of April 1962 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 27th day of May 1960.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to Which Award Applies

1. This award shall apply to the electrical industry as defined in clause 2 hereof.

Interpretation

2. (a) "Electrical workers' work" shall mean and include the constructing, erecting, installing, and repairing of all classes of electric lighting and power appliances, and of any other appliances which require a practical knowledge of electricity, and including all work which comes within the scope of the New Zealand Government Electrical Supply and Wiring Regulations.

(b) Nothing contained in this award shall apply to the construction, erection, or repairing of the mechanical operation of the above-mentioned appliances or machinery by a mechanical engineer, or to a motor electrician as defined in the Motor Mechanics' Award; but nothing in this subclause shall be construed as in itself authorising the employment of a mechanical engineer on electrical workers' work.

(c) Nothing herein contained shall apply to work done in connection with:

- (i) The manufacture in a factory of any electrical apparatus or appliances not requiring a technical knowledge of electricity; or
- (ii) Radio apparatus or appliances; or
- (iii) Storage batteries; or
- (iv) Electrical equipment on or intended for use on a motor-vehicle.

Hours of Work

3. (a) (i) Forty hours shall constitute an ordinary week's work, of which not more than eight hours may be worked on each day from Monday to Friday inclusive, and between the hours of 7.30 a.m. and 5 p.m. The time of starting and ceasing work between these hours shall be mutually arranged in each establishment, with a break of not more than one hour for lunch.

(ii) Employers engaged in newspaper production shall be exempt from the provisions of paragraph (i) of this subclause in respect of workers employed in newspaper production. The ordinary hours of work for such workers shall be those prescribed in the New Zealand Printing Trades Employees' Award for workers engaged in the production of newspapers.

Any such worker whose ordinary hours of work in any week include time actually worked on a Saturday or a Sunday in that week shall receive, in addition to his ordinary wages, payments computed in respect of the actual time worked as follows:

- (1) In respect of time worked on a Saturday before the hour of 12 o'clock midday: payment at one half of his ordinary rate.
- (2) In respect of time worked on a Saturday after the hour of 12 o'clock midday or on a Sunday: payment at his ordinary rate.
- (3) The additional payment shall not be less, in respect of each Sunday and of each Saturday, as the case may be, than the appropriate amounts specified in the New Zealand Printing Trades Employees' award or awards in force during the currency of this award.

"Ordinary rate" means one-fortieth of the worker's weekly wages per hour.

(b) No worker shall be required to work more than five hours continuously without an interval of at least three-quarters of an hour for a meal: Provided that this meal-time may be reduced to half an hour by mutual agreement.

Wages

4. (a) Journeymen registered under the Electricians Act 1952 shall be paid a minimum rate of 6s. 11d. per hour. Other journeymen shall be paid a minimum rate of 6s. 8d. per hour.

(b) Journeymen shall be paid a tool and overall allowance of 2d. per hour. A journeyman shall provide himself with sufficient tools, other than those referred to in clause 15, to carry out the work upon which he is substantially employed.

(c) *Chargemen*—Any worker who is placed in charge of work on which not less than two or more journeymen are employed shall be paid not less than 4½d. per hour extra while so employed.

(d) All wages shall be paid weekly not later than Thursday in the employer's time. Each worker shall be provided with a statement showing details of his earnings for each pay period and any deductions therefrom. When a holiday falls on a Friday, wages shall, where practicable, be paid not later than Wednesday in that week.

(e) All wages shall be paid on the dismissal of the worker or when he leaves of his own accord.

(f) Journeymen holding an Advanced Trade Certificate for Electricians shall be paid 10s. per week in addition to the above rates.

Requirements of Economic Stabilisation Regulations

5. No worker bound by this award shall in any week be paid a lesser amount by his employer than the worker would have been entitled to be paid under this award if it had specifically applied the general order of the Court dated 18 September 1959 otherwise than by incorporation pursuant to the pronouncement of the Court dated 18 September 1959.

Dirt-money, etc.

