

NORTHERN, WELLINGTON, AND CANTERBURY METAL TRADES EMPLOYEES
(IN MOTOR ASSEMBLY WORKS)—AWARD

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

In the Court of Arbitration of New Zealand, Northern, Wellington, 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 persons, firms, and companies (hereinafter called “the employers”):

NORTHERN INDUSTRIAL DISTRICT

Dominion Motors Ltd. (Assembly Division), Mortimer Pass Road, Newmarket, Auckland.

V.W. Motors Ltd. (Assembly Division), Great South Road, Otahuhu, Auckland.

WELLINGTON INDUSTRIAL DISTRICT

Austin Distributors' Federation (N.Z.) Ltd., McKenzie Street, Petone.

Ford Motor Co. of N.Z. Ltd., Seaview Road, Lower Hutt.

General Motors (N.Z.) Ltd., Bouverie Street, Petone.

Todd Motor Industries Ltd., McKenzie Street, Petone.

CANTERBURY INDUSTRIAL DISTRICT

Amuri Motors Ltd., Durham Street, Christchurch.
 International Harvester Co., 187 Cashel Street, Christchurch.
 Motor Assemblies Ltd., 280 Tuam Street, 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 1st day of June 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 18th day of December 1961.

[L.S.]

A. TYNDALL, Judge.

 SCHEDULE

Workers to Whom Award Applies

1. This award shall apply to the following classes of workers employed in motor assembly works: Toolmakers, fitters, turners, motor mechanics, motor electricians, welders (other than coach-workers), sheet metal workers, spray painters (other than coach-workers), garage attendants, assemblers, process workers, and boys and youths as prescribed in clause 8 hereof.

Hours of Work

2. The ordinary hours of work shall not exceed eight hours on five days of the week, Monday to Friday, both days inclusive, and shall be worked between the hours of 7.30 a.m. and 5 p.m. Forty hours shall constitute an ordinary week's work. 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.

Shifts

3. (a) Shifts may be worked as required by the employer between the hours of midnight on Sunday and midnight on Friday.

(b) When shifts are worked, not more than eight hours inclusive of half an hour crib-time shall constitute a shift and 40 hours a week's work.

Workers employed on shifts, partly or wholly outside the hours prescribed in clause 2 hereof, shall be paid 4s. per shift over and above the ordinary rates of pay.

(c) This clause shall apply when full weekly shifts are worked.

Overtime

4. (a) All time worked outside or in excess of the hours prescribed in clause 2 hereof, or outside of the ordinary hours of work, or in cases of shifts outside the usual shift hours as provided in clause 3 hereof, shall be paid for as overtime at the rate of time and a half for the first three hours and thereafter at double time rates, each day to stand by itself.

(b) Any worker, other than a shift-worker, required to work after 10 p.m. or before 6 a.m. or after 12 noon on Saturday shall be paid double rates.

(c) 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. If a conveyance is provided for the worker by his employer, he shall not be entitled to payment for travelling time. 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: Provided that in the case of a worker who normally starts or finishes work when public wheeled traffic is not available, the amount to be paid to the worker to cover travelling-time may be agreed upon between the employer and the secretary of the union, but if an agreement is not reached the question shall be decided by a committee consisting of the employer, the secretary of the union, and the Conciliation Commissioner, who shall be chairman, and the decision of such committee shall be final.

(d) No worker shall 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 who works at least four hours' overtime between the ordinary time for ceasing work and 3 a.m. the next day shall not be required to work any ordinary time unless double rates are paid or an eight-hour break has occurred. Where, by virtue of the compulsory eight-hour break, he loses ordinary time on the second day such time shall be paid for at ordinary rates.

Holidays

5. (a) The following paid holidays shall be allowed: A whole holiday on every Christmas Day, Boxing Day, New Year's Day, Good Friday, Easter Monday, Anzac Day, Labour Day, Anniversary Day or a day to be substituted therefor, and the birthday of the reigning Sovereign.

Should any of the above holidays, except Anzac Day, fall on a Saturday or a Sunday, such holiday shall be observed on the next succeeding working day.

