

OTAGO AND SOUTHLAND ROPE AND TWINE WORKERS—AWARD

In the Court of Arbitration of New Zealand, Otago and Southland Industrial District—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of an industrial dispute between the Dunedin Rope and Twine Spinners Industrial Union of Workers (hereinafter called “the union”) and the under-mentioned company (hereinafter called “the employers”):

Donaghy’s Rope and Twine Co. Ltd., Dunedin.

THE Court of Arbitration of New Zealand (hereinafter called “the Court”), having taken into consideration the terms of settlement arrived at in the above-mentioned dispute and forwarded directly to the Court pursuant to the provisions of section 130 of the Industrial Conciliation and Arbitration Act 1954, doth hereby order and award:

That, as between the union and the members thereof and the employers and each and every of them, the terms, conditions, and provisions set out in the Schedule hereto and of this award shall be binding upon the union and upon every member thereof and upon the employers and upon each and every of them, and that the said terms, conditions, and provisions shall be deemed to be and they are hereby incorporated in and declared to form part of this award; and, further, that the union and every member thereof and the employers and each and every of them shall respectively do, observe, and perform every matter and thing by this award and by the said terms, conditions, and provisions respectively required to be done, observed, and performed, and shall not do anything in contravention of this award or of the said terms, conditions, and provisions, but shall in all respects abide by and perform the same. And the Court doth hereby further award, order, and declare that any breach of the said terms, conditions, and provisions set out in the Schedule hereto shall constitute a breach of this award, and that a penalty as by law provided shall be payable by any party or person in respect thereof. And the Court doth further order that this award shall take effect as hereinafter provided and shall continue in force until the 31st day of May 1964 and thereafter as provided by section 152 of the Industrial Conciliation and Arbitration Act 1954.

In witness whereof the seal of the Court of Arbitration hath hereto been affixed, and the Judge of the Court hath hereunto set his hand, this 12th day of December 1962.

[L.S.]

K. G. ARCHER, Judge.

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SCHEDULE

Industry to Which Award Applies

1. This award shall apply to the rope and twine making industry.

Hours of Work

2. (a) Forty hours shall constitute a week’s work, and eight hours shall constitute a day’s work. The working hours shall be between the hours of 8 a.m. and 5 p.m. from Monday to Friday, both days inclusive.

(b) Notwithstanding anything contained in subclause (a) of this clause, shifts may be worked as required by the employer: Provided that eight hours shall constitute a full shift, and that all shifts shall be worked between Monday and Friday, both days inclusive. Thirty minutes’ crib time shall be allowed to shift

workers without any deduction from pay. Any shift worker required to work overtime beyond one hour after the termination of his normal shift of eight hours shall be paid a meal allowance of 5s. 2d.

(c) Shift workers shall be paid not less than 5s. 2d. per shift extra, provided the shift includes hours between 5 p.m. and 8 a.m.

(d) A worker required to work for less than three shifts consecutively shall not be deemed to be a shift worker, but shall be paid for such work at overtime rates.

(e) A 10-minute rest period shall be allowed each morning and afternoon.

(f) A female worker shall be allowed time off to make morning and afternoon tea.

Wages

3. The minimum rates of wages for adult male workers shall be as follows:

	Per Hour		Per Week	
	s.	d.	£	s. d.
Head walk rope-maker	14	10 0
Leading feeder hand on first spreader	13	6 8
Machine operators	6	6½	13	1 8
General hands	6	1½	12	5 0

For the first week of employment machine operators and general hands shall be employed on an hourly basis.

“Head walk rope-maker” is a worker working with and in charge of a group of workers making rope on the walk.

Youths

4. (a) Youths may be employed in the proportion of one youth to every two men employed: Provided that no youth under 20 years of age may be employed on night shifts.

(b) The minimum weekly rates of wages payable to youths shall be as follows:

	£	s.	d.
Under 17 years of age	5	13	3
17 to 18 years of age	6	13	3
18 to 19 years of age	7	1	6
19 to 20 years of age	9	1	0
20 to 21 years of age	10	6	6

Thereafter, not less than the rate for general adult hands.

Female Workers

5. The minimum weekly rates of wages payable to female workers shall be as follows:

	£	s.	d.
Under 17 years of age	5	6	3
17 to 18 years of age	6	11	9
18 to 19 years of age	7	1	3
19 to 20 years of age	7	12	0
Thereafter	8	6	6

Weekly Employment

6. (a) Except as otherwise provided in clause 3, the employment shall be a weekly employment, and no deduction shall be made from the weekly wages except for time lost through the worker's default or sickness.

