

CANTERBURY LAUNDRY WORKERS, DYERS, AND DRY CLEANERS—AWARD

In the Court of Arbitration of New Zealand, Canterbury Industrial District—

In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of an industrial dispute between the Canterbury Laundry Workers, Dyers and Dry Cleaners Industrial Union of Workers (hereinafter called “the union”) and the under-mentioned firms (hereinafter called “the employers”):

A—One Dry Cleaners, Arcade, Timaru.
 Bradford Dye Works Ltd., 31 Marriner Street, Sumner, Christchurch.
 Cloustons Dry Cleaners Ltd., 18 Princes Street, Christchurch.
 Crofts Laundry Ltd., 394 Avonside Drive, Christchurch.
 Day, Walter, Ltd., 107 Cashel Street, Christchurch.
 Gem Cleaners Ltd., 155 High Street, Christchurch.
 Kiwi Dry Cleaners, 301 Stafford Street, Timaru.
 Launderers Christchurch Ltd., 26 Raycroft Street, Christchurch.
 Masons Dry Cleaners, 84 Hawdon Street, Christchurch.
 Moffat's Towel Supply, 31 Stevens Street, Christchurch.
 New City Laundry, Browne Street, Timaru.
 Nu-way Dry Cleaners Ltd., 1027 Colombo Street, Christchurch.
 Preens Ltd., 7A Harper Street, Timaru.
 Quality Dry Cleaners, 116 Riccarton Road, Christchurch.
 St. George's Private Hospital, Papanui Road, Christchurch.
 Southern Dry Cleaners, 416 Colombo Street, Christchurch.
 Taylor's Cleaners and Dyers Ltd., 57 Kilmore Street, Christchurch.
 Taylor's Cleaners and Dyers Ltd., 167 Burnett Street, Ashburton.
 Wesley Lodge Eventide Home, 138 Park Terrace, Christchurch.
 Wests Dry Cleaning Service, 22 Beresford Street, New Brighton, Christchurch.
 Whitings Drycleaning and Pressing Service, Queen Street, Waimate.
 Wrights Dry Cleaners, Tancred Street, Ashburton.

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 July 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 22nd day of February 1963.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to Which Award Applies

1. This award applies to the laundering, dry cleaning, and dyeing industry, but this award shall not apply to laundries operated by public hospitals.

Hours of Work

2. (a) The ordinary hours of work shall not exceed 40 per week, and, except as hereinafter provided, shall be worked on five days of the week, Mondays to Fridays, both days inclusive, between the hours of 8 a.m. and 5 p.m., except that on the first working day of each week or on the day immediately preceding the Christmas, New Year, or Easter holidays the hours may be worked between 8 a.m. and 6 p.m. On Fridays the finishing hour for packers may be 6 p.m.

(b) Any of the foregoing provisions as to hours of work may be varied by mutual arrangement between the employer and the majority of workers concerned.

Wages

3. The following shall be the minimum weekly rates of wages:

(a) Males:

Age Commencing	First Year		Second Year		Third Year		Fourth Year		Fifth Year	
	First Half	Second Half	First Half	Second Half	First Half	Second Half	First Half	Second Half	First Half	Second Half
Under 16 ..	73/6	83/-	94/-	104/6	117/-	126/-	137/6	150/6	173/-	197/-
16 to 17 ..	83/-	94/-	104/6	117/-	126/-	137/6	150/6	173/-	197/-	..
17 to 18 ..	94/-	104/6	117/-	126/-	137/6	150/6	173/-	197/-	..	..
18 to 19 ..	111/-	121/6	133/6	146/-	166/6	197/-	..	..	..	..
19 to 20 ..	127/-	144/-	163/6	184/6	..	..	..	..	..	..
20 to 21 ..	159/-	183/-	..	..	..	..	..	..	..	..

Thereafter, or on attaining the age of 21 years:

	Per Week	
	£	s. d.
Laundry workers	12	7 6
Dry cleaners and carpet cleaners	12	13 0
Journeyman dyer	14	16 0
Dyer's assistant	13	1 0
Dye-house labourers	12	7 6

"Journeyman dyer" is a person engaged in dyeing to pattern in any colour.

"Dyer's assistant" is a person engaged in mixing dyes and processing bulk dyeing in black, brown, and navy.