(b) Time worked on any of the abovementioned holidays or on Sundays or 2 January shall be paid for at twice the ordinary rate.

(c) Payment of wages for the abovementioned holidays shall be made in accordance with the provisions of the Factories Act and amendments.

(d) Tinsmiths and sheet-metal workers shall receive the holidays set out in the relative tinsmiths and sheet-metal workers' award.

Annual Holidays

6. Holidays shall be allowed in accordance with the provisions of the Annual Holidays Act 1944.

Wages

7. The following shall be the minimum rates of wages payable to the respective classes of workers named herein:

| | | | | | | Per Hour | |
|-----|--|-------|-------|-------|-------|----------|----|
| | | | | | | s. | d. |
| (a) | Toolmakers | ..... | ..... | ..... | ..... | 7 | 8 |
| | "A" Grade mechanics | ..... | ..... | ..... | ..... | 7 | 8 |
| | Certified motor mechanics | ..... | ..... | ..... | ..... | 7 | 4 |
| | Motor mechanics | ..... | ..... | ..... | ..... | 7 | 2 |
| | Inspectors | ..... | ..... | ..... | ..... | 7 | 8 |
| | Fitters and turners | ..... | ..... | ..... | ..... | 7 | 2 |
| | Tinsmiths and sheet-metal workers, spray painters, and dippers | ..... | ..... | ..... | ..... | 7 | 2 |
| | Other tradesmen | ..... | ..... | ..... | ..... | 7 | 2 |
| | Assemblers | ..... | ..... | ..... | ..... | 6 | 3 |
| | Garage attendants | ..... | ..... | ..... | ..... | 6 | 1½ |
| | Process workers | ..... | ..... | ..... | ..... | 6 | 1½ |
| | | | | | | Per Hour | |
| | | | | | | s. | d. |
| (b) | Porcelain enamelling division: | | | | | | |
| | Sprayer | ..... | ..... | ..... | ..... | 7 | 2 |
| | Furnacemen | ..... | ..... | ..... | ..... | 7 | 1 |
| | Other workers | ..... | ..... | ..... | ..... | 6 | 3 |

(c) After three months' service with the same employer the minimum rate for "assemblers" and "other workers" mentioned above shall be 6s. 3½d. per hour.

Boys and Youths

8. (a) Boys and youths under 21 years of age may be employed on light manufacturing work or on process work or in the tool and material store.

(b) The minimum weekly rates of wages payable to such boys and youths shall be in accordance with the following scale:

| | | | | | | Per Week | | |
|--|------------------------|-------|-------|-------|-------|----------|----|----|
| | | | | | | £ | s. | d. |
| | 16 to 16½ years of age | ..... | ..... | ..... | ..... | 5 | 0 | 0 |
| | 16½ to 17 years of age | ..... | ..... | ..... | ..... | 5 | 10 | 0 |
| | 17 to 17½ years of age | ..... | ..... | ..... | ..... | 6 | 0 | 0 |
| | 17½ to 18 years of age | ..... | ..... | ..... | ..... | 6 | 15 | 0 |
| | 18 to 18½ years of age | ..... | ..... | ..... | ..... | 7 | 10 | 0 |
| | 18½ to 19 years of age | ..... | ..... | ..... | ..... | 8 | 5 | 0 |
| | 19 to 20 years of age | ..... | ..... | ..... | ..... | 9 | 0 | 0 |
| | 20 to 21 years of age | ..... | ..... | ..... | ..... | 9 | 15 | 0 |

And thereafter, or on attaining the age of 21 years, not less than the appropriate adult rate according to the class of work he is called upon to perform.

(c) Where youths are employed at assemblers' work they shall be paid not less than the rate specified for adult assemblers.

(d) Wages shall be paid weekly, but (subject to the provisions of the Factories Act relating to deduction from wages) only time worked shall be paid for.

Payment of Wages

9. (a) Wages shall be paid weekly not later than Thursday and within working hours. No more than three days' pay shall be held in hand by the employer.