6. (a) *Ship-work*—Where the conditions are unhealthy or more injurious to clothing than the ordinary workshop conditions, dirt-money at the rate of 3½d. per hour, with a minimum of 2s. 3½d. per day or portion of a day, shall be paid to all employees; such conditions (without limiting the definition) may be

found in stokeholds, about boilers and galleys, aboard a boat in any of the following places: fore-peak, after-peak, chain-lockers, tanks, bilges, bunkers, engine-room, funnel, boilers, or stokeholds; about a ship's boiler, installing or overhauling storage batteries, work in the freezing-chambers while freezing is being carried on, repairing damage done by fire, dismantling used machinery, or renewing wire ropes.

(b) Dirt-money at the rate of 2s. 3½d. per day or portion of a day shall be paid for all work done by any worker covered by the provisions of this award in cement-works, chemical works, soap-works, foundries, tunnels, or repairing damage done by fire where the worker comes into contact with charred materials, or dirty installation work or dirty demolition work, or the dismantling of used machinery, or renewal of wire ropes on cranes, hoists and lifts, or in freezing-chambers while freezing is being carried on, or storage-battery work. Dirt-money at the same rate shall also be paid to electrical workers required to overhaul the motors, starters, switches, or any other electrical equipment which may be used to drive individually the following machines, except where the said motors, etc., are effectively shielded or protected from accumulations of dirt, dust, or filth: glue-crushers, bone-crushers, jelly-crushers, and hide-cutters in glue-works; and blood-pumps, sewage pumps, hash-presses, digestors, and paunch cutters in freezing works: Provided, however, that dirt-money shall not be payable in respect of regular minor maintenance and adjustments on the aforementioned equipment, such as the replacement of fuses and the checking over of contacts. Other work which may be agreed upon as coming under the term "dirty work" shall be paid for at the same rate.

Any worker whose work brings him into direct contact with carbon black or other pigment containing colouring matter shall be paid 1d. per hour in addition to his ordinary rate.

(c) Workers employed on ships' masts 20 ft above the deck, festooning on exteriors of buildings above 20 ft from the ground or above 20 ft from the floor-level on which they are working, and in places where a bosun's chair or similar appliance is used, shall, in addition to their ordinary wage, receive 2s. 3½d. per day or part of a day while so employed.

Overtime

7. (a) All work done in excess or outside of the hours mentioned in clause 3 hereof shall count as overtime and shall be paid for at the rate of time and a half for the first three hours in any one day and double time thereafter. All time worked after noon on Saturday shall be paid for at double time rate. Any worker (other than a shift worker) who is called back after 10 p.m. or after 12 noon on Saturday shall be paid double time.

(b) Any worker having worked all day and night shall not be required to continue working without his consent. If he does continue working he shall be paid double time rate for all time worked on the second day until an eight-hour break is allowed. Where by virtue of the compulsory eight hours' break he loses ordinary time on the second day, such time shall be paid for at ordinary rates.

(c) Where a worker is required to work overtime in the terms of subclause (a) of this clause after the ordinary hour of ceasing work for the day and where such period is broken, except for meal intervals, after at least four hours' overtime has been worked, no worker shall be called upon to resume work until a period of eight hours has elapsed unless double rates are paid for all time worked following such resumption of work.

(d) Any worker required to commence work after the cessation of public wheeled traffic or before the ordinary time of starting such traffic, and any worker who may work continuously until after the cessation of public wheeled traffic and cease work before the ordinary time of starting such traffic, shall be paid for time occupied in travelling to or from his home, computed on 3 miles per hour, at ordinary rates of pay. For the purpose of this award "public wheeled traffic" shall mean trams, buses, trains, or ferries ordinarily used by the worker travelling to or from his work.

(e) No worker shall be required to work overtime on late shopping nights except on urgent or breakdown work. As far as possible, overtime shall not be worked on the night of the union's regular monthly meeting.

(f) A worker called back after having ceased for the day shall be paid a minimum of two hours' pay at the appropriate overtime rate. For the purpose of this minimum, more than one call completed within two consecutive hours shall be deemed to be one call. Time shall be computed from leaving home to arriving back home.

