

GISBORNE GAS CO. LTD. EMPLOYEES'—AWARD

In the Court of Arbitration of New Zealand, Northern Industrial District—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of an industrial dispute between the Gisborne Gas Works and Related Trades Employees' Industrial Union of Workers (hereinafter called "the union") and the under-mentioned company (hereinafter called "the employers"):

Gisborne Gas Co. Ltd., Gisborne.

THE Court of Arbitration of New Zealand (hereinafter called "the Court"), having taken into consideration the matter of the abovementioned dispute, and having heard the union by its representatives duly appointed, and having also heard such of the employers as were represented either in person or by their representatives duly appointed, and having also heard the witnesses called and examined and cross-examined by and on behalf of the said parties respectively, 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 2nd day of May 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 2nd day of November 1960.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Scope and Application of Award

1. This award shall apply only to employees of the Gisborne Gas Co. Ltd.

Hours of Work

2. (a) The hours of work shall be 40 per week, exclusive of overtime.

(b) For workers, other than shift-workers, the daily hours shall be between 7.30 a.m. and 5 p.m. on each day of the week from Monday to Friday, both days inclusive.

(c) *Shift-workers*—The ordinary hours for shift-workers shall be as follows: a week's work shall consist of five shifts of eight hours each. Workers shall change shifts as may be mutually arranged so that no worker shall average more than 20 shifts in a period of 28 days.

Classification and Rates of Wages

3. (1) *Shift-workers* engaged in the manufacture of gas-continuous vertical retorts and/or carburreted water gas plant; retort operators, stokers, fire cleaners, water gas plant operators—£2 14s. 3d. per shift. Man in charge of shift 2s. 6d. per shift extra.

(2) *Day Workers:*

	Per Hour
	s. d.
(a) Maintenance fitters (works)—	
Leading hand	7 1
Others	6 10 $\frac{3}{4}$
(b) Meter repairers—	
Leading hand having under his control not less than two workers	7 2 $\frac{1}{2}$
Others	6 10 $\frac{1}{4}$
(c) Gas fitters	6 10 $\frac{3}{4}$
(d) Service layers and main layers	6 2 $\frac{3}{4}$
(e) Storeman: leading hand	6 2 $\frac{3}{4}$
(f) Maintenance men	6 0 $\frac{1}{2}$
(g) Stove-reconditioning men	6 0 $\frac{1}{2}$
(h) Complaints men	6 0 $\frac{1}{2}$
(i) Yardmen	6 0
(j) Meter readers	6 0 $\frac{1}{2}$

(k) Cashier's risk allowance of 2s. 11d. per week shall be paid to meter readers, maintenance men and head storeman.

(l) Motor drivers not covered by another award or agreement shall be paid the rates provided in the Motor and Horse Drivers' Award for the time being in force. Drivers employed on maintenance and servicing work shall be paid for either maintenance or servicing whichever is the higher. No worker engaged less than 50 per cent of his time driving shall be classified as a driver.

(m) Workers, other than a full-time shift worker, employed on tradesmen's work shall be paid the tradesman's rate.

(n) Any workers, other than a full-time shift-worker, employed in filling a casual vacancy in the retort house, through sickness or default of another worker, shall receive 3s. 6d. for the first shift in addition to the wages prescribed in sub-clause (1) of this clause.

(o) Day-workers sent home to come back on shift shall receive two hours appearance money.

(p) Where fire-cleaners are not regularly employed to clean fires each day, or shift and yard hands or other workers are employed to perform this work, they shall be paid while fire-cleaning at the fire-cleaner's rate provided that a minimum of five hours shall be paid for on each day when casual fire-cleaners are called upon to perform such work.

(q) A regular relieving shift-worker employed in the yard shall receive 1s. 3d. per day over and above yardman's rates whilst so employed.

(r) Any worker receiving a higher rate of pay at present shall not have his wages reduced.

(s) Men employed cleaning and chipping steel and iron structures shall be paid 6s. 2 $\frac{3}{4}$ d. per hour and men engaged in painting and/or spraying the same shall be paid 6s. 5 $\frac{3}{4}$ d. per hour.

(t) A mainlayer in charge of three or more workers shall be paid 3 $\frac{1}{2}$ d. per hour extra in addition to his ordinary wage as a mainlayer.

- (u) A tool and overall allowance of 2d. per hour shall be paid to gas-fitters and the maintenance and complaints men providing the said workers provide their own tools and overalls.
- (v) A worker who is employed at welding for less than four hours in a day shall be 1s. 5½d. per day extra; for more than four hours in a day 2s. 3½d. per day extra.