(b) The employer may make a rateable deduction from the wages for any time lost by a worker through sickness, accident or default.

(c) Each employer shall keep a time and wages book or card system showing the name of each worker and his occupation, the hours worked each day, and the wages and allowances paid each week. An entry of time worked and wages paid shall be signed by the worker. Each worker shall be supplied with full details of how the wage is made up.

Engineering Students

10. Any student of any recognised university engineering college in the Dominion who engages himself to any employer party to this award, for the purpose of obtaining practical experience to supplement his theoretical training during the vacation periods, shall be exempt from the provisions of this award: Provided that this shall not entitle any employer to dismiss a worker in order to make room for a student.

Definitions

11. "Tradesman" means a worker employed as such who has served five years' apprenticeship to any of the branches of the trade covered by this award, or an adult worker who in the course of his employment works from drawings or prints, or who makes precision measurements, or who applies general trade experience to the branch or branches of the trade in which he is employed covered by this award, such as toolmakers, turners, fitters, welders (other than coach-workers), motor mechanics, sheet-metal workers, and motor electricians, but shall not include workers covered by any other definition contained in this award.

An "A' Grade motor mechanic" is one who has passed the examination held by the New Zealand Retail Motor Trade Association Inc., or the equivalent Government examination, and holds the official certificate.

"Inspectors" are workers substantially engaged in checking the work of assemblers and/or motor mechanics.

"Certified motor mechanic" is one who holds the certified Motor Mechanics' Certificate issued by the New Zealand Motor Trade Certification Board.

"Motor mechanic" shall mean a worker engaged on motor mechanic's work and shall include a motor electrician.

"Motor mechanic's work" shall mean and include fitting, turning, motor electrical and other work in the manufacture and/or repair of parts of motor vehicles.

"Assemblers" are workers who are substantially engaged in assembling the parts of new motor vehicle chassis as imported, refrigerators, refrigerated show cases and such other cases as are manufactured in assembly plants.

"Process worker" means a worker engaged on repetition work on any automatic, semi-automatic, or single purpose machine, or any machine fitted with jigs, gauges or other tools rendering operations mechanical (and in connection with which he is not responsible for the setting-up of the machine nor for the dimensions of the products other than by checking with gauges which gauges shall be either unadjustable, or, if adjustable, shall not be set by the operator),

or guillotining operation where the worker does not set up his own work, drilling with fixed jigs, rough grinding, spot- or butt-welding, porcelain enamelling, dipping, pickling, and rubbing down paint.

Meal-money

12. (a) The employer shall allow meal-money at the rate of 5s. per meal when workers are called upon to work more than one hour's overtime after the normal hour for ceasing work on Monday, Tuesday, Wednesday, Thursday, or Friday, or after 1 p.m. on Saturday or Sunday.

When working protracted overtime either a suitable meal shall be provided or meal-money paid every four and a half hours that overtime continues, provided workers are required to continue working after the meal interval; and provided, further, that the period of four and a half hours may be varied by agreement. In such cases reasonable meal intervals shall be paid for.

(b) The provisions of subclause (a) of this clause shall be modified in respect to assembly works in which there are established cafeterias at which meals are available when the meal-money rate payable shall be 4s. per meal.

Tool Allowance

13. All tradesmen covered by this award who are required by the employer to supply their own tools, shall be paid 1½d. per hour as tool allowance.

Special Payments

14. (a) Welders employed on oxy-acetylene, coal gas, or electric welding (except on spot- or butt-welding machines) shall be paid 3½d. per hour extra with a minimum of 1s. 10d. per day.

(b) Where a worker has been specially directed to take charge of four or more workers, he shall be paid 2s. 6d. per day extra. Where a worker has been specially directed by his employer to take charge of any job and has under his control not less than four tradesmen, such workers shall be paid 3s. 8d. per day extra above the minimum rates, provided that the job shall extend for one day or more.

