
**NORTHERN INDUSTRIAL DISTRICT FELLMONGERIES, BOILING-DOWN WORKS,
GLUE WORKS, ETC. EMPLOYEES—AWARD**

In the Court of Arbitration of New Zealand, Northern Industrial District—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of an industrial dispute between the Auckland Carriers, Beamsmen's, Fellmongers, Tanners, Soap Workers and General Tannery Employees Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and companies (hereinafter called "the employers"):

Auckland By-products Ltd, P.O. Box 282, Auckland.

Auckland Fellmongery Co., P.O. Box 27, Onehunga.

Auckland Meat Co. Ltd., Wakefield Street, Auckland.

Cambridge By-products Ltd., 25 Anzac Street, Cambridge.

Donald, Alex., Fellmongers, Drury.

Laughton Marine Foods and Fertiliser Co. Ltd., 108 Great South Road, Auckland.

New Zealand Glue Co. Ltd., Neilson Street, Onehunga.

Wallace, J. D., Ltd., P.O. Box 23, Cambridge.

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 8th day of June 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 11th day of February 1965.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to Which Award Applies

1. This award shall apply to the following undertakings when carried on outside of and apart from the freezing industry: fellmongeries, boiling-down works, fish fertiliser works, organic manure works, and glue works.

Hours of Work

2. (a) A week's work shall not exceed 40 hours, to be regulated by the employer according to the special requirements and circumstances of his business, but so that the ordinary hours of work shall be eight per day on five days of the week, Monday to Friday inclusive, between 7.45 a.m. and 5 p.m. Not less than three-quarters of an hour shall be allowed for a meal unless otherwise agreed upon.

(b) (i) Shifts of eight hours may be worked if necessary on five days of the week. Workers employed on shift work shall not work more than 40 hours in any one week without payment of overtime, and shall during each shift be allowed 30 minutes for a meal without deduction from wages.

(ii) No worker under the age of 21 years shall be employed on the morning or evening shifts.

(iii) Where it is practicable, shifts shall be worked on a regular rotation.

(iv) A worker employed on shift work between the hours of 4 p.m. and 8 a.m. shall be paid 5s. 6d. per shift in addition to the wages specified in clause 3 hereof: Provided that the extra payment to be made in the case of a non-rotating night shift worker shall be 6s. 4d. per shift instead of 5s. 6d.

(v) The five ordinary working days for shift workers shall be (a) the period from midnight Sunday/Monday to midnight Friday/Saturday, or (b) the period from 7.45 a.m. Monday to 7.45 a.m. Saturday.

On the coming into operation of this award each employer shall decide which of the alternatives (a) or (b) is to apply to his establishment and shall advise the local Inspector of Awards and the secretary of the union of his decision.

Wages

3. The following shall be the minimum rates of wages for the several classes of workers hereinafter specified:

				Per Hour	
				s.	d.
(a) In Fellmongeries—					
Piece and pie men	.....	.....	.....	7	11
Pullers	.....	.....	.....	7	7 $\frac{3}{4}$
Pelt classers and curers	.....	.....	.....	7	6 $\frac{3}{4}$
Lime dolly workers	.....	.....	.....	7	3
Machine and hand scudders on pelts	.....	.....	.....	7	2
Machine pelt-fleshers	.....	.....	.....	7	2
Painters	.....	.....	.....	7	2
Fleshing hands	.....	.....	.....	7	0 $\frac{1}{4}$
Pickle hands	.....	.....	.....	7	0 $\frac{1}{4}$
Wool scourers	.....	.....	.....	7	0 $\frac{1}{4}$
Wool driers	.....	.....	.....	7	0 $\frac{1}{4}$
All other workers	.....	.....	.....	6	11 $\frac{1}{4}$
(b) In Glue Works—					
Glue boilers and evaporators	.....	.....	.....	7	3
Lime dolly workers	.....	.....	.....	7	3
Pickle hands	.....	.....	.....	7	0 $\frac{1}{4}$
All other hands	.....	.....	.....	6	11 $\frac{1}{4}$
(c) In Boiling-down Works, Organic Manure Works, and Fish Fertiliser Works—					
Worker in charge of cooking	.....	.....	.....	7	4
All other workers	.....	.....	.....	7	2 $\frac{1}{2}$

