

**WELLINGTON INDUSTRIAL DISTRICT BACON WORKERS—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 Industrial District Bacon Curers Industrial Union of Employers, 8-12 The Terrace, Wellington.

Beacon Bacon Co. (N.Z.) Ltd., P.O. Box 3, Wanganui.

Dawn Meat Co. Ltd., P.O. Box 418, Hastings.

Feilding Bacon Co. Ltd., P.O. Box 46, Feilding.

Forth Products Ltd., Levin.

Gould Bros., Post Office Avenue, Wellington.

Hastings Bacon Co. Ltd., P.O. Box 71, Hastings.

J. C. Hutton (N.Z.) Ltd., Waione Street, Petone.

Kiwi Bacon Co. Ltd., P.O. Box 222, Palmerston North.

Manawatu Meat and Cold Storage Co. Ltd., 422 Church Street, Palmerston North.

Mi-ere Bacon Co. Ltd., Carterton.

Swift N.Z. Ltd., P.O. Box 61, Wairoa.

Wairarapa Bacon Factory Ltd., Carterton.

Wanganui Mild Cure Bacon Co. Ltd., Taupo Quay, Wanganui.

(hereinafter called "the employers") and the—

Wellington (except Wanganui, Whakatu and Tomoana) Freezing Works and Related Trades Employees Industrial Union of Workers, 163 Renall Street, Masterton.

Carterton (five-mile radius) Bacon Workers Industrial Union of Workers, 36 Moreton Road, Carterton.

New Zealand (except Northern, Westland and Otago and Southland Industrial Districts) Food Preserving, Chemical and Related Products Factory Employees Industrial Union of Workers, 105 Customhouse Quay, Wellington.

(hereinafter called "the union").

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 31st day of July 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 15th day of February 1962.

[L.S.]

A. TYNDALL, Judge.

#### SCHEDULE

##### *Industry to Which Award Applies*

1. This award shall apply to the bacon industry in all its branches except the clerical branch, and to all trades related thereto except in so far as such related trades are carried on outside of and apart from the bacon industry and are covered by other awards or industrial agreements.

##### *Hours of Work*

2. (a) The ordinary hours of work shall not exceed 40 hours per week, nor eight hours per day to be worked on five days of the week, Monday to Friday inclusive, between 7.30 a.m. and 4.30 p.m., or 7.45 a.m. and 4.45 p.m., or 8 a.m. and 5 p.m.

(b) One hour shall be allowed for all meals, except where otherwise mutually arranged to the satisfaction of a majority of the workers in any department of the works when a minimum of half an hour may be taken.

##### *Overtime*

3. (a) Except where otherwise provided, all time worked outside of or in excess of the hours mentioned in subclause (a) of clause 2 in any one day shall be considered overtime and shall be paid for at the rate of time (or rate) and a half for the first three hours and double time (or rate) thereafter, computed on a daily basis.

(b) Work done on Saturdays shall be paid for at time (or rate) and a half for the first four hours and double time (or rate) thereafter: Provided that work done after noon on Saturday shall be paid for at double time (or rate).

(c) After 11 hours' work, overtime rates shall be paid until the worker has had a break of one hour for every two hours worked, with a minimum break of eight hours. This provision shall apply whether the period so worked falls wholly within one day or partly within one day and partly within the succeeding day.

(d) When a worker has been notified on or before the previous day of intention to work overtime after the ordinary ceasing time as specified in subclause (a) of clause 2 hereof, such worker shall receive a minimum of one hour's pay at overtime rates.

(e) When men are required to work overtime after 6 p.m. or after 1 p.m. on Saturday, Sunday, or holidays, a suitable hot meal shall be provided by the employer, or the employer shall pay each worker the sum of 5s. unless such worker can reasonably go home for his meal and return within the meal interval allowed to his place of employment, in which case the meal shall not be provided, nor the sum of 5s. paid.

##### *Smoko*

4. An interval of 15 minutes for all workers without stoppage of pay shall be allowed for smoko every morning and afternoon. When men are required to work overtime smoko or similar time shall be allowed every two hours.