(b) One hour's notice of termination of employment shall be given by either party when the employment is on an hourly basis, and two days' notice of termination when the employment is on a weekly basis, but this shall not prevent the employer from summarily dismissing a worker for wilful misconduct. In the case of weekly workers, where the employment is terminated without the requisite notice two days' wages shall be paid or forfeited as the case may be.

(c) No worker receiving more than the minimum weekly wage above prescribed shall have the wage reduced.

Overtime

7. (a) All time worked in any one day outside or in excess of the hours prescribed herein shall be paid at the rate of time and a half for the first three hours and double time thereafter.

(b) Employers shall give 24 hours' notice of overtime. Failing that, they shall allow meal money at the rate of 5s. 2d. per meal when workers are required to work overtime after 6 p.m., provided that such workers cannot reasonably get home to their meals.

Holidays

8. (a) The following shall be recognised holidays which shall be paid for: Christmas Day, Boxing Day, New Year's Day and the day following that upon which New Year's Day is observed, Good Friday, Easter Monday, Anzac Day, Labour Day, the birthday of the reigning Sovereign, and Anniversary Day or a day in lieu thereof.

(b) For work done on any of the abovementioned days double time rates shall be paid in addition to the day's wages.

(c) For work done on Sundays, double time rates shall be paid.

(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 other holiday shall be observed on the succeeding Tuesday.

Annual Holiday

9. An annual holiday shall be allowed to each worker in accordance with the Annual Holidays Act 1944.

Payment of Wages

10. All wages shall be paid weekly not later than Thursday in the employer's time.

Accommodation

11. Dining and dressing accommodation and proper sanitary conveniences to the satisfaction of the Inspector of Awards shall be provided, also facilities for boiling water at mealtimes.

Adequate and suitable facilities for washing, including hot water, shall be provided; also adequate and suitable accommodation for clothing not worn during working hours.

Accidents

12. A modern first aid emergency case, fully equipped, shall be kept in the factory in an accessible and convenient place.

Smocks and Overalls

13. An overall or smock allowance of $\frac{1}{2}$ d. per hour shall be paid to all workers covered by this award.

Right of Entry

14. The secretary or other authorised officer of the union of workers 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.

Special Payment

15. Men employed on carding machines while working with phormium tow and phormium stripper slips shall be paid an additional 4d. per hour whilst so employed.

Matters Not Provided For

16. 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 local Conciliation Commissioner, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Commissioner, 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.

Unqualified Preference

17. (a) Any adult person engaged or employed in any position or employment subject to this award by any employer bound by this award shall, if he is not already a member of a union of workers bound by this award, become a member of such union within 14 days after his engagement, or after this clause comes into force, as the case may require.

(b) Subject to subclause (a) hereof, every adult person so engaged or employed shall remain a member of a union of workers bound by this award so long as he continues in any position or employment subject to this award.

(c) Every worker obliged under subclause (a) hereof to become a member of a union who fails to become a member, as required by that subclause, after being requested to do so by an officer or authorised representative of the union, and every worker who fails to remain a member of a union in accordance with subclause (b) hereof commits a breach of this award.

(d) Every employer bound by this award commits a breach of this award if he continues to employ any worker to whom subclauses (a) and (b) apply, after having been notified by any officer or authorised representative of the union that the worker has been requested to become a member of the union and has failed to do so, or that the worker having become a member of the union has failed to remain a member.

(e) For the purposes of this clause "adult person" means a person of the age of 18 years or upwards, or a person who for the time being is in receipt of not less than the minimum rate of wages prescribed for adult workers by this award.

(NOTE—Attention is drawn to section 174H of the Industrial Conciliation and Arbitration Act 1954 which gives to workers the right to join the union.)

Under-rate Workers

18. (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

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 district to which this award relates.

Scope of Award

20. This award shall operate throughout the Otago and Southland Industrial District.

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 21st day of November 1962, and so far as all other provisions of the award are concerned, it shall come into force on the day of the date hereof; and this award shall continue in force until the 31st day of May 1964.

In witness whereof the seal of the Court of Arbitration hath hereto been affixed, and the Judge of the Court hath hereunto set his hand, this 12th day of December 1962.

[L.S.]

K. G. ARCHER, Judge.

MEMORANDUM

The award, including the operative date of provisions relating to wages, incorporates the terms of settlement arrived at by the parties in the course of an inquiry held before a Council of Conciliation.

Upon being satisfied by supporting documentary evidence that an unqualified preference provision has been agreed to by all the assessors in accordance with section 174B of the Industrial Conciliation and Arbitration Act 1954 (as enacted by the Industrial Conciliation and Arbitration Amendment Act 1961), the Court has inserted clause 17 in the award in the form in which it was agreed upon in the Council of Conciliation.

The rates of remuneration prescribed by this award are *not* to be increased by the application of the provisions of the Court's general order of 4 July 1962.

K. G. ARCHER, Judge.
