

CANTERBURY FELLMONGERS—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, Marlborough and Nelson Freezing Works and Related Trades Employees Industrial Union of Workers (hereinafter called “the union”) and the undermentioned company (hereinafter called “the employers”):

North Canterbury Wool and Fellmongery Co. Ltd., Clothiers Road, Kaiapoi.

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 December 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 20th day of May 1965.

[L.S.]

A. P. BLAIR, Judge.

SCHEDULE

Industry to Which Award Applies

1. This award shall apply to the fellmongery industry.

Hours of Work

2. (a) The ordinary hours of work shall be 40 hours per week, eight hours (including smokos) to be worked on each of the five days of the week, Monday to Friday inclusive, between 8 a.m. and 5 p.m. Not less than three-quarters of an hour shall be allowed for meals, unless otherwise mutually agreed upon.

(b) Shifts of eight consecutive hours (including 20 minutes' crib time and two smokos) may be worked by mutual arrangement to whatever extent may be deemed necessary to cope with the work of the factory.

(c) Where any shift commences after 12 noon or before 7 a.m. a shift allowance of 6s. 6d. per shift shall be paid in addition to the wages specified in the wages clause.

Overtime

3. (a) All time worked in any day outside of or in excess of the hours mentioned in subclause (a) of clause 2 of this award, and all time worked in excess of eight hours in any shift 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. Work done on Saturday shall be paid for at time and a half for the first three hours and double time thereafter; provided that all work done on Saturday after midday shall be paid for at double rate. On Saturday morning a minimum of four hours shall be paid for, and all work performed on Sunday shall be paid for at double rate.

(b) When a worker is required to work overtime after 6 p.m. on any day, the employer shall provide a meal or pay such worker 6s. 6d. in lieu thereof, unless such worker has been notified on the previous day that he will be required to work overtime: Provided that when such notice has been given and the worker's services are not required he shall still receive the meal allowance.

Smokos and Waiting Time

4. (a) Fifteen minutes' smoko shall be allowed during the morning and afternoon of each day.

(b) When workers are required to wait for work at any time they shall be paid at the appropriate rate for all time so waited.

(c) In all cases where men are called out 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.

Wages

5. (a) The minimum rates of wages shall be:					Per Hour	
					s.	d.
Wool pullers and sorters	..	..	..	..	9	0
Pelt classers	..	..	..	..	9	0
Wool drier – leading hand	..	..	..	..	9	0
Flesher	..	..	..	..	8	9
Slipemaster operator	..	..	..	..	8	7

When a worker is required to take charge of two or more slipemaster machines he shall be paid 3d. per hour extra whilst so employed.

All workers employed on or about the mechanical paint table, whether as painters, or in dagging, trimming, taking off or wheeling away					8	6
Dolly men	..	..	..	..	8	6
All workers employed on or about the mechanical wool pulling machine, whether as barrow men wheeling to and from the machine, feeding or taking away wool					8	6
Wool driers	..	..	..	..	8	6
Workers not otherwise classified	..	..	..	..	8	6

(b) No worker shall have his wages reduced by reason of being temporarily transferred to another job.

Employment of Youths

6. (a) Youths may be employed at the following minimum rate of pay:

					Per Week	
					£	s. d.
17 years of age or under	..	..	..	..	8	16 8
17½ to 18 years of age	..	..	..	..	9	17 10
18 to 18½ years of age	..	..	..	..	10	19 1
18½ to 19 years of age	..	..	..	..	12	0 3

Thereafter the adult male rate.

(b) The number of youths employed shall not exceed one youth to every three or fraction of three workers over 19 years of age so employed.

(c) No deduction shall be made from the weekly wages mentioned in this clause except for time lost by the worker through his own default, sickness or accident.

Minimum Weekly Payment

7. (a) All male workers 19 years of age and over coming within the scope of this award shall receive a minimum payment, exclusive of overtime earnings, of not less than £15 5s. per week. "Week" shall mean the period Monday to Friday inclusive, excepting in the case of shift workers in which case "week" shall mean five shifts during the period between midnight Sunday and midnight on the next succeeding Sunday. "Overtime earnings" shall mean only wages earned after the performance of eight hours' work per day, or wages earned by the individual workers whilst engaged in preparatory work before the normal starting time and during meal times.

(b) No deduction in respect of time lost by any male workers as aforesaid shall be made from the amount payable to him under subclause (a) of this clause except for time lost by reason of the default of the worker or by reason of his illness or of any accident suffered by him.

Holidays

8. (a) All workers shall receive the following holidays in each year: New Year's Day, Good Friday, Easter Monday, Anzac Day, Labour Day, Christmas Day, Boxing Day, the birthday of the reigning Sovereign, Show Day, and one other day to be mutually agreed upon.

(b) Each of the holidays mentioned in subclause (a) of this clause shall be subject to the provision of the Factories Act 1946, and shall be paid for in accordance therewith as an ordinary working day.

(c) All work done on any of the holidays mentioned in subclause (a) of this clause shall be paid for at double rates, in addition to the ordinary rate payable under subclause (b) of this clause. All time worked on Sundays shall be paid for at double rates.

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

(e) 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 tenth and subsequent years of continuous service three weeks' annual holidays shall be allowed.

Payment of Wages and Notice

9. (a) Wages shall be paid weekly on any day other than Friday.

(b) Where the employment extends beyond one month, three days' notice of the termination of the employment shall be given by the employer or worker, as the case may be; but this shall not prevent the employer from summarily dismissing a worker for misconduct.

Exemption of Foreman

10. This award shall not apply to the works foreman or to the foreman in the pelt department.

Tools and Equipment

11. (a) The employer shall provide all tools and the equipment reasonably necessary to carry on the work.

(b) Where necessary, workers shall be supplied with waterproof aprons, overalls, khaki shirts, leggings, vamps and gloves, and either clogs, gumboots, or watertight boots as required. Socks shall be provided at cost price.

(c) The employer shall issue annually two towels to each worker.

General Provisions

12. (a) Proper provision shall be made for dining and dressing accommodation and for drying wet clothes. Workers shall leave the dining and dressing rooms in a clean and tidy condition after use, but the normal sweeping and cleaning shall be the responsibility of the employer.

(b) Suitable accommodation shall be provided for the employees' bicycles.

(c) Suitable washing accommodation with both hot and cold water shall be provided.

(d) A first aid outfit shall be kept in a convenient place accessible to workers.

(e) A supply of boiling water and facilities for heating food shall be provided by the employer.

(f) Clocks shall be placed where deemed necessary in the departments.

(g) In the event of exceptional circumstances existing, the union and the employer may agree on a special rate for especially dirty and obnoxious work, and in the event of their being unable to agree the matter shall be referred to a local disputes committee for decision.

(h) Workers unloading and stacking lime and/or salt shall be paid 9d. per hour extra whilst so employed.

(i) After six months' experience learner pullers shall be paid the appropriate rate for pullers as prescribed in subclause (a) of clause 5 of this award.

(j) Elevators shall be provided on skin or pie pits.

(k) The dressing and dining rooms shall be suitably heated.

(l) The factory shall be suitably heated.

Matters Not Provided For

13. 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 management. 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

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.

Unqualified Preference

15. (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

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 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.

Scope of Award

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

Term of Award

19. 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 26th day of February 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 31st day of December 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 20th 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 15 in the award in the form in which it was agreed upon in the Council of Conciliation.

A. P. BLAIR, Judge.