Requirements of Economic Stabilisation Regulations

4. 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.

Dirty Work

5. (a) Workers engaged in emptying, easing or turning oxide in purifier boxes or grinding oxide shall be paid one and a half times their ordinary rates of pay.

(b) Workers while engaged in refilling oxide into purifier boxes shall be paid 3s. 5½d. per day or part of day in addition to their ordinary rates of pay.

(c) Workers while engaged in cleaning out tar-tanks or tar wells shall be paid one and a half times their ordinary rates of pay.

(d) (i) Yard-workers while engaged in filling retorts with coke, patching retorts, cleaning retort-bed flues, cleaning tar-mains and governor in retort-house, cleaning foul main in West plant, de-carbonising retorts, dismantling retorts, mouthpieces and ascension pipes, assisting to clean flues in emergencies shall receive 7d. per hour in addition to their ordinary rates of pay.

(ii) Workers while engaged in dismantling and cleaning (except steaming and washing out) washers and scrubbers shall receive 3½d. per hour in addition to their ordinary rate of pay.

(iii) Workers while engaged in cleaning, under gas-making conditions pitch and tar from valves and chests leading to the West plant hydraulics shall receive 10½d. per hour in addition to their ordinary rate of pay.

(e) Yard workers while engaged in handling tar shall be paid 3½d. per hour in addition to their ordinary rate of pay; cleaning yard sumps impregnated with tar, removing and repairing suction and delivery lines to and from tar wells and containers, cleaning tools and containers coated with tar.

(f) Yard-workers filling containers with tar shall be paid 3½d. per hour extra, and workers filling mobile tar tanks shall be paid 1½d. per hour extra.

(g) Workers engaged in emptying breeze or dross from West plant chutes shall be paid 4½d. per hour in addition to their ordinary rate of pay.

(h) Coke shall be damped before crushing and bagging. Workers engaged in coke-crushing and/or bagging with hopper shall be paid 3½d. per hour in addition to their ordinary rate of pay.

(i) Workers handling second-hand cement, lime or manure sacks which have not been thoroughly cleaned or rendered reasonably free from dust shall be paid 4½d. per hour in addition to their ordinary wages whilst so employed.

(j) Workers engaged in the patching of gas holders which contain gas and workers engaged in cutting "live" mains by methods which allow the escape of appreciable quantities of gas, shall be paid 3½d. per hour extra in addition to their ordinary rate of pay with a minimum of 1s. 2d. per day or part thereof.

Owing to the danger of gas, never less than two workers employed under this award shall be present when either of the two classes of work referred to above is being carried out.

(k) Workers engaged in working under floors of buildings not in course of erection where such floors are less than 2 ft 3 in. from the ground shall be paid 3½d. per hour extra for a minimum of two hours.

(l) Workers engaged in trimming coal in the bunkers shall be paid 1s. per hour extra with a maximum payment of 2s. per day extra. Never less than two men shall be engaged on this work at the same time nor shall the work be undertaken without direction from the management.

(m) Yardmen engaged in unloading and stacking coal ex ship or rail shall be paid 1½d. per hour extra.

Wet and Dusty Places

6. (a) While a worker is required to clean inside the combustion chamber and furnace of boilers and inside vertical retorts and in other excessively dusty places, he shall be paid 1s. 1¾d. per hour above his ordinary rates.

(b) While a worker is required to handle cement, clear breaker-pit or work in mud or water to such an extent that getting dusty, muddy or wet becomes unavoidable, he shall be paid 4½d. per hour above his ordinary rate.

Hot Places

7. Workers while employed in any place where the temperature is 105 degrees or over shall be paid 3½d. per hour or part of an hour above their ordinary rate of pay.

Height Money

8. (a) Workers required to work from a bosun's chair or a swinging stage shall be paid 2s. 3½d. per day in addition to their ordinary rate of wages.

(b) Where a worker is required to work at a height from the ground which is deemed to be dangerous the question of additional payment, if any, shall be dealt with in accordance with the provisions of clause 21 hereof, except in the case of tradesmen, who shall receive such payment for height-money, if any, as may be prescribed by the relevant tradesmen's award.

Overtime

9. (a) All time worked 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 thereafter at double time rates. A minimum of two hours overtime shall be paid for coaling or other overtime.

(b) Workers, other than shift-workers who are called upon to work on Sundays, Saturdays or statutory holidays shall be paid a minimum of four hours at double-time rates, except for complaintsmen who shall be paid a minimum of two hours.

