NEW ZEALAND INDUSTRIAL MECHANICS—AWARD

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

In the Court of Arbitration of New Zealand, Northern, Taranaki, Wellington, Marlborough, Nelson, Westland, Canterbury, and Otago and Southland 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 persons, firms and companies (hereinafter called "the employers"):

NORTHERN INDUSTRIAL DISTRICT

Armstrong and Springhall Ltd., 49 Federal Street, Auckland.
Berlei (N.Z.) Ltd., corner of Nelson and Wellesley Streets, Auckland.
Bushell Ltd., 28 Cook Street, Auckland.
Cambridge Clothing Co. Ltd., Customs Street, Auckland.
Dominion Clothing Co. Ltd., 312 Queen Street, Auckland.
Kaiapoi Woollen Manufacturing Co. Ltd., Wellesley Street, Auckland.
Onehunga Woollen Mills Ltd., Neilson Street, Onehunga, Auckland.
Roneo Office Equipment Co. Ltd., Bates Building, Customs Street, Auckland.
Steel, J., Ltd., 114 Karangahape Road, Auckland.
Tuck, H. A., and Co. Ltd., P.O. Box 5432, Auckland.

TARANAKI INDUSTRIAL DISTRICT

Emmerton, W. J., Ltd., 5 Nelson Street, Hawera.
Fashions Ltd., Devon Street, New Plymouth.
Medley, J. S., 11 Brougham Street, New Plymouth.
National Cash Register Co. Ltd., 215 Devon Street, New Plymouth.
Singer Sewing Machine Co. Ltd., 126 Devon Street, New Plymouth.

WELLINGTON INDUSTRIAL DISTRICT

Bonds Hosiery Mills Ltd., 181 Tasman Street, Wellington.
Burroughs Ltd., Government Life Buildings, Customhouse Quay, Wellington.
Dominion Scale and Cash Register Co. Ltd., 70 Dixon Street, Wellington.
I.B.M. World Trade Corporation, P.O. Box 2557, Wellington.
International Computers and Tabulators Ltd., P.O. Box 1921, Wellington.
New Zealand Hobart Berkel Supplies Ltd., 76 Dixon Street, Wellington.
Patterson, W. J., Typewriter Mechanics, Hastings.
Timms Typewriter Agency, Napier.
Wellington Woollen Manufacturing Co. Ltd., 58 Jervois Quay, Wellington.

MARLBOROUGH INDUSTRIAL DISTRICT

Rabone Bros., Blenheim.

NELSON INDUSTRIAL DISTRICT

Armstrong and Springhall Ltd., Bridge Street, Nelson.

WESTLAND INDUSTRIAL DISTRICT

Lane, Walker, and Rudkin, Mawhera Quay, Greymouth.
Westland Textiles Ltd., 150 Revell Street, Hokitika.

CANTERBURY INDUSTRIAL DISTRICT

Armstrong and Springhall Ltd., 127 Worcester Street, Christchurch.
British Typewriters (Canterbury) Ltd., 701 Colombo Street, Christchurch.
Johnston and Cousins Ltd., Tent and Cover Makers, 93 Cashel Street, Christchurch.
Kaiapoi Woollen Manufacturing Co., 30 Manchester Street, Christchurch.
Lane, Walker, and Rudkin, 32 Montreal Street, Christchurch.
Lichfield Shirts Ltd., 179 Tuam Street, Christchurch.
Millers Ltd., Tuam Street, Christchurch.
Singer Sewing Machine Co. Ltd., Cashel Street, Christchurch.
Tekau Knitwear Co. Ltd., Sophia Street, Timaru.
Truscott, S., Saddlers, corner of Lichfield and Durham Streets, Christchurch.

OTAGO AND SOUTHLAND INDUSTRIAL DISTRICT

Armstrong and Springhall Ltd., corner of Water and Bond Streets, Dunedin.
Beechey and Underwood Ltd., Dowling Street, Dunedin.
Dominion Scale and Cash Register Co., 298 Moray Place, Dunedin.
National Cash Register Co. Ltd., Cumberland Street, Dunedin.

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 on the 8th day of August 1960 and shall continue in force until the 7th day of August 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 3rd day of August 1960.