(b) Females:

Age Commencing	First Six Months	Second Six Months	Third Six Months	Fourth Six Months	Fifth Six Months	Sixth Six Months	Seventh Six Months
Under 16 ..	67/6	79/6	90/-	102/-	113/6	125/-	141/-
16 to 17 ..	74/-	84/6	97/6	107/6	124/6	138/-	..
17 to 18 ..	86/6	97/6	107/6	124/6	138/-	..	..
18 to 19 ..	93/6	105/6	118/-	134/-	..	..	..
19 to 20 ..	102/6	115/-	131/-	..	..	..	..
20 to 21 ..	112/-	129/-	..	..	..	..	..

Thereafter, or on attaining the age of 21 years, not less than £8 9s. 6d. per week.

(c) A worker employed as a hand washerwoman shall be paid a minimum wage of £8 16s. per week.

(d) A worker employed at hand ironing shall be paid 7s. 6d. per week in addition to the wage to which she is entitled under subclause (b) of this clause.

(e) A worker employed as a shirt and collar machinist shall be paid 7s. 6d. per week in addition to the wage to which she is entitled under subclause (b) of this clause.

(f) A worker when employed to operate a twin and/or two or more presses in a laundry shall be paid 7s. 6d. per week in addition to the wage to which she is entitled under subclause (b) of this clause. Shirt machines and handkerchief machines are not presses within the meaning of this clause.

(g) Any worker, male or female, employed substantially at sorting, marking, and/or checking shall receive 7s. 6d. per week in addition to the wage to which he or she is entitled under subclause (a) or (b) of this clause.

(h) *Foremen and Forewomen and Leading Hands*—A “foreman” or “forewoman” is a worker who is responsible for the work of the department and is in charge of more than 12 other workers.

A “leading hand” is a worker who is responsible for the work of the department and is in charge of from three to 12 other workers.

A leading hand, male or female, shall be paid 15s. per week in addition to the wage to which he or she is entitled under subclause (a) of this clause; and a foreman or forewoman shall be paid £1 10s. per week in addition to the wage to which he or she is entitled under subclause (a) or (b) of this clause.

(i) *Casual Workers*—Casual workers shall be paid one-third more than the weekly rates. A “casual worker” is one employed for less than one week.

(j) *Part-time Workers*—(i) Part-time workers may be employed under the terms of this award. Part-time workers are workers regularly employed for less than 40 hours per week, and they shall be paid for the hours actually worked *pro rata* to the weekly wage provided herein plus one-twentieth: Provided that where a worker is unable to accept full-time employment the employer shall pay *pro rata* the appropriate wage rate. This proviso shall not be used for the purposes of reducing the hours of work or the earnings of any worker.

(ii) The hours of employment of part-time workers shall be continuous except for a meal interval not exceeding one hour.

Payment of Wages

4. All wages, including overtime, shall be paid weekly on Thursday, before the ordinary hour for ceasing work.

Overtime

5. (a) All time worked in excess of the hours provided in clause 2 hereof shall be paid for at the rate of time and a half for the first three hours on any day from Monday to Friday and for the first four hours on Saturday and double time thereafter. Overtime shall be calculated on a daily basis, and periods of less than 30 minutes shall be reckoned as half an hour and any period exceeding 30 minutes but less than an hour shall be reckoned as an hour.

(b) When a worker is called back to work overtime after the tea interval, a minimum of two hours' work shall be provided.

(c) When a worker is called back to work after the tea interval and work is not available, the minimum payment shall be as for two hours' work: Provided that the call-back has not been cancelled prior to the tea interval.

(d) The employer shall allow meal money at the rate of 5s. 3d. per meal when workers are called upon to work overtime after 6 p.m., unless such workers can reasonably get home for a meal and return to work in one hour or such time as may be agreed upon between the union and the employer, or unless 24 hours' notice of overtime has been given, in which case the meal allowance need not be paid.

Holidays

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

(b) The provisions of the Public Holidays Act 1955, which deal with the observance of and payment for holidays which fall on Saturdays and Sundays shall apply to the holidays specified in this award.

(c) Double rates shall be paid for any work done on Sundays, or on any of the above-mentioned holidays.

Annual Holidays

7. (a) (i) Holidays shall be allowed in accordance with the Annual Holidays Act 1944. One month's notice of the holidays shall be given by the employer to the worker.