(c) *Shift-workers: Saturday, Sunday and Holiday Pay*—Each shift-worker, working on Sunday or any of the holidays mentioned in clause 11 hereof or between noon and midnight on Saturday shall be paid double time rates for all time so worked. Each shift-worker working between the hours of midnight Friday and noon on Saturday shall be paid at the rate of time and a half for all time so worked.

(d) All time worked in excess of the ordinary shift-work hours shall be paid for at time and a half rates for the first three hours and at double time thereafter.

(e) No shift-worker shall be required to work two shifts unless a break of 11 hours intervenes.

(f) Any casual or part-time shift-worker who has worked in excess of 40 hours in any one week shall be entitled to payment for overtime at the rate applicable to the class of work on which the overtime was worked.

(g) There shall be an equal distribution of overtime among employees as far as is practicable.

Meal Money

10. The employer shall allow meal money at the rate of 5s. per meal when workers are called upon to work overtime after 5 p.m. unless such workers can reasonably get home for a meal and return in one hour or such time as may be agreed upon between the union and the employer.

Holidays

11. (a) Workers, other than shift-workers, shall be allowed the following holidays without deduction of pay: Christmas Day, Boxing Day, Good Friday, Easter Monday, Anzac Day, Labour Day, birthday of the reigning Sovereign, New Year's Day, the second day of January, Anniversary Day, or where it is not observed, another day in lieu thereof to be mutually agreed upon.

(b) Any workers, other than shift-workers, required to work on any of the days mentioned in the preceding sub-clause shall be paid for such work at double-time rates.

(c) If any of the above-mentioned holidays, except Anzac Day, fall on a non-working day, they shall be observed on the first working day or days thereafter.

(d) Shift-workers whose ordinary day off falls on one of the holidays mentioned above, other than Anzac Day, shall be allowed another working day off in lieu thereof, such substituted day to be mutually agreed upon by the worker and the employer.

Annual Holidays

12. (a) Workers, other than shift-workers, shall be allowed holidays in accordance with the Annual Holidays Act 1944. The holidays shall be given at a time to be mutually arranged between the worker and the management.

(b) Shift-workers, after each complete 12 months' service, shall be allowed a holiday of three clear weeks (15 working days) at their ordinary rate of pay, which shall be payable in advance. The holidays shall be given at a time mutually arranged between the worker and the management.

(c) Any shift-worker who has been employed for less than 12 months but no less than three months upon his discharge or upon his leaving on his own accord or being transferred to another department other than shift-work shall be entitled to holiday pay *pro rata* at his ordinary rate of pay.

(d) Upon completion of 10 years continuous service with the employer a day-worker shall be granted for that and each succeeding year an annual holiday of three weeks.

Employment of Youths

13. (a) Youths may be employed in meter-repair shops, stove shops, maintenance department, stores and show-rooms in the proportion of one youth to every four or the fraction of the first four adults permanently employed: Provided that youths under 19 years of age shall not be employed as assistants to adults at servicing work for the first year of their employment.

(b) Subject to the provision of the Factories Act the following shall be the minimum rates of wages payable to youths:

	Per Week		
	£	s.	d.
Sixteen to seventeen years of age—			
First six months	3	16	6
Second six months	4	7	9
Seventeen to eighteen years of age—			
First six months	4	18	3
Second six months	5	8	0
Eighteen to nineteen years of age—			
First six months	6	8	6
Second six months	6	19	0
Nineteen to twenty years of age—			
First six months	7	10	3
Second six months	8	0	3
Twenty to twenty-one years of age—			
First six months	8	18	3
Second six months	9	11	3

General Conditions

14. (a) A worker employed working continuously for eight hours on a day shift but who is not a rotation shift-worker shall be paid at the same rate of wages as the shift-worker for whom he is substituting and shall have the same privileges.

(b) Shift-workers regularly relieving on Fridays shall be paid leading and second operator's rates according to the class of work they are respectively doing.

(c) *Payment of Wages*—Except when mutually arranged, all wages shall be paid not later than Thursday of each week during working hours.

(d) Workers employed in tunnels or in places where they are in contact with gas, smoke, fumes or dust shall be supplied with efficient respirators.

(e) The employer shall supply sufficient and efficient tools and equipment. Respirators and first-aid outfits to be kept in a convenient and accessible place.

(f) Men engaged in cutting and laying live mains shall be supplied with efficient respirators which shall form part of their equipment.

(g) All gasworks buildings where men are required to perform work shall be adequately lighted and ventilated.

(h) A suitable heating appliance shall be provided at the works for workers to heat their food.