[L.S.] A. TYNDALL, Judge.

SCHEDULE

Industry to Which Award Applies

1. (a) This award shall apply to: Industrial mechanics (including sewing-machine mechanics) and metal trade workers:

(i) Employed in factories whose main business is covered by any one or more of the following awards—Clothing-trade Employees' Award; Shirt, White, and Silk Workers' Award; Dressmakers and Milliners' Award; Canvas-workers' Award; Saddlers, Harness-makers, Collar-makers, and Bag-makers' Award; Woollen-mills Employees' Award. Nothing in this subclause shall apply to engineers' fitters, turners, blacksmiths and their assistants, or to workers employed under the terms of the Northern, Wellington, Westland, Canterbury, and Otago and Southland Woollen-mills and Hosiery Factory Employees' Award.

(ii) Employed by vendors and/or reconditioners of scale equipment and/or sewing-machines.

(iii) Engaged in the repair and maintenance of food slicers, coffee mills, sausage machines, and machines for sorting, packing, and removing dust from tea, coffee, and seeds.

(iv) Engaged in the installation, maintenance or reconditioning of cash registers, typewriters, accounting, computing and other office and data processing business machines and equipment, (including the installation, maintenance or reconditioning by mechanics holding Certificate of Limited Registration of such machines and equipment using electrical/electronic components).

(b) This award shall not apply to any worker who is in receipt of a salary of £1,000 per annum or more, excluding overtime payments, bonuses and/or commission.

Hours of Work

2. (a) Not more than 40 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., except in factories attached to retail shops, where the daily hours may be extended to 5.30 p.m. in accordance with present practice. The time of starting and ceasing work between these hours shall be mutually arranged in each establishment, with a break of not more than an hour for lunch.

(b) Shifts may be worked where necessary. The ordinary hours of work for a shift-worker shall not exceed five eight-hour shifts per week. Such shifts shall be worked between midnight Sunday/Monday and 7 a.m. Saturday. This subclause shall not apply unless shifts are worked on five or more consecutive working-days. A shift shall include a meal interval of not less than half an hour, and two 10-minute rest intervals.

(c) No worker shall be required to work more than four and a half 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.

Overtime

3. (a) All work done an any day in excess or outside of the hours mentioned in clause 2 hereof shall count as overtime and shall be paid for at the rate of time and a half for the first three hours and double time thereafter: Provided that if midnight occurs during a period in which overtime is being worked the incidence of midnight shall not reduce the rate of overtime payable while such overtime continues.

Any worker (other than a shift-worker) who is called back after 10 p.m. and/or before 6 a.m. on any week-day or after 12 noon on Saturday shall be paid double rates for not less than two hours: Provided that if a worker is required to commence work between the hours of 6 a.m. and the ordinary hour for commencing work, then time worked between such hours shall be paid for at the rate of time and a half.

(b) 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 ceases work before the ordinary time of starting such traffic, shall be paid for time occupied in travelling to or from his home, computed on three miles per hour, at ordinary rates of pay. If a conveyance is provided for the worker by his employer, he shall not be entitled to payment for travelling-time. For the purposes of this award "public wheeled traffic" shall mean trams, buses, trains, or ferries ordinarily used by workers travelling to or from their work.

(c) The employer shall supply 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 if required to continue overtime after 1 p.m. on Saturday, Sunday or a statutory holiday. Where a worker is required to obtain a meal on Saturday, Sunday or on a holiday, the employer shall refund any surcharge incurred.

(d) No worker shall be obliged to work overtime on Friday night or on the night of the union's regular monthly meeting except on urgent or breakdown work.

(e) 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.

(f) When working overtime under conditions where a worker cannot obtain a meal without incurring extra travelling expenses the employer shall reimburse such extra expenses.

Holidays

4. (a) The following shall be the recognised holidays: New Year's Day, 2 January, Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day, Boxing Day, and Anniversary Day or a day to be substituted therefor (in Christchurch, Show Day shall be substituted for Anniversary Day): Provided that an employer may substitute the holidays prescribed in the industry award, but a worker shall not in any calendar year receive a lesser number of holidays than is above prescribed.