## Wages

5. The following shall be the minimum rate of wages payable to the under-mentioned workers:

- (a) Workers employed at sticking, singeing, scalding, gambrelling off, opening up, pulling or stripping runners, marking and/or backing down, chopping, boning, rolling, cutting up, and operating small-goods silent cutter machine or mechanical saws, 7s. 1½d. per hour.
- (b) Head curer, £15 3s. 4d. per week.
- (c) First small-goods-man, £15 3s. 4d. per week.
- (d) Other small-goods-man, 7s. per hour.
- “Small-goods-man” means a worker employed at mincing, mixing and filling and cutting up boneless meat for small-goods.
- (e) Pig catchers, black scrapers, scudders, shavers, cellarmen, and baconwashers, 7s. per hour.
- (f) Leading lard hand, 7s. per hour.
- (g) Man in charge of ham cooking department, 7s. per hour.
- (h) Freezing chamber hands, 7s. 4½d. per hour.
- (i) All other workers, 6s. 8½d. per hour.
- (j) Leading hands appointed as such by the employer shall be paid 3d. per hour in addition to the above rates of pay. This provision shall not apply to the workers classified under subclauses (b), (c), (f), and (g) above, unless they are so designated by the employer.

## Pieceworkers

6. The following shall be the minimum rates of wages:

Pieceworkers slaughtering:

	Ordinary Time		Overtime	
	Basic Rate	Time	Basic Rate	Time
	s.	d.	s.	d.
(a) Pigs, up to 120 lb per head (actual dressed weight) .....	1	9½	1	11½
Pigs, 121 lb to 200 lb per head (actual dressed weight) .....	2	7½	2	11½
Pigs, 201 lb to 300 lb per head (actual dressed weight) .....	4	0	4	6
Pigs, over 300 lb - per 100 lb or fraction of 100 lb (actual dressed weight) .....	1	4	1	6
Chopper pigs, mechanically skinned, all weights, per head .....	3	11½	4	5½
Chopper pigs, hand skinned, all weights per head .....	5	2½	5	10

- (b) For every pig singed, 2d. shall be added to the above rates.
- (c) For every pig de-haired by hand, 4d. shall be added to the above rates.
- (d) Where the employer requires jowls only to be cleaned, one half penny shall be deducted from the above rates.
- (e) Where the employer does not require any part of the head to be cleaned, one penny shall be deducted from the above rates.
- (f) When pieceworkers are required to wait for work after the arranged time of starting, they shall be paid at the rate of 7s. 1½d. per hour for all time so waited.
- (g) Where in a pay-week pieceworkers employed in that week solely as such earn more than the sum of £13, the sum of £3 2s. 5d. shall be added to their piecework earnings. Where however, the said pieceworkers do not earn £13 in a pay-week solely on piecework, the sum actually earned shall be increased by an amount equal to 24 per cent thereof. Provided however, that where in a pay-week workers are employed both on piecework and hourly work that portion of the earnings calculated on hourly rates in ordinary time which represents incorporation of the Court's general wage order of 18 September 1959, shall be taken

into credit when computing the make-up of £3 2s. 5d. as above. Where the total earnings in a pay week of such composite hourly/pieceworkers as above do not exceed £13, only that portion of their earnings which represents piecework shall be increased by an amount equal to 24 per cent thereof.

(h) *Penal Payments*—

	s.	d.
Boars, 120 lb and over, and genuine stags:		
121 lb to 200 lb extra, each .....	2	7½
201 lb to 300 lb extra, each .....	4	0
Pigs over 300 lb, per 100 lb or fraction of 100 lb extra .....	1	4
Chopper pigs, mechanically skinned, extra each .....	3	11½
Chopper pigs, hand skinned, extra each .....	5	2½

*Youths*

7. (a) Youths up to the age of 19 years may be employed at the following rates:

	Per Week		
	£	s.	d.
16 years of age .....	4	15	0
16½ years of age .....	5	10	6
17 years of age .....	6	6	0
17½ years of age .....	7	1	6
18 years of age .....	7	17	0
18½ years of age .....	8	13	0

And thereafter, the minimum wage for adults: Provided that the wages of any youths at present employed shall not be reduced during the term of this award.

(b) Youths under 16 years of age shall not be employed.

*Females*

8. (a) Females may be employed at the following and similar classes of work, that is to say:

*Small-goods Department*—Cutting off, weighing and wrapping and packing small-goods;

*Lard Department*—Attending cooling-machines, attending patting-machine, gumming cartons, inserting parchment liners and filling same, packing cartons or pats in boxes;

*Bacon Department*—Bagging, sewing, and seeding bacon and hams; wrapping and packing bacon and ham;

*Preserving Department*—Labelling and packing;

*Bagmaking Department*—Sewing and printing bags:

Provided that no female worker shall be required to handle raw meats or to handle any weight in excess of 20 lb: Provided, also, that the employer shall supply smocks and suitable footwear, also wooden gratings where circumstances demand.

(b) Suitable heated dressing-rooms shall be provided.

