

CANTERBURY AND OTAGO AND SOUTHLAND BY-PRODUCTS  
WORKERS—AWARD

In the Court of Arbitration of New Zealand, 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 Freezing Works and Related Trades Industrial Association of Workers (hereinafter called “the union”) and the under-mentioned persons, firms, and companies (hereinafter called “the employers”):

Canterbury By-Products Co. Ltd., 227 Manchester Street, Christchurch.  
D.M.B.A. Co. Ltd., Burnside, Dunedin.  
Jenson Bros., Burnside, Dunedin.  
Patrick, E., and Co. Ltd., Sockburn, Christchurch.  
Ramsey, A. B., Washdyke, Timaru.  
Southland Butchers By-Products Co. Ltd., Invercargill.  
Zealandia Soap and Candle Co. Ltd., Belfast.

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 January 1965 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 10th day of September 1963.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

*Industry to Which Award Applies*

1. This award shall apply to the animal by-products industry.

*Hours of Work*

2. (a) The ordinary week's work shall consist of 40 hours, which shall be worked between the hours of 8 a.m. and 5 p.m. on five days of the week, Monday to Friday inclusive.

(b) By mutual arrangement, the commencing hour may be altered to 7.30 a.m., provided that not more than eight hours are worked in any one day without payment of overtime.

(c) With the consent of the men concerned, five hours may be worked without an interval for a meal where such extension is necessary to complete a day's work.

(d) *Shifts*—Shifts of eight consecutive hours each (including crib time of 30 minutes) may be worked on any day.

#### *Wages*

3. The following shall be the minimum rates of wages:		Per Week
		£ s. d.
(a) Casing workers	.....	14 2 7
		Per Hour
		s. d.
Workers whilst engaged in cutting up paunches at by-products and boiling down works	.....	6 11
Workers cooking and operating Iwell units and hydro extractors and worker in charge of tallow room	.....	6 10
Workers whilst engaged in crushing blood and air dried bones	.....	6 9½
Hide fleshers—		
First month	.....	6 9½
Thereafter	.....	6 11
General hands	.....	6 7¼

(b) Men engaged chipping boilers, digestors, and Iwells shall be paid at the rate of time and a half for such work.

(c) Shift workers shall be paid 5s. 2d. per shift extra for each afternoon or night shift worked. No worker shall be considered a shift worker unless he is employed for three or more consecutive shifts outside the hours prescribed in clause 2 hereof.

#### *Employment of Youths*

4. Youths may be employed at the following minimum rates of pay:

		Per Week
		£ s. d.
Under 18 years of age	.....	8 0 0
18 to 19 years of age	.....	9 10 0
19 to 20 years of age	.....	11 0 0
Thereafter, the minimum wage for adult workers.		

#### *Overtime*

5. (a) Except where otherwise provided, all time worked in excess or outside of the hours mentioned in clause 2 hereof in any one day shall be considered overtime and shall be paid for at the rate of time and a half for the first three hours and double time thereafter: Provided that four hours at time and a half rates may be worked up to noon on Saturdays.

(b) When a worker is ordered back to work overtime after 6 p.m., a minimum of two hours at overtime rates shall be paid for.

(c) When workers are required to work overtime after 6 p.m. on any day, the employer shall provide a meal or pay such worker 5s. 2d. to enable him or her to purchase a meal, unless such worker has been notified on the day previous that he or she will be required to work overtime: Provided that when such notice has been given and the worker's services are not required, he or she shall still receive the meal allowance.

### *Holidays*

6. (a) The following shall be the recognised holidays: New Year's Day, 2 January, Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day, Boxing Day, and Anniversary Day or a day in lieu thereof.

(b) When any of the above holidays, other than Anzac Day, falls on a Saturday or on a Sunday, such holiday shall be observed on the following Monday. When Christmas Day falls on a Sunday, Boxing Day shall be observed on the Tuesday following.

(c) Payment for the holidays provided in subclause (a) of this clause shall be made to all hourly workers in accordance with the provisions of the Factories Act 1946.

(d) All work performed on the holidays mentioned in subclause (a) of this clause shall be paid for at double rates in addition to any payment to which a worker is entitled under subclause (c) of this clause.

(e) All work performed on Sundays shall be paid for at double rates.

(f) *Annual Holidays*—In addition to the holidays specified in subclause (a) of this clause, holidays shall be allowed as provided in the Annual Holidays Act 1944, provided that for the fifteenth and subsequent years of continuous service with the same employer, three weeks annual holidays shall be allowed.

### *Payment of Wages*

7. Wages shall be paid weekly and in cash not later than Thursday and in the employer's time. Two days' lie-time shall be allowed.

### *Termination of Employment*

8. In the case of weekly workers one week's notice and in the case of hourly workers one day's notice of termination of employment shall be given on either side.

### *General Conditions*

9. (a) *Smoko*—Provided that two hours have been performed since commencing work, or since a meal interval, as the case may be, an interval of 10 minutes for all workers shall be allowed for smoko each morning and afternoon, and when working overtime at intervals of two hours without deduction from pay.

(b) Proper provision shall be made for dining and dressing and locker accommodation and facilities for drying employees' clothes shall be provided. The drying room shall not open upon any dining room, and shall be used for no other purpose than drying workers' clothes and footwear.

(c) Workers shall be supplied with overalls, and, where necessary, denim coats, aprons, leggings, and clogs or gumboots. Where the gumboots or clogs are not suitable for the work and are not supplied, a boot allowance of 1s. 9d. per week shall be paid.

In lieu of the foregoing, the employer may pay a monetary allowance of £22 10s. per year, payable quarterly.

On request gloves shall be provided when loading out pelt and tallow casks.

(d) Suitable washing accommodation shall be provided. Both hot and cold water shall be laid on.

(e) Sufficient drinking water of good quality shall be provided.

(f) Lavatory accommodation shall be provided and kept clean. Toilet paper shall be provided.

- (g) A suitable covered bicycle stand shall be provided by the employer.
- (h) Respirators shall be supplied, where necessary, to men working amongst or handling bone-dust or bone-flour.
- (i) Double rates shall be paid to men employed skinning or cutting up animals which have died or been killed four hours prior to reaching the works, and such animals, if they arrive at the works before 4 p.m., shall be skinned and cut up on the same day. Double time rates shall also be paid where men are required to deal with horses that have been destroyed if the carcasses are not dealt with on the same day upon which they are received at the works.
- (j) Wherever possible, offal arriving at the works before 5 p.m. shall be disposed of on the same day.
- (k) An approved first aid outfit shall be available at each works. Disinfectants shall be supplied as required at all wash basins.
- (l) In all cases where men are called out and there is no work or less than two hours' work available, they shall receive a minimum of two hours' pay at the rate specified.
- (m) Facilities for heating food shall be provided by the employer.

#### *Disputes Committee*

10. 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 the works manager. 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.

#### *Right of Entry Upon Premises*

11. 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.

#### *Unqualified Preference*

12. (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*

13. (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*

14. 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*

15. This award shall operate throughout the Canterbury and Otago and Southland Industrial Districts.

#### *Term of Award*

16. 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 pay period in each establishment commencing on or after the 22nd day of July 1963, 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 January 1965.

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 10th day of September 1963.

[L.S.]

A. TYNDALL, Judge.

1894

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 12 in the award in the form in which it was agreed upon in the Council of Conciliation.

A. TYNDALL, Judge.

---