(g) The employer shall either provide a suitable meal or allow meal-money at the rate of 5s. per meal when workers are called upon to work overtime after 6 p.m. on Monday, Tuesday, Wednesday, Thursday, or Friday, or after 1 p.m. on Saturday, unless such workers can reasonably get home for a meal and return to their work in one hour, in which case the meal allowance need not be paid.

(h) Supper-time and crib-time when working overtime shall be paid for.

(i) When working overtime under conditions where a worker cannot obtain a meal without incurring extra travelling-expense, the employer shall reimburse such extra expense.

(j) When a worker is required to work during his recognised meal-break, overtime rates shall be paid after five hours' work until an interval for a meal has been allowed.

Holidays

8. (a) The following shall be the recognised holidays, which shall be paid for at ordinary rates, except when the holiday falls on a day other than an ordinary working-day: New Year's Day, Good Friday, Easter Monday, Anzac Day, Labour Day, the birthday of the reigning Sovereign, Christmas Day, Boxing Day, Anniversary Day or a day in lieu thereof.

(b) The employer shall pay wages for the above holidays to all workers performing work coming within the scope of this award who have been employed by him at any time during the fortnight ending on the day on which the holiday occurs.

(c) Where any worker has been employed upon work coming within the scope of this award by more than one employer during the fortnight ending on the day on which any of the above holidays occur, he shall be entitled to receive payment for the holiday from such one or more of those employers and, if more than one, in such proportions as the Inspector of Awards determines.

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

(e) Except as otherwise provided, any work done on any of the above holidays or on Sundays shall be paid for at double time rates.

(f) Notice of closing down for Christmas holidays shall be posted in a conspicuous place for at least three weeks before the holidays.

(g) Annual holidays shall be allowed in accordance with the provisions of the Annual Holidays Act 1944. Workers who have been in the continuous employ of the same employer for not less than 10 years shall be granted an additional one week's annual holiday.

Shifts

9. (a) This clause shall have no application to a worker required to work shifts outside of the hours prescribed in clause 3 on less than five consecutive working-days.

(b) Shifts may be worked as required by the employer. The ordinary hours of work of a shift-worker shall not exceed five consecutive eight-hour shifts, to be worked between the hours of midnight Sunday-Monday and 7 a.m. Saturday.

(c) The commencing-hour for day shifts shall not be earlier than 7 a.m. instead of the commencing-hour of 7.30 a.m. mentioned in clause 3, or such other hour as may be agreed upon by the employer and the local union secretary.

An afternoon shift means any shift commencing after 12 noon and finishing at or before midnight, and a night shift means any shift finishing subsequent to midnight and at or before 8 a.m.

(d) A shift allowance of 3s. 6d. per shift shall be paid to a shift worker on the afternoon or night shift. Where three rotating shifts are worked each wholly or partly outside normal clock hours, a shift allowance of 2s. 10½d. per shift shall be paid in lieu of the above.

(e) In the case of shift-workers, overtime shall only be payable after eight hours, and shall then be paid for at the rate of time and a half for the first three hours and double time thereafter: Provided that overtime rates shall not be payable where the overtime arises from arrangements made between the employees themselves.

(f) Where it is practicable shifts shall be worked on a regular rotation.

Light and Shelter, etc.

10. In all cases where artificial light is required in or on dock or ship work, electric light shall be supplied where available, and proper shelter shall be provided and erected in wet weather, and also proper staging.

Accidents

11. (a) A modern first-aid emergency case, fully equipped, shall be kept in a convenient and accessible place in every works, also convenience for a supply of clean hot water at short notice.

(b) A suitable ambulance first-aid outfit shall be available for any worker to take when employed on outside work.

Outside Work

12. (a) If a worker is required by his employer to work at a place outside of the employer's factory, workshop, or ordinary place of employment and is thereby put to additional expense by way of fares in travelling to and from such outside work, the employer shall reimburse him for such additional expense.

(b) If a worker is required by his employer to work at a place away from the employer's factory, or his ordinary place of employment, which requires him to travel at time outside his normal paid working hours, such travelling time shall be paid for at ordinary rates but not to a greater amount than eight

hours in the day. A worker required to drive a vehicle during the course of his work shall be paid the rate appropriate for the times at which the work is performed.