(c) Any worker whose employment involves repair or maintenance work or such other work as may be agreed upon between the union and the employer, and which is dirtier than normal factory working conditions, shall be paid 3½d. per hour extra, with a minimum of 2s. 4d. per day. Workers engaged spraying bitumastic paint on vehicle chassis on the assembly line shall receive the above allowance and shall be provided with overalls and footwear as required.

Workers on the assembly line who are required to work on wet painted chassis shall receive the above allowance.

(d) Workers shall be supplied with two suits of overalls each year, which shall be laundered at the employer's expense or, alternatively, shall be paid 1½d. per hour extra as a clothing allowance, in which case the worker so paid will be obliged to have his overalls laundered at least once weekly at his own expense.

(e) Where a maintenance worker is required to work during his recognised meal break, overtime rates shall be paid until an interval for a meal is allowed.

General Provisions

15. (a) It shall be the duty of the employer to provide lockers or other suitable accommodation wherein employees may keep their clothes, good ventilation, and proper sanitary arrangements, also a sufficient supply of boiling water at meal-times and for washing at knocking off times.

(b) An employer shall provide reasonable facilities for supplying warmth for men working in the workshops in cold weather.

(c) Where portable electric lights, electric drills, and other portable electrical equipment are in use, every care shall be taken to see that they are properly insulated. Workers shall immediately report to the foreman any defect in such equipment, which shall be clearly marked "Out of Order" or removed until restored to safe condition.

(d) Respirators shall be provided for duco sprayers.

(e) Suitable screens shall be supplied for electric arc welding machines. Where practicable grinders shall have adequate guards and suitable suction equipment to remove dust.

(f) Workers employed on oxy-acetylene or electric welding and cutting, or on such other work as is agreed upon, shall be provided with suitable protective clothing.

(g) A suitable first-aid kit, fully equipped, shall be kept in a convenient and accessible place in every works, also provision made for a supply of hot water at short notice.

(h) Where workers are engaged in pits, no other worker shall be permitted to work overhead in such a manner as to endanger those beneath.

(i) A 10-minute rest period shall be allowed in the morning and afternoon to all workers. If a worker is required to work more than three hours' overtime he shall be allowed, during that period, a rest period of 10 minutes.

(j) "Confined space" means a working-place the dimensions of which necessitate an employee working in a stooped or otherwise cramped position or without proper ventilation, or where confinement within a limited space is productive of unusual discomfort. Workers employed under such conditions shall be paid $3\frac{1}{2}$ d. per hour extra whilst so employed.

(k) Any worker required to work within the factory buildings where the heat exceeds 110 degrees Fahrenheit shall be paid in addition to the rate of wages to which he is entitled for the time at which the work is performed, a special heat rate at ordinary time rate for the time he is so employed. Furnacemen employed in the porcelain enamelling division shall be paid a special heat rate of a minimum of one hour at ordinary time rate per day extra whilst so employed.

(l) Duckboards shall be supplied for use where practicable and where consistent with safety.

(m) Where exhaust or other dangerous fumes arise from vehicles on the assembly line, adequate plant shall be provided to remove such fumes.

(n) Where a trichlorethylene bath is used, it shall be placed in such a position that the operator will be prevented as far as possible from leaning over the bath, and lifting gear shall be provided to place material in the bath and to remove such material therefrom.

(o) Workers engaged in handling or fitting mineral or glass wool or fibre shall be supplied with protective gloves, and other protective facilities necessary.

Access to Workshops

16. The secretary or other 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 at their work, 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 Committee

17. Should any dispute or difference arise in connection with any matter not provided for in this award, it shall be settled between the particular employer concerned and two representatives of the local branch of the union. If no settlement is arrived at, then such dispute shall be referred to a disputes committee consisting of three representatives of the employers and three representatives of the union for their decision. 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.

Workers to be Members of Union

18. (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 eighteen 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 twenty-one 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

19. 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

20. This award shall operate throughout the Northern, Wellington, and Canterbury Industrial Districts.

Term of Award

21. 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 working week in each establishment commencing on or after the 4th day of December 1961, 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 1st day of June 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 18th day of December 1961.

[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.