(b) A worker who has performed work subject to this award at any time during the fortnight ending on the day on which the holiday occurs shall be paid for the holiday. No payment over and above an ordinary week's wages shall be made to any worker for a holiday which falls on what is not ordinarily a working day, except

for work actually performed on such day. Where any person has been so working for more than one person during the fortnight ending on the day on which any of the holidays mentioned in subclause (a) of this clause occurs, he shall be entitled to receive payment for the holidays in accordance with the provisions of section 28 (2) of the Factories Act 1946, as amended by section 6 of the Factories Amendment Act 1956.

(c) 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. Where two successive holidays fall on Saturday and Sunday, they shall be observed on the following Monday and Tuesday.

(d) For work done on any of the holidays mentioned in subclause (a) of this clause double time in addition to the holiday pay shall be paid, and for work done on Sundays, or after 1 p.m. on Saturdays, double time shall be paid.

(e) Annual holidays shall be allowed in accordance with the Annual Holidays Act 1944. Where it is customary for any employer to allow annual holidays to his workers or to any class of his workers during a period in each year when his premises are closed or the work of those workers is for any reason discontinued, and at the date of the commencement of any such period any such worker has not become entitled to an annual holiday, then the employer may before that date pay to that worker, in addition to all other amounts due to him, an amount equal to one twenty-fifth of his ordinary pay for the period of his employment up to that date, and for the purposes of the Annual Holidays Act, the next year of his employment shall be deemed to commence on that date.

(f) After 10 years' service with the same employer, workers shall be allowed three weeks' annual leave in lieu of the provisions in subclause (e) hereof.

Wages

5. (a) The following shall be the minimum rates of wages:

For tradesmen with six years' experience in any branch or branches of the industries to which this award applies £14 per week, or 7s. per hour for casual workers.

For tradesmen with five years' experience in any branch or branches of the industries to which this award applies £13 16s. per week, or 6s. 10¾d. per hour for casual workers.

Other tradesmen £13 6s. 8d. per week, or 6s. 8d. per hour for casual workers.

Labourers £11 7s. 4. per week, or 5s. 8¼d. per hour for casual workers.

A casual worker is a worker employed for less than one week.

(b) Youths engaged in any branch or branches of the industries covered by this award shall be paid not less than the following percentages of the weekly wage rate prescribed for a tradesman of five years' experience:

(i) Juniors commencing under 17 years of age—	Per Cent
For the first 1,000-hour period	32
For the second 1,000-hour period	37
For the third 1,000-hour period	42
For the fourth 1,000-hour period	47
For the fifth 1,000-hour period	52
For the sixth 1,000-hour period	57
For the seventh 1,000-hour period	62
For the eighth 1,000-hour period	67
For the ninth 1,000-hour period	72
For the tenth 1,000-hour period	77

Thereafter the rate for tradesmen with five years' experience as prescribed in subclause (a) of this clause.

(ii) Juniors commencing between the ages of 17 and 18— Per Cent

For the first 1,000-hour period	37
For the second 1,000-hour period	42
For the third 1,000-hour period	47
For the fourth 1,000-hour period	52
For the fifth 1,000-hour period	57
For the sixth 1,000-hour period	62
For the seventh 1,000-hour period	67
For the eighth 1,000-hour period	72
For the ninth 1,000-hour period	77
For the tenth 1,000-hour period	83

Thereafter the rate for tradesmen with five years' experience as prescribed in subclause (a) of this clause.

(iii) Juniors commencing after attaining the age of 18 years—

For the first 1,000-hour period	42
For the second 1,000-hour period	47
For the third 1,000-hour period	52
For the fourth 1,000-hour period	57
For the fifth 1,000-hour period	62
For the sixth 1,000-hour period	67
For the seventh 1,000-hour period	72
For the eighth 1,000-hour period	77
For the ninth 1,000-hour period	83
For the tenth 1,000-hour period	89

Thereafter the rate for tradesmen with five years' experience as prescribed in subclause (a) of this clause.

In calculating each 1,000-hour period time lost through sickness, accident, or default, and time gained through working overtime, shall be taken into account.

