

BULLER HOSPITAL BOARD EMPLOYEES—AWARD

In the Court of Arbitration of New Zealand, Westland Industrial District—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of an industrial dispute between the Wellington, Nelson, Westland and Marlborough Local Bodies, other Labourers and Related Trades Industrial Union of Workers (hereinafter called “the union”) and the under-mentioned board (hereinafter called “the employers”):

Buller Hospital Board, Westport.

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 28th day of February 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 24th day of May 1960.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to Which Award Applies

1. This award shall apply to the Buller Hospital Board employees who are covered by the provisions of this award.

Hours of Work

2. The ordinary hours of work shall not exceed 40 per week or eight per day, to be worked between 7.30 a.m. and 5 p.m. on five days of the week, Monday to Friday, both days inclusive.

Wages

3. (a) Head gardener or worker in charge appointed as such, £14 19s. 8d. per week.

(b) Worker substantially employed in the propagation and/or cultivation of plants, shrubs, or vegetables, £14 7s. 4d. per week.

(c) Groundsmen or other general workers, £12 7s. 6d. per week.

General Provisions

4. (a) An allowance of 2s. 3½d. per day or part of a day shall be made to men working inside boilers, flues, and combustion chambers and for other unusually dirty work. Flue work shall be restricted to six hours daily.

(b) Workers required to relieve the incinerator attendant shall be paid the higher rate for the time they are so relieving, based on an hourly computation.

(c) Workers employed clearing or repairing blocked or defective sewers and foul drains or when required to come in contact with faecal or sewerage matter shall be paid 1s. 7d. per hour with a minimum payment of 3s. 2d. per day, such payment to be additional to the wages prescribed herein.

(d) Youths may be employed by the board on a mutual arrangement between the board and the union.

(e) This award shall not operate so as to reduce the wages of any worker at present employed by the board or to restrict the privileges granted by the board and enjoyed by any employee at the time of the coming into force of this award.

(f) Clogs shall be supplied to men working in combustion chambers, backends, and main flues.

(g) Workers who are required to work at a place other than their usual place of employment shall travel to and fro in the employer's time, or shall be paid for time occupied in travelling where such is done in their own time. Such workers shall also be reimbursed all moneys actually expended in fares travelling to and from such place of work.

(h) Workers shall be paid 6d. per hour extra whilst working with a scythe or motor-mower, with a minimum payment of 2s. per day.

(i) Incinerator attendants and other workers who are required to perform dirty work affecting their clothing shall be supplied with overalls which shall be laundered by the employer, and such overalls shall remain the property of the employer.

Service Bonus

5. A service bonus of 5s. 9d. per week shall be paid to each worker who has been employed continuously with the same employer for one year or more, or who subsequently completes one year of service with his present employer.

Overtime

6. (a) All work done outside of or in excess of the hours prescribed in clause 2 hereof shall be considered overtime and shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

(b) Where workers are called upon to work overtime on any day and have not been notified by the employer on the previous day that they are required to do so, 5s. shall be allowed to such workers for meal-money.

(c) The employer may, in lieu of the 5s. provided for herein, supply the workers with a hot meal.

Requirements of Economic Stabilisation Regulations

7. 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.

Statutory Holidays

8. (a) Workers shall receive and be paid for the following holidays: New Year's Day, Good Friday, Easter Monday, the birthday of the reigning Sovereign, Labour Day, Christmas Day, Boxing Day, and two other days to be mutually agreed upon. The employer shall notify the union of the two days agreed upon.

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

(c) The employer shall pay wages for the named 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.

(d) The provisions of the Public Holidays Act 1955, and its amendments, shall be deemed to be incorporated in this award.

Annual Leave

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

(b) After five years' service, employees shall be entitled to three weeks' annual leave. For the purpose of service, similar service with any hospital board shall be counted.

Sick-leave

10. Employees shall receive one week's sick-leave on full pay for each year of service in the employ of the board, with a maximum of 24 weeks' accumulated sick-leave.

Variation of Duties

11. Nothing in this award shall prevent any worker covered hereby from doing work covered by another award or agreement: Provided that whilst so engaged he shall be paid at least the rate which is fixed in such other award or agreement where such rate is higher.

Accommodation

12. (a) The employer shall provide suitable accommodation for workers to take meals and, where practicable, to change and dry clothing. The employer shall arrange for the accommodation to be kept clean and in a hygienic condition.

(b) Ablution facilities with soap and hot water, together with a supply of clean towels, shall be provided for the use of workers.

(c) A morning and afternoon tea break of 10 minutes shall be allowed without deduction of wages.

Termination of Engagement

13. One week's notice of the termination of employment shall be given by the party desiring to terminate the employment or one week's wages paid or forfeited as the case may be, but nothing herein contained shall prevent an employer from summarily dismissing a worker for misconduct.

Disputes Committee

14. The essence of this award being that the work of the employer shall not on any account whatsoever be impeded but shall always proceed as if no dispute had arisen, it is provided that if any dispute or difference shall arise between the parties bound by this award, or any of them, as to any matter whatsoever arising out of or connected therewith and not dealt with in this award, every such dispute or difference shall be referred to a committee to be composed of two representatives of each side, together with an independent chairman to be mutually agreed upon or, in default of agreement, to be appointed by the Conciliation Commissioner for the district. Either side shall have the right of appeal to the Court against a decision of any such committee or, in the event of no decision being made, either side shall have the right to appeal to the Court upon giving to the other side written notice of such appeal within 14 days after such decision has been made known to the party desirous of appealing.

Workers to be Members of Union

15. (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.)

Application of Award

16. This award shall apply only to the parties named herein.

Term of Award

17. 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 March 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 28th day of February 1961.

In witness whereof the seal of the Court of Arbitration has hereto been affixed, and the Judge of the Court hath hereunto set his hand, this 24th 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.