(c) The ordinary hours of work shall not exceed 40 hours per week. Not more than eight hours shall be worked on five days of the week, Monday to Friday, both days inclusive, between the hours of 8 a.m. and 5 p.m. The hours of work shall be continuous save for an interval of one hour for lunch. Provided that this hour may be reduced to not less than half an hour by mutual arrangement with a majority of the female workers concerned.

(d) Time worked on any day outside of or in excess of the hours mentioned in the preceding subclause shall be deemed to be overtime and shall be paid for at the rate of time and a half.

(e) The following shall be the minimum weekly rates of payment for female workers:

Age		First Six Months	Second Six Months	Third Six Months	Fourth Six Months	Fifth Six Months
Under 18	.. ..	£ s. d. 4 15 0	£ s. d. 5 10 6	£ s. d. 6 6 0	£ s. d. 7 10 6	£ s. d. 8 15 6
18 to 19	.. ..	5 13 6	6 6 0	7 10 6	8 15 6	..
19 to 20	.. ..	6 12 0	7 10 6	8 15 6	..	..
20 to 21	.. ..	7 10 6	8 15 6	..	..	..
21 and over	.. ..	8 15 6	..	..	..	..

And thereafter, £8 15s. 6d. per week.

(f) No female under the age of 16 years shall be employed.

(g) Female workers may be employed on part-time work under this clause up to 28 hours in a week, and they shall be paid for all time worked at an hourly rate equivalent to one-fortieth of the appropriate wages specified in subclause (e) hereof.

(h) A female worker placed in charge shall be paid 3d. per hour extra.

#### *Payment of Wages*

9. (a) Wages shall be paid weekly, where possible not later than Thursday, in the employer's time. Two days' lie-time shall be allowed. Any error or omission in the pay-sheet shall be adjusted within 48 hours.

(b) Two days' notice of termination of employment for hourly workers shall be given by the employer or the worker as the case may be, but this shall not prevent the employer from summarily dismissing a worker for misconduct. In the event of any worker leaving his employment without giving two days' notice as aforesaid, the employer shall be entitled to retain an amount not exceeding two days' pay at ordinary rates from any moneys due to the worker. Should the employer not give two days' notice as required, two days' pay shall be given in lieu thereof, except in the case of summary dismissal for misconduct when this provision shall not apply.

(c) One week's notice of termination of employment for all workers on a weekly wage specified in this award shall be given by the employer or a worker as the case may be, but this shall not prevent the employer from summarily dismissing a worker for misconduct. In the event of any worker leaving his employment without giving one week's notice as aforesaid, the employer shall be entitled to retain an amount not exceeding one week's wages at ordinary rates from any moneys due to the worker. Should the employer not give one week's notice as required, one week's wages shall be given in lieu thereof, except in the case of summary dismissal for misconduct when this provision shall not apply.

(d) No deduction shall be made from the weekly rates prescribed herein excepting in respect of the time lost through sickness, accident, or default or time off allowed a worker at his or her own request.

#### *Holidays*

10. (a) The following holidays shall be observed: New Year's Day, 2 January, Anniversary Day, Anzac Day, Good Friday, Easter Monday, Labour Day, Christmas Day, Boxing Day, and the birthday of the reigning Sovereign.

(b) Notwithstanding the foregoing, another day may be substituted for Anniversary Day by agreement between the union and the employer.

(c) All holidays mentioned in subclause (a) of this clause shall be paid for as an ordinary working day of eight hours. All work done on any of the foregoing holidays shall be paid for at double time (or rate) in addition to the ordinary time (or rate) provided for herein.

(d) 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, and in the event of another holiday falling on such Monday, such holiday shall be observed on the succeeding Tuesday. The provisions of the Public Holidays Act 1955, shall apply to the holidays mentioned in subclause (a) of this clause.

(e) Where weekly hands are employed on any holiday they shall be paid the rate specified for holidays in addition to the weekly wage provided in this award.

#### *Annual Holidays*

11. (a) Holidays shall be allowed in accordance with the provisions of the Annual Holidays Act 1944: Provided that upon completion of 10 years' continuous employment with the same employer, a worker shall be granted in respect of each further year of employment with that employer an annual holiday of three weeks instead of two weeks.

(b) Where practicable at least one month's notice of annual holidays shall be given by the employer.

#### *General Conditions*

12. (a) When working overtime or when loading out, meal-times shall be at intervals of not more than four hours. No meal break is allowable upon cessation of work.

(b) Spells of a reasonable time, being not less than 10 minutes, shall be allowed chamber hands who are in a heated condition, through working outside, to cool down before entering the freezing chambers. No deduction shall be made from the men's wages on account of such spell.

