

OTAGO AND SOUTHLAND LAUNDRY WORKERS, DYERS, AND
DRYCLEANERS—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 Otago and Southland Laundry Employees Industrial Union of Workers (hereinafter called “the union”) and the undermentioned firms and companies (hereinafter called “the employers”):

Alliance Freezing Co. Ltd., Invercargill.
A.S.L. Dry Cleaners Ltd., 19 Gordon Street, Balclutha.
Gala Dye Works, 101 Tay Street, Invercargill.
Martins Dye Works, 48 Thames Street, Oamaru.
Overall Cleaners Ltd., 233 Main Road, Green Island.
Preen, V. C., Ltd., New Wharf Street, Dunedin.
Snowwhite Laundries Ltd., 149 North Road, Dunedin.
Southern Dry Cleaners Ltd., Medway Street, Gore.
Southland Laundry Ltd., 36 Yarrow Street, Invercargill.
Strand Dye Works Ltd., 193 King Edward Street, South Dunedin.
Valet Service (Invercargill) Ltd., Mersey Street, Invercargill.

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 30th day of September 1966 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 May 1965.

[L.S.]

A. P. BLAIR, Judge.

SCHEDULE

Industry to Which Award Applies

1. This award shall apply to the laundering, drycleaning, and dyeing industry.

Hours of Work

2. (a) The ordinary hours of work (other than for depot hands) shall be forty per week and shall be worked not more than eight per day between the hours of 8 a.m. and 5 p.m. on the five days of the week, Monday to Friday inclusive.

(b) The ordinary hours of work for depot hands shall not exceed 40 per week and shall be worked between the hours of 8 a.m. and 5.30 p.m. on the four days of the week, Monday to Thursday inclusive, and between the hours of 8 a.m. and 9 p.m. on Friday. The ordinary hours of work shall not exceed seven and a half on the four days of the week, Monday to Thursday, and 10 on Friday.

(c) Notwithstanding the provisions of subclause (a) of this clause, shifts may be worked as required by the employer. The ordinary hours of work for a shift worker shall not exceed five consecutive eight-hour shifts.

(d) A worker employed on an afternoon shift shall, while so employed, be paid 5s. 6d. per shift in addition to ordinary rates.

An afternoon shift means any shift commencing after 12 noon and finishing at or before midnight.

(e) Any worker working less than three afternoon or night shifts in any one week shall be paid overtime rates for time so worked.

Overtime

3. Any time worked outside or in excess of the hours set out in clause 2 hereof shall be calculated daily and shall be paid at the rate of time and a half for the first three hours and at double time thereafter. All overtime work done up to half an hour shall be deemed to be half an hour for the purpose of computing overtime payable, and all work exceeding half an hour and up to one hour shall count as one hour in the computation of overtime.

Holidays

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

(b) Should any of the above holidays, except Anzac Day, fall on a Saturday or on a Sunday the holiday shall be allowed on the next succeeding working day.

(c) For work performed on any of the above holidays, on Sundays, or after midday on Saturdays, double ordinary rates shall be paid.

(d) Annual holidays shall be allowed in accordance with the provisions of the Annual Holidays Act 1944.

(e) Upon completion of 10 years' continuous service with the same employer a worker shall be granted in respect of the tenth and each further year of service with that employer an annual holiday of three weeks instead of two weeks.

Wages

5. (a) The following shall be the minimum weekly rates of wages for male workers:

| Age Commencing | 1st Year | | 2nd Year | | 3rd Year | | 4th Year | | 5th Year | |
|----------------|------------|------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| | 1st Half | 2nd Half | 1st Half | 2nd Half | 1st Half | 2nd Half | 1st Half | 2nd Half | 1st Half | 2nd Half |
| Under 16 .. | s. d. 86 9 | s. d. 96 9 | s. d. 108 0 | s. d. 119 6 | s. d. 132 6 | s. d. 142 6 | s. d. 154 0 | s. d. 169 0 | s. d. 191 9 | s. d. 217 0 |
| 16 to 17 .. | 86 9 | 108 0 | 119 6 | 132 6 | 142 6 | 154 0 | 169 0 | 191 9 | 217 0 | .. |
| 17 to 18 .. | 108 0 | 119 6 | 132 6 | 142 6 | 154 0 | 169 0 | 191 9 | 217 0 | .. | .. |
| 18 to 19 .. | 128 6 | 137 9 | 150 0 | 163 6 | 185 0 | 217 0 | .. | .. | .. | .. |
| 19 to 20 .. | 143 9 | 160 9 | 181 6 | 204 3 | .. | .. | .. | .. | .. | .. |
| 20 to 21 .. | 176 9 | 202 6 | .. | .. | .. | .. | .. | .. | .. | .. |

Thereafter the following rates:

| | Per Week | |
|--|----------|-------|
| | £ | s. d. |
| Laundry workers | 13 | 11 8 |
| Dry cleaners and carpet cleaners | 13 | 18 4 |
| Dyer | 16 | 8 4 |
| Dyehouse assistants | 13 | 18 4 |

