

**TARANAKI, WELLINGTON, MARLBOROUGH, NELSON, WESTLAND, CANTERBURY, AND SOUTHLAND RACING, TROTTING, AND HUNT CLUBS' ATTENDANTS—AWARD**

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

In the Court of Arbitration of New Zealand, 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 (Except Northern) Theatrical and Places of Amusement and Related Employees Industrial Union of Workers (hereinafter called “the union”) and the under-mentioned clubs (hereinafter called “the employers”):

**TARANAKI INDUSTRIAL DISTRICT**

Egmont Racing Club, P.O. Box 64, Hawera.

**WELLINGTON INDUSTRIAL DISTRICT**

Wellington Racing Club, 101–103 The Terrace, Wellington.

**MARLBOROUGH INDUSTRIAL DISTRICT**

Marlborough Racing Club, Blenheim.

## NELSON INDUSTRIAL DISTRICT

Nelson Trotting Club, P.O. Box 114, Nelson.

## WESTLAND INDUSTRIAL DISTRICT

Greymouth Trotting Club, P.O. Box 27, Greymouth.

## CANTERBURY INDUSTRIAL DISTRICT

New Zealand Metropolitan Trotting Club, corner of Oxford Terrace and Armagh Street, Christchurch.

## SOUTHLAND DISTRICT

Southland Racing Club, P.O. Box 249, Invercargill.

THE Court of Arbitration of New Zealand (hereinafter called "the Court"), having taken into consideration the matter of the above-mentioned 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 on the day of the date hereof and shall continue in force until the 28th day of September 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 28th day of March 1961.

[L.S.]

A. TYNDALL, Judge.

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SCHEDULE

*Definition*

1. This award shall apply to racing, trotting, and hunt clubs, except in respect of starters and their assistants, radio announcers, clerks of the course, clerks of the scales, judges, time-keepers and their assistants, and the staff employed within the totalisator.

*Hours of Work*

2. The ordinary hours of work shall not exceed eight per day to be worked to suit the exigencies of the club.

*Wages*

3. (a) The minimum rates of wages for workers employed at meetings on the Trentham or Riccarton Racecourse or on the Hutt Park or Addington Trotting Course shall be as follows:

	Per Day		
	£	s.	d.
(i) Ticket-sellers .....	3	4	3
Turnstile-keepers handling cash .....	3	4	3
Change-tellers .....	3	4	3
Female cloak-room attendants .....	2	8	2
All other male workers .....	2	13	9

(ii) Where a worker is employed for less than four hours, 6s. 11d. an hour, with a minimum of three hours for any one period of employment.

(b) At all other racing, trotting, or hunt club meetings the minimum wage shall be as follows:

(i) Where a worker is employed for four hours or more:

	Per Day		
	£	s.	d.
Ticket-sellers .....	3	0	7
Turnstile-keepers handling cash .....	3	0	7
Change-tellers .....	3	0	7
All other male workers .....	2	13	1
Female workers .....	2	6	11

(ii) Where a worker is employed for less than four hours, 6s. 10d. an hour, with a minimum of three hours for any one period of employment.

*Holiday Pay*

4. To conform with the requirements of the Annual Holidays Act 1944, and its amendments, each worker shall be paid holiday pay equivalent to one twenty-fifth of his ordinary pay for the time worked by him.

*Overtime*

5. All time worked in excess of eight hours shall be paid for at double ordinary rates.

*Termination of Employment*

6. The established arrangements for engaging and dismissing workers shall continue.

*Uniforms*

7. If a worker is required to wear a uniform, it shall be supplied by the employer. A uniform is a special dress or part of a dress other than a worker's ordinary clothing.

*Meals*

8. A worker shall not be employed for more than four hours continuously without an interval of at least half an hour for a meal, but this shall not apply if the employer provides the worker with refreshments at his post.

*Commencement of Engagement*

9. In the event of postponement each worker directed by the employer to report for work and who does report on time shall be paid not less than 10s. 6d.

*Transport*

10. Where a worker is required to travel more than 5 miles to the place of employment, the employer shall pay for transport.

*Matters Not Provided For*

11. The essence of this award being that on no account whatsoever shall the work be impeded, any dispute in connection with any matter not provided for in this award shall be settled between the particular employer concerned and the secretary or president of the union, and in default of any agreement being arrived at, then such dispute shall be referred to the Conciliation Commissioner or other person mutually agreed upon, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Commissioner or such other person, may appeal to the Court upon giving written notice of such appeal to the other party within 14 days after such decision shall have been communicated to the party desiring to appeal.

*Interviewing Workers*

12. The secretary of the union, by arrangement with the employer, shall have the right to interview workers.

*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.

(d) It shall be a condition of employment under this award that the worker shall pay union dues at the rate of 1s. for each day of his employment. To ensure compliance with this condition, the employer shall deduct such dues from the wages of the worker and remit same to the appropriate union.

(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.

#### *Exemptions*

15. (a) Nothing in this award shall apply to workers who are covered by the New Zealand Racecourse Employees Award.

(b) Nothing in this award shall apply to point-to-point hunt club meetings or to non-totalisator meetings.

(c) Nothing in this award shall apply to any trotting, racing, or hunt club which races on only one day each year: Provided that if any such trotting, racing or hunt club races off its own course it shall be covered by those conditions in this award applicable to the course to which it transfers.

#### *Application of Award*

16. 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*

17. This award shall operate throughout the Taranaki, Wellington, Marlborough, Nelson, Westland, and Canterbury Industrial Districts, and that portion of the Otago and Southland Industrial District comprised in the former province of Southland.

#### *Term of Award*

18. This award shall come into force on the day of the date hereof and shall continue in force until the 28th day of September 1962.

In witness whereof the seal of the Court of Arbitration hath hereto been affixed, and the Judge of the Court of Arbitration hath hereunto set his hand, this 28th day of March 1961.

[L.S.]

A. TYNDALL, Judge.

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#### MEMORANDUM

The only matter settled by the Court related to a claim for an additional payment for attendants at night trotting meetings. In other respects the award embodies the terms of the memorandum of partial settlement arrived at in Conciliation Council and the subsequent agreement of the representatives of the parties upon matters which were referred to the Court.

A. TYNDALL, Judge.