(c) All freezing chambers shall be provided with a light, and adequate provision shall be made for communication with the outside.

(d) Disinfectants shall be supplied in any department where necessary.

(e) All workers shall be supplied with articles reasonably necessary to carry on the work, or materials for making the same. All such articles shall be replaced by the employer when worn out and beyond repair as the result of fair wear-and-tear, and shall remain the property of the employer. The articles to be supplied in the various departments shall be as follows:

(i) *Chamber-hands* — Two-piece overalls, balaclavas, gloves, jerseys, boots, and waterproof clothing when defrosting.

(ii) *Preserving, Killing, and Washing Department and Pig-catchers and Yardmen* — Overalls, clogs, or boots, gumboots, where necessary, aprons (waterproof where necessary), stones, knives, pouches, steels, leggings.

(iii) *Manure and Tallow Department* — Overalls, aprons (waterproof where necessary), clogs, or boots, gumboots where necessary.

(iv) All coats, smocks, overalls, cloth aprons and jerseys shall be laundered at the employer's expense.

(v) Soap and clean towels shall be provided in accordance with section 62 of the Factories Act 1946.

(f) Where chamber-hands are called upon to work overtime for more than four consecutive hours, the employer shall provide a meal during each such four hours.

- (g) St. John or similar first-aid outfits shall be provided in each factory.
- (h) Provision shall be made by the employer for a suitable place for the workers to place their bicycles in during working hours.
- (i) When men are employed grinding bones, double ordinary rates shall be paid.
- (j) Five minutes shall be allowed all hands for changing clothes at knock-off time without deduction from the workers' pay.
- (k) Grindstones driven by power shall be provided where necessary.
- (l) Clocks shall be supplied in all factories or in departments where necessary.
- (m) In all cases where men are called out on Saturdays, Sundays, or holidays and there is no work or less than four consecutive hours' work available, they shall receive not less than four consecutive hours' pay at the rate specified.
- (n) The secretary or other authorised representative of the union of workers bound by this award 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.

#### *Dining, Dressing, and Bath Rooms*

13. Accommodation for dining, for dressing, for washing and for drying clothes shall be provided in accordance with the following conditions:

- (a) A room sufficiently large to provide separate space for dining and dressing, or one room for dining and another for dressing shall be provided. Tables shall be provided in dining-rooms.
- (b) A separate drying-room for no other purpose than drying clothes shall be provided.
- (c) Facilities for shower-baths shall be provided.
- (d) Hot water and cold water shall be provided for wash-hand basins and showers.
- (e) Hot-water urns and an ample supply of fresh drinking-water and sufficient accommodation for the seating of all workers properly using the dining-room shall be provided in the dining-room.
- (f) A number of lockers shall be provided in the dressing-room sufficient to supply each worker.
- (g) Every dining-room shall be fitted with fly-proof doors and windows where necessary, and shall be cleaned after each meal.
- (h) The employer shall not permit or suffer any dressing-room, bath-room, water-closet, or urinal to become insanitary.
- (i) The accommodation above referred to shall be kept clean by the employers, who shall arrange for the cleaning of the dining-room after each meal.
- (j) The conditions of the above subclauses may be varied by arrangement between the employer and the union in writing.
- (k) The union shall appoint delegates whose duty it shall be to see that the workers do everything in their power to maintain the dining, dressing, and bath rooms in a clean and tidy condition.
- (l) The dressing and dining-rooms shall be suitably heated.
- (m) Where required, proper facilities for heating food shall be supplied.

#### *Disputes*

14. Anything not provided for in this award, or any dispute that may arise over anything that is provided for in this award, shall be mutually arranged between two representatives of the union and two representatives of the employer.

In the event of their being unable to agree, the matter shall be referred to the Conciliation Commissioner for settlement. Either side, if dissatisfied with the decision of the Conciliation Commissioner, shall have the right to appeal to the Court within one calendar month of the date of the decision.

*Workers to be Members of Union*

15. (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*

16. (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*

17. 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 district to which this award relates.

*Exemptions*

18. Nothing in this award shall apply to foremen, graders, or clerical staff attached to a factory covered by this award.

*Scope of Award*

19. This award shall operate throughout the Wellington Industrial District.

*Term of Award*

20. This award shall come into force on the day of the date hereof, and shall continue in force until the 31st day of July 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 15th day of February 1962.

[L.S.]

