

MASTERTON BOROUGH COUNCIL ABATTOIR EMPLOYEES—AWARD

In the Court of Arbitration of New Zealand, Wellington Industrial District—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of an industrial dispute between the Wellington (Except Wanganui, Whakatu and Tomoana) Freezing Works and Related Trades Employees' Industrial Union of Workers (hereinafter called "the union") and the under-mentioned council (hereinafter called "the employers"):

Masterton Borough Council.

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 31st day of August 1963 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 12th day of October 1960.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to Which Award Applies

1. This award shall apply to all workers engaged in the normal and usual work carried on in the Masterton Abattoir, but shall not apply to managers or overseers employed by the employers for the purpose of seeing that the work is done in the proper manner, or to clerical workers or tally clerks, whose duties are of an exclusively clerical nature, or to shepherds.

Hours of Work

2. (a) The ordinary hours of work shall be eight per day (including "smoke-oh") to be worked between the hours of 7.30 a.m. and 4.30 p.m. on five days of the week, Monday to Friday inclusive.

(b) A "smoke-oh" of not more than 15 minutes shall be allowed each morning and each afternoon.

(c) One hour shall be allowed each day for lunch, except that by mutual arrangement between the employer and the workers, a lesser period may be allowed, provided that in no case shall less than half an hour be allowed.

(d) Notwithstanding the foregoing, the hours of work may be varied without penalty by mutual arrangement between the abattoir manager and the union representative.

Overtime

3. (a) Except as otherwise provided, all time worked outside or in excess of the hours prescribed in clause 2 hereof, shall be deemed to be overtime and shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

(b) When men are required to work overtime after 5.30 p.m., provided that such workers cannot reasonably get home for a meal and return in the usual time allowed for the meal, the employer shall pay each worker the sum of 5s.

(c) Overtime shall be calculated on a daily basis.

Wages

4. (a) Workers shall be paid not less than the rates specified in the following schedule:

	Per Week		
	£	s.	d.
Weekly workers:			
Slaughtermen.	16	7	6
Gutmen (pulling sheep and lamb runners)	14	16	8
All other adult workers	14	7	6

(b) *Casual Labour*—(i) Slaughtermen shall be paid not less than 8s. 3d. per hour.

(ii) All workers other than slaughtermen employed on casual work shall be paid not less 7s. 3d. per hour.

(c) A "casual worker" is a worker who is employed for less than one week.

(d) Youths may be employed at not less than the following rates of wages:

	Per Week		
	£	s.	d.
Sixteen to seventeen years of age	7	0	0
Seventeen to eighteen years of age	8	0	0
Eighteen to nineteen years of age	9	0	0
Nineteen to twenty years of age	10	0	0

And thereafter adult rates

(e) Nothing in this award shall operate so as to reduce the wages, conditions or privileges of any worker while he remains in his present employment.

Deductions

5. The wages prescribed in subclauses (a) and (d) of clause 4 of this award are weekly wages and are not subject to any deductions except for time lost by reason of the default of a worker or by reason of his illness or of any accident suffered by him.

Slaughtermen's Work

6. (a) Mutton butchers' work shall consist of killing and dressing of sheep and lambs, and taking out tongues if required; taking off skins, opening up and removing insides; skinning wool portions of head and leaving same attached to skins; taking off heads and trotters if required; thoroughly cleaning and wiping carcasses; taking out lambs neckbreads when required; hanging off; properly tying and drawing weasand; breasts and cods to be split, and all skins to be turned out square and free from cuts and scores.

(b) Beef butchers' work shall be to tie weasand, bleed and take head off, take out sweetbreads, take off hide, take insides out, strip caul and reed fat, wipe clean and divide into sides; saw through brisket-bone, aitch-bone, rump-bone, and to the sixth prime rib.

(c) All slaughtering of every class of sheep and lambs, cattle, calves, and pigs shall be turned out in a workmanlike manner, and in accordance with this award and to the satisfaction of the foreman butcher or the person at the time in charge of the abattoir.

(d) The killing and dressing of pigs shall comprise hanging up, bleeding, scalding, shaving, scraping, singeing, black scraping, scrubbing, and thoroughly cleaning, opening up, and removing insides, washing and hanging off.

Termination of Employment

7. (a) In the case of weekly workers one week's notice of the termination of the employment of any worker shall be given by either party. Where the employment is terminated by either party without notice one week's wages shall be paid or forfeited in lieu of notice, provided, however, that this shall not prevent an employer from dismissing a worker summarily for wilful misconduct.

(b) In the case of casual workers one hour's notice of the termination of employment shall be given by either party.

Holidays

8. (a) The following holidays shall be allowed without deduction from pay: New Year's Day, Anniversary Day or a day to be observed in lieu thereof; Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day, and Boxing Day.

(b) All work performed on the holidays mentioned in subclause (a) of this clause shall be paid for at double time rates in addition to the ordinary pay.

(c) The provisions of the Annual Holidays Act 1944, and its amendments shall apply to all workers employed under this award.

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

Dressing, Dining, and Drying Rooms

9. (a) A dining-room which shall be adequately heated, shall be provided and shall, in addition to tables and chairs or forms, be provided with a sink with hot and cold water, a means of boiling water and a warming oven. Doors and windows shall be equipped with fly-screens.

(b) A dressing-room shall be provided equipped with sufficient lockers for one to be allocated to each employee. Seating shall also be provided in the dressing-room.

(c) A drying-room shall be provided which shall be used for no other purpose than the drying of employees' clothing and gear.

(d) A shower-room with hot and cold water shall be provided.

General Conditions

10. (a) The employer shall provide first-aid outfits, which shall be kept adjacent to the slaughtering-floor.

(b) None but competent slaughtermen shall be employed as slaughtermen. A competent slaughterman is a man who is capable of killing and dressing three cattle or ten sheep per hour and to the satisfaction of the employer.

(c) Where the employer does not supply materials reasonably necessary to carry on the work, such as overalls, aprons and waterproof leggings, respirators, waterproof coats, gloves, vamps, shears, knives, steels, stones, pouches, and necessary footwear, workers shall be paid 2s. per day extra.

(d) No worker shall cease work at any time other than the arranged time for ceasing work except by permission of the employer.

Right of Entry

11. The secretary or other authorised representative of the union, duly appointed, shall with the consent of the employer (which consent shall not be unreasonably withheld) be entitled to enter upon the premises of the employer for the purpose of interviewing any worker bound by this award upon business connected therewith, but not so as to interfere unreasonably with the employer's business.

Workers to be Members of Union

12. (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 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 purpose 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 adult workers, 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

13. (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.

Matters Not Provided For

14. 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 specifically dealt with in this award, every such dispute or difference shall be referred to a committee to be comprised 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 to appeal to the Court of Arbitration against a decision of any such committee 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.

Scope of Award

15. This award shall apply to the Masterton Municipal Abattoir.

Term of Award

16. 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 September 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 31st day of August 1963.

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 12th day of October 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.