(i) Where coke from the retorts shall be required to be wheeled or trucked out the floor of the retort house shall be level and clear of obstructions and the barrows and trucks in good working order.

(j) During the time that any portion of the plant might be closed down temporarily workers usually employed in that quarter of the plant shall be found employment in other departments.

(k) At the works each shift shall be a continuous eight hours.

(l) For use in case of emergency soda water shall be kept in a convenient and accessible place for the benefit of men who are liable to be affected by dangerous fumes in the course of their work.

(m) A suitable heater shall be provided in the dressing-room for the use of workers in cold weather.

(n) An interval of 10 minutes shall be allowed to day-workers each morning and afternoon for refreshments.

(o) A period of five minutes shall be allowed each day for bathing. Day-workers shall be allowed five minutes before mid-day for washing. Yardmen and stokers shall be provided with toilet soap and bath towels.

(p) Each two-men shift shall work 11 vertical retorts gas making, except that 12 vertical retort gas making shall be worked as long as the men on shift are relieved of all coaling and filling of grease cups during that period and for one week thereafter.

(q) Meter-readers shall be provided with water-proof coats, leggings and goshes; service layers and assistants with water-proof coats, gum boots and leggings.

(r) Two pairs of overalls per year shall be issued, as required, to shift workers, yardmen, maintenance fitters, main and service layers and meter repairers. Two dust coats per year shall be issued as required to the storeman. Such overalls and dust coats shall remain the property of the employer.

(s) Shiftmen required to wheel out ashes and tractor-driver required to work outside in all weathers shall be provided with protective clothing.

(t) Gloves shall be supplied when necessary to retort-house workers.

(u) A distinctive badge shall be supplied to maintenance and complaints men and to meter-readers.

Accommodation

15. (a) Employers shall provide and maintain at their works, to the satisfaction of the Inspector of Factories, sanitary arrangements and accommodation to enable workers to take their meals and change their clothing. Provisions shall be made for hot and cold shower baths, also a suitable drying-room where workers may dry their clothes away from dust. Accommodation to be kept clean by the company.

(b) Where necessary the employer shall provide sanitary conveniences for the accommodation and the reasonable comfort of outside workers.

Tools

16. (a) Employers shall provide the worker with such tools as he may require over and above his ordinary trade equipment. Tools lost through the worker's neglect shall be replaced at the worker's expense.

Travelling Allowance

17. (a) Workers shall be at the place where the work is to be performed at the time appointed for commencing work. When the place where the work is to be performed is over $1\frac{1}{2}$ miles from the place of employment all fares shall be paid by the employer and the time reasonably occupied in travelling to and from work shall be allowed by the employer at ordinary time rates.

(b) No worker residing less than $1\frac{1}{2}$ miles from the place where the work is to be performed by the nearest convenient mode of access for foot-passengers shall be entitled to the allowance mentioned in this sub-clause.

(c) Workers who use their own bicycles in the service of the employer shall be paid not less than the rate of 4s. per week for pedal-cycle and 16s. per week for motor-cycles.

(d) Any worker required to commence work after the cessation of public wheeled traffic shall be paid for time occupied in travelling to and from his home, computed at 3 miles an hour, at ordinary rates of pay. If a conveyance is provided for the worker by the employer he shall not be entitled to travelling-time.

Termination of Employment

18. (a) Except in the case of casual workers not less than one week's notice shall be given on either side of the intention to terminate the employment of any worker but this shall not prevent an employer from dismissing a worker summarily for misconduct and such worker shall be paid only the wages due to the time of his dismissal.

(b) On the termination of his employment every worker, provided he shall have delivered to the employer all property in his possession belonging to the employer, shall be paid the sum due to him for wages.

Workers to be Members of Union

19. (a) Subject to the provisions of subsection (5) of section 174 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 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 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 and remain 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

20. (a) Any worker who considers himself incapable of earning the minimum wage as 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 wages shall have regard to the worker's capabilities, 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 the 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.

Disputes Committee

21. Should any dispute or difference arise in connection with any matter not provided for in this award it shall be settled between two representatives of the employer and two representatives of the union. If such committee is unable to decide the matter, it may refer the matter to the Court of Arbitration or either party may appeal to the Court of Arbitration from the decision of such committee, upon giving to the other party 14 days' notice in writing of intention so to appeal.

Term of Award

22. 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 25th day of October 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 2nd day of May 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 2nd day of November 1960.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The matters referred to and settled by the Court related to wages (clause 3 (1), (2) (a) to (j) and (s)) and incorporation, claim for long service bonus, and term of award, including the operative date of provisions relating to wages.

A. TYNDALL, Judge.