(ii) Upon completion of 10 years' continuous employment with the same employer, a worker shall be granted three weeks' annual holiday instead of two weeks as allowed under the Annual Holidays Act 1944.

(b) Where it is customary for any employer to allow annual holidays to his workers or to any class of his workers during a period in each year when his premises are closed or the work of those workers is for any reason discontinued and at the date of the commencement of any such period any such worker has not become entitled to an annual holiday, the employer may before that date pay to him in addition to all other amounts due to him at that date, including amounts to which he is entitled in respect of any special holidays, an amount equal to one twenty-fifth of his ordinary pay for the period of his employment up to that date, and for the purposes of the Annual Holidays Act the next year of his employment shall be deemed to commence on that date.

Deductions from Wages

8. Except in the case of casuals, no deduction shall be made from the wages of any worker covered by this award except for time lost by such worker through sickness, accident, or default, or by virtue of an adjustment under subclause (b) of clause 7.

Termination of Engagement

9. Not less than one week's notice shall be given by either party of the termination of the engagement: but nothing in this clause shall affect the right of an employer to summarily dismiss any worker for good cause. Where the required notice is not given the person improperly terminating the service shall pay or forfeit an amount equal to one week's wages.

Proportion of Juniors

10. The proportion of juniors to adult workers shall be not more than one junior to each three or fraction of three adults. An employer if actively engaged in the business may be counted as an adult worker. For the purpose of this clause an adult worker, in the case of a male, is one 21 years of age or over, and in the case of a female, 18 years of age or over.

General Conditions

11. (a) No person under the age of 16 years shall be employed on any machine.
- (b) Gumboots and aprons shall be provided as required for washhouse and dye-house hands.
- (c) Where any worker is in receipt of a higher rate of wages than that provided in this award, such wages shall not be reduced so long as a worker continues in the same job.
- (d) If any worker is required to work temporarily in any department other than that in which he or she is usually employed, the rate of wages to be paid shall be that prevailing in such other department, provided such rate is not less than that prevailing in the worker's usual department.
- (e) Ten minutes shall be allowed each morning and afternoon for tea or smoko.
- (f) A supply of boiling water shall be made available to workers at meal times.
- (g) Female workers shall not be required to lift more than 28 lb single-handed.
- (h) Female workers shall not be employed on washing machines in excess of 20 cubic feet capacity or hydros in excess of 20 cubic feet capacity, at less than adult male wage rate: Provided that this subclause shall not apply to hand washerwomen and/or starchers who hydro their own work.
- (i) The provisions of the Factories Act 1946, relating to the safety, health, and welfare of workers shall be deemed to be incorporated in this award.

Right of Entry

12. (a) Every employer bound by this award shall permit the secretary or other authorised officer of the union of workers to enter at all reasonable times (to be mutually arranged between the employer and the union) upon the premises or works and there interview any workers, but not so as to interfere unreasonably with the employer's business.
- (b) The employer shall give recognition to any worker who is appointed shop delegate.
- (c) Employers shall, if requested by the secretary of the union, supply him or her with a list of names of members of the staff covered by this award, such application not to be made more often than once each three months.

Unqualified Preference

13. (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

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.

Disputes

15. The essence of this award being that the work of the employers shall not on any account be impeded but shall always proceed as if no dispute had arisen, it is provided that if any dispute or difference shall arise between the parties bound by this award, or any of them, as to any matter whatsoever arising out of or connected therewith and not specifically dealt with in this award, every such dispute or difference shall be referred to a committee to be composed of two representatives of each side, together with an independent chairman (if required) to be mutually agreed upon or, in default of agreement, to be appointed by the Conciliation Commissioner for the district. Either side shall have the right to appeal to the Court against a decision of any such committee upon giving to the other side written notice of such appeal within 14 days after such decision has been made known to the party desirous of appealing.

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 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, but this award shall not apply to laundries operated by public hospitals.

Scope of Award

17. This award shall operate throughout the Canterbury Industrial District.

Term of Award

18. 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 1st day of February 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 July 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 22nd day of February 1963.

[L.S.]

A. TYNDALL, 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 13 in the award in the form in which it was agreed upon in the Council of Conciliation.

A. TYNDALL, Judge.