(b) The following shall be the minimum weekly rates of wages for female workers:

| Age Commencing | 1st Six Months | 2nd Six Months | 3rd Six Months | 4th Six Months | 5th Six Months | 6th Six Months | 7th Six Months |
|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Under 16 .. | s. d. 79 6 | s. d. 91 9 | s. d. 103 3 | s. d. 116 0 | s. d. 128 3 | s. d. 140 0 | s. d. 157 0 |
| 16 to 17 .. | 85 9 | 97 3 | 110 9 | 121 3 | 139 6 | 153 6 | .. |
| 17 to 18 .. | 97 3 | 110 9 | 121 3 | 135 6 | 151 9 | .. | .. |
| 18 to 19 .. | 106 9 | 119 6 | 132 9 | 149 6 | .. | .. | .. |
| 19 to 20 .. | 116 3 | 129 6 | 147 3 | .. | .. | .. | .. |
| 20 to 21 .. | 126 3 | 144 6 | .. | .. | .. | .. | .. |

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

(c) A depot hand, other than an adult male, shall be paid 11s. per week in addition to the above rates. An adult male depot hand shall be paid not less than £14 11s. 8d. per week.

(d) Hand ironers, press hands, and female spotters shall be paid 8s. in addition to the foregoing rates for any week or part of a week so employed.

(e) Sorters and packers (female) and workers employed wrapping goods for delivery to customers shall receive £9 16s. 10d. per week.

(f) Except as otherwise provided, foremen and forewomen shall be paid a further sum of 16s. per week in excess of the rate received by the highest paid worker under his or her charge.

(g) Females shall not be employed on washing machines at less than the rates for adult male workers.

(h) Casual workers employed for less than a week shall be paid one-third more than weekly rates.

(i) A worker employed as a shirt and collar machinist shall be paid 8s. per week in addition to the rates herein prescribed.

(j) Part-time workers who by agreement are employed weekly for a lesser number of hours than those specified in clause 2 hereof shall be paid *pro rata* of the appropriate weekly rate calculated on a 40-hour week.

Payment of Wages

6. (a) Wages shall be paid weekly in the employer's time.

(b) Except as provided in subclause (m) of clause 9 hereof no deduction shall be made from the wages of any worker, except for time lost through the worker's sickness, accident, or default.

Termination of Employment

7. Except in the case of casual workers one week's notice of the termination of employment shall be given by the employer or the worker, but this shall not prevent the summary dismissal of the worker for misconduct.

Where the employment is terminated without proper notice and without good cause one week's wages shall be paid or forfeited as the case may be.

Proportion of Juniors

8. The proportion of female workers under 18 years of age shall be not more than one to each three or fraction of the first three female workers over 18 years of age.

Junior male workers - i.e., a male worker receiving less than adult rates - shall be employed in the proportion of not more than one to every three or fraction of the first three adult male workers.

General Conditions

9. (a) Except by mutual arrangement between an employer and his staff no worker shall be employed for more than four and a quarter hours without an interval for a meal.

(b) Workers required to work overtime after 5.30 p.m. shall be paid 5s. 6d. meal money unless notice of intention to work overtime has been given on the previous working day.

(c) If a worker is notified that overtime shall be worked on the following day and overtime is not worked, the employer shall pay 5s. 6d. meal money.

(d) Where any worker is in receipt of a higher rate of wages than prescribed by this award, such rates shall not be reduced so long as the worker continues in the same job.

(e) A "foreman" or "forewoman" is a worker who is responsible for the work of the department or is in charge of three or more hands.

(f) A restroom shall be provided for female workers in all laundries in accordance with the provisions of section 66 of the Factories Act 1946.

(g) Gumboots or clogs and aprons shall be provided where necessary.

(h) A dining room shall be provided in laundries, dyeing, and drycleaning establishments in accordance with the provisions of section 69 of the Factories Act 1946.

(i) An interval of 10 minutes for tea or smoko shall be allowed in the employer's time each morning and afternoon: Provided that dyehouses are not left unattended.

(j) Dyehouse workers shall be allowed five minutes for changing clothes before the actual commencement of work and after the cessation of work.

(k) On request female workers shall be supplied with long sleeved smocks which shall be laundered and kept in repair by the employer. Such smocks shall remain the property of the employer.

(l) Towels, soap, and hot water shall be supplied for washing purposes.

(m) Where the workers and the employer agree the employer may deduct union fees from the workers' wages and forward same to the secretary of the union at agreed upon intervals.

Matters Not Provided For

10. 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.

Right of Entry

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 the 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 being 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 district to which this award relates.

Scope of Award

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

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 that occurs in each establishment on or after the 15th day of March 1965, 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 30th day of September 1966.

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 May 1965.

[L.S.]

A. P. BLAIR, 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 12 in the award in the form in which it was agreed upon in the Council of Conciliation.

A. P. BLAIR, Judge.