Youths

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

				Per Week		
				£	s.	d.
Under 17 years of age	.....	.....	.....	7	5	0
17 to 17 $\frac{1}{2}$ years of age	.....	.....	.....	7	15	0
17 $\frac{1}{2}$ to 18 years of age	.....	.....	.....	8	10	0
18 to 18 $\frac{1}{2}$ years of age	.....	.....	.....	9	0	0
18 $\frac{1}{2}$ to 19 years of age	.....	.....	.....	9	11	8
19 to 20 years of age	.....	.....	.....	10	11	8
20 to 21 years of age	.....	.....	.....	11	16	8

(b) The proportion of youths to adults employed in any establishment shall not exceed one youth to each three adult workers 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 or sickness.

(d) No youth shall be employed in any cooling chamber while the temperature therein is below 32 degrees Fahrenheit or on lime dollies or fleshing machines.

Overtime

5. (a) Time worked in any day outside or in excess of the hours specified in clause 2 hereof shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

(b) In the case of shift workers, overtime at the above-mentioned rates shall be paid in excess of the specified shift hours.

(c) Employers shall provide a meal or allow meal money at the rate of 5s. 6d. per meal when workers are required to work overtime after 1 p.m. on a Saturday or after 6 p.m. on any other working day of the week, provided that such workers cannot reasonably get home for their meals.

Piecework

6. Work may be done by piecework, but the rate shall be such as will secure to a competent worker at least 10 per cent more than the appropriate minimum rate provided in this award.

Holidays

7. (a) All workers shall receive the following holidays in each year: New Year's Day, 2 January, Anniversary Day, Good Friday, Easter Monday, Anzac Day, Labour Day, Christmas Day, Boxing Day, and the birthday of the reigning Sovereign.

(b) Each of the holidays mentioned in subclause (a) of this clause shall be subject to the provisions of the Factories Act 1946, and shall be paid in accordance therewith as an ordinary working day. Pieceworkers shall in such case be paid the rates specified herein for time-workers.

(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 rates payable under subclause (b) of this clause.

(d) All work done on Sunday shall be paid for at double rates.

(e) In the event of holidays, other than Anzac Day, falling on a Saturday and/or a Sunday, such holidays shall be observed on the following Monday and/or Tuesday.

Annual Holidays

8. (a) Annual holidays shall be granted in accordance with the provisions of the Annual Holidays Act 1944.

(b) (i) In addition to the holiday to which he is entitled under subclause (a) of this clause, a worker who has worked on shift work for a complete year shall be allowed an additional week's holiday on the same terms as to payment as are provided for in the Annual Holidays Act 1944.

(ii) In addition to the holiday to which he is entitled under subclause (a) of this clause, a worker who has not worked on shift work during the whole year, but for a portion of the year only, shall be allowed such proportionate part of such additional week's holiday as is commensurate with the time he has worked as a shift worker.

General

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

(b) Where necessary, workers shall be supplied with overalls or trousers and/or woollen singlets, waterproof aprons, waterproof leggings, vamps, and gloves, and either clogs, gumboots, or watertight boots.

(c) An interval of 10 minutes for "smoko" shall be allowed each morning and afternoon.

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

(e) The award shall not operate so as to reduce the wages of any worker during his present employment.

(f) A worker who leaves the factory at the end of a day's work and is called back to work overtime shall be paid a minimum of two hours at overtime rates of pay.

(g) Accommodation and facilities shall be provided in accordance with the Factories Act.

(h) A worker required to work for any period in a cooling chamber while the temperature therein is below 32 degrees Fahrenheit shall be paid 5d. per hour extra during such period in addition to his ordinary wage.

(i) A worker, other than a piece and pieman, handling piece and pie wool shall be paid 9d. per hour in addition to his usual rate set out in clause 3 hereof during such period he is so employed.

(j) (i) Double rates shall be paid to men employed skinning or cutting up animals, plus a special rate of 3s. 3d. per carcase for horses and cattle which have died or been killed four hours prior to reaching the works.

(ii) Such animals if they arrive at the works before 4 p.m. shall be skinned and cut up on the same day.

Wherever possible, offal arriving at the works before 5 p.m. shall be disposed of the same day.

(iii) Nothing in paragraph (i) of this subclause shall apply where the employer pays the sum of 7s. 6d. per week in addition to the appropriate rate prescribed in clause 