A. TYNDALL, Judge.

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MEMORANDUM

The matters referred to and settled by the Court related to overtime (clause 3 (b) ), wages (clause 5, except subclause (j) ), pieceworkers (clause 6 (f) and (g) ), youths (clause 7 (a) ), females (clause 8 (a), (d), and (e) ), and the date of coming into force of the award.

A. TYNDALL, Judge.

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WELLINGTON INDUSTRIAL DISTRICT BACON WORKERS—APPEAL FROM  
DECISION OF CONCILIATION COMMISSIONER

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 the Wellington Industrial District Bacon Workers Award, dated the 15th day of February 1962, and recorded in 62 Book of Awards 143; and in the matter of an appeal by the Wellington (Except Wanganui, Whakatu and Tomoana) Freezing Works and Related Trades Employees Industrial Union of Workers from the decision of Mr H. M. Hopper, Conciliation Commissioner, upon a dispute between the union and the Feilding Bacon Company Limited.

*Female Workers—“Wrapping and Packing”, Meaning of—Use of Cryovac Machine—  
Bacon Workers*

JUDGMENT OF THE COURT DELIVERED BY TYNDALL, J.

THIS is an appeal by the Wellington (Except Wanganui, Whakatu and Tomoana) Freezing Works and Related Trades Employees Industrial Union of Workers from a decision of H. M. Hopper, Esq., Conciliation Commissioner, made pursuant to clause 14 of the Wellington Industrial District Bacon Workers Award (62 Book of Awards 143).

For convenience the decision of the Conciliation Commissioner is set out in full below:

“Whereas a dispute has arisen between the Wellington Freezing Works and Related Trades Employees’ Industrial Union of Workers, and the Feilding Bacon Company Limited.

And whereas the representatives of the parties being unable to agree upon the matter in dispute, referred the matter to the Conciliation Commissioner for settlement as prescribed by clause 14 of the Award.

The matter in dispute is as under:

'Are women permitted to operate Cry-o-vac machines under the terms of the award.'

Clause 8 of the award prescribes that females may be employed at the following and similar classes of work—that is to say—

*Small-goods Department*—Cutting off, weighing and wrapping and packing small-goods.

*Bacon Department*—Bagging, sewing, and seeding bacon and hams; wrapping and packing bacon and ham.

1. A female worker is employed wrapping and packing small-goods and hams with the aid of a Cry-o-vac machine. The small-goods so packed consist of saveloys, picnic hams and special hams.

2. The worker places hams or other goods in a special type of shrinkable plastic bag.

3. She then places the bag over a nozzle which exhausts the air from it and twists the neck of the bag to make it airtight.

4. She then places the neck of the bag in a clamping machine which puts on a metal clip and trims off the surplus neck of the bag.

5. The worker then places the products in a wire basket and immerses it in a tub of hot water which shrinks the plastic bag into a skin-tight fit.

6. The only point at issue is whether females may be employed on Cry-o-vac machines.

7. The award is silent as to whether or not machines may be used in the packing and wrapping of hams and small-goods, and in my view, it would be straining the language used in the clause to say that females are prohibited from operating such machines.

8. I have given careful consideration to this matter, and, in my opinion, it is quite permissible for females to be employed on Cry-o-vac machines.

Dated at Wellington, this 19th day of April 1963.

H. M. HOPPER,  
Conciliation Commissioner."

The process called by the proprietary name "Cryovac" which is the subject of the dispute is adequately described in the above decision. We would add that the trade literature states *inter alia*:

Cryovac packaging is a method of vacuum-sealing poultry, cheese, small goods and other perishable foods in special Cryovac plastic bags. . .

The machine consists of a large stainless steel table, a vacuumising unit, a foot operated clip applicator and a portable shrink tank.

The stainless steel table is large enough to hold a quantity of the goods to be packed and a supply of Cryovac bags. . .

. . . The vacuum sealed packages are placed in a wire basket, dipped momentarily in 200 deg. F. water, and the bag shrunk smoothly around the product.

The machine is designed for manual operation.

We do not think that it is doing violence to the wording of clause 8 (a) of the award to regard the process as being covered by the expression "wrapping and packing". It was contended that because in clause 8 (a) attendance on certain machines in the Lard Department is specified permissively, it followed that in the absence of a similarly specified dispensation in the Smallgoods and Bacon Departments the use by females of a manually operated machine for packing was not permitted by the clause. In view of the opening words of the clause we do not think such a rigid interpretation is justified.

After hearing and considering the evidence and submissions of the representatives of the parties we have reached the same conclusion as the Conciliation Commissioner and the appeal is dismissed accordingly.

Dated this 7th day of August 1963.

A. TYNDALL, Judge.