(c) This award shall not operate to reduce the wages of any worker while he remains in his present position of employment.

(d) The proportion of juniors, including apprentices, to journeymen shall not be more than one to one.

(e) Where three shifts per day are worked, a worker required to rotate his shift duties shall be paid 2s. 10½d. per shift in addition to ordinary rates.

A worker employed only on afternoon or night shift shall, while so employed, be paid 3s. 6d. per shift in addition to ordinary rates.

(f) All wages shall be paid weekly not later than Thursday and within working hours.

(g) Notwithstanding the foregoing, an employer may elect to pay wages on the same day as he pays the majority of the workers in his employ.

(h) All wages shall be paid on dismissal of a worker or when a worker leaves of his own accord.

Requirements of Economic Stabilisation Regulations

6. 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.

Terms of Employment

7. (a) An employer shall be entitled to make a rateable deduction from the weekly wages prescribed in this award for any time lost by a worker through sickness, accident, or default.

(b) In the case of workers employed on a weekly wage, one week's notice of the termination of the engagement shall be given by the employer or the worker, as the case may be; but this shall not prevent an employer from summarily dismissing a worker for serious misconduct.

General Conditions

8. (a) It shall be the duty of the employer to provide (i) Lockers wherever possible or, alternatively, other suitable accommodation wherein employees may keep their clothes; (ii) good ventilation; (iii) proper sanitary arrangements; and (iv) a sufficient supply of boiling water at meal times and for washing at knocking off times.

(b) The employer shall provide two dust coats or overalls for the use of each worker who shall keep them clean; such coats or overalls to be replaced as reasonably required.

(c) A 10-minute interval morning and afternoon shall be allowed to workers without deduction from pay.

(d) Scale mechanics engaged in dismantling or adjusting dirty or offensive machines belonging to the freezing works, gelatine or glue works, manure or chemical works, gasworks, fishmarkets, coal-yards, or dirty weighbridges (11 cwt or over) wherever situated, or such other dirty work as may be agreed upon between the employer and the worker or the union concerned or working in unusually wet conditions, shall be paid 2s. 4d. per day extra.

(e) Workers employed on oxy-acetylene brazing or welding or electric welding, except on spot or butt welding machines, for less than four hours in a day, shall be paid 1s. 6d. per day extra; for more than four hours in a day, 2s. 4d. per day extra.

(f) The employer shall provide all the tools required to carry out the particular class of work upon which he is engaged.

(g) A mechanic shall not be required to do heavy lifting on scales or weighbridges without assistance.

(h) For each week in which a worker is willing and is required by his employer to use his own bicycle in connection with the employer's business, he shall be paid an allowance of 3s. 6d.

(i) Where it is deemed desirable for an industrial mechanic to hold a Certificate of Limited Registration issued by the Electricians Registration Board of New Zealand, the employer shall pay the cost of tuition fees and registration fees.

Outside Work

9. (a) All necessary travelling-expenses and board and lodging shall be provided or paid for by the employer.

(b) Travelling-time shall be paid for at ordinary rates, but not to a greater amount than eight hours in the day: Provided that a worker attending an instruction or refresher course shall not be entitled to travelling time outside of normal working hours.

Accidents

10. A modern first-aid emergency case, fully equipped, shall be kept in a convenient and accessible place in every works and shall be open to inspection once a month by a union official; also provision shall be made for a supply of hot water at short notice.

Access to Workshops

11. The secretary or other paid authorised representative 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.

Disputes

12. The essence of this award being that the work of the employers 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 upon giving to the other side written notice of any such appeal within 14 days after such decision has been made known to the party desirous of appealing.

Workers to be Members of Union

13. (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

14. (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

15. 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 the 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

16. This award shall operate throughout the Northern, Taranaki, Wellington, Marlborough, Nelson, Westland, Canterbury, and Otago and Southland Industrial Districts.

Term of Award

17. This award shall come into force on the 8th day of August 1960, and shall continue in force until the 7th day of August 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 3rd day of August 1960.

[L.S.] A. TYNDALL, Judge.

MEMORANDUM

The award embodies the terms of settlement arrived at by the assessors in Conciliation Council.

A. TYNDALL, Judge.