Country Work

13. (a) When the worker is employed at such work that he is unable to return to his home at night, suitable board and residence shall be provided at the employer's expense.

(b) Notwithstanding anything contained herein, any employer may agree with any worker that in respect of any specified country work the hours of work shall be other than those hereinbefore prescribed: Provided, however, that all time worked outside or in excess of such prescribed hours shall be considered overtime and shall be paid for at the rate of time and a third.

(c) Where a worker is required to travel by coastal steamer, first saloon fares shall be provided; when travelling by train first-class fares shall be provided.

(d) Workers required to travel by boat or train shall have meals provided by the employer in all cases where meals are not included in the fare.

(e) Workers required to travel in the inter-Island steamer between Wellington and Lyttelton or between Wellington and Nelson for the purpose of effecting repairs on such steamer shall be paid four hours' travelling time at ordinary rates for each night at sea.

(f) When the work is situated less than 50 miles from the employer's place of business, the worker shall be refunded his return fare to and from the place of engagement once every week during the continuance of the work, and if over 50 miles and within the industrial districts covered by this award, once during each month, but in such case travelling time shall not be paid for.

Motor-car, Motor-bicycle or Bicycle Allowance

14. Workers using their own motor-car, motor-cycle, or bicycle in connection with their employer's business, and at his request, shall be paid as under:

Motor vehicles up to 9.5 h.p. ....	.....	7d. per mile.
Motor vehicles from 9.6 - 14.5 h.p. ....	.....	8½d. per mile.
Motor vehicles over 14.5 h.p. ....	.....	9½d. per mile.
Motor-cycles ..... ..	.....	3d. per mile.
Bicycles ..... ..	.....	3s. 6d. per week.

General Provisions

15. (a) The employer, on the coming into operation of this award, shall see that each journeyman is supplied with conduit and wood-casing fitting tools, which shall comprise stocks and dies, tenon-saw, pipe-vice, hack-saw blades, and files, and where necessary shall provide soldering-bolts, plugging-chisels, blow-lamps, snips, spanners, and footprint pliers when of unusual size, keyhole-saw blades, all augers, and all wood-bits over 1 in. in size, and all test equipment. All steps and ladders required shall be provided by the employer.

(b) Workers shall sign for any tools served to them if requested by the employer, and shall return such tools in good order, subject to fair wear-and-tear. Suitable facilities shall be provided by the employer for safely storing tools.

(c) Any tools or gear required to do a special job shall be provided by the employer.

(d) Any worker subject to this award shall devote the whole of his working-time to the best interests of his employer.

(e) During the period of his employment a worker shall not use any of the tools or materials of his employer for work other than that assigned him by his employer.

(f) A rest interval of not less than 10 minutes shall be allowed morning and afternoon without deduction of pay, and also after each two hours' continuous overtime provided that the overtime is to be continued after such interval.

Access to Workshops

16. The secretary or other authorised officer of the local union of workers concerned 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. The employer shall give recognition to any worker who is appointed shop steward in the establishment in which he is employed.

Electrical Supply Authorities

17. Electrical Supply Authorities shall be exempt from the provisions of this award to the extent that they are covered by any other award or industrial agreement in operation in the Nelson, Westland, Marlborough, or Canterbury Industrial Districts.

Matters Not Provided For

18. 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, 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 14 days after such decision shall have been communicated to the party desiring to appeal.

Workers to be Members of Union

19. (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.

(d) At intervals of not less than six months each employer shall, if requested by the secretary of the union, supply a list of the employees engaged since the last list was supplied.

(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

20. (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

21. 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 the industrial districts to which this award relates.

Scope of Award

22. This award shall operate throughout the Canterbury, Westland, Nelson, and Marlborough Industrial Districts.

Term of Award

23. 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 first day of the pay period in each establishment commencing on or after the 26th day of April 1960, 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 30th day of April 1962.

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 27th day of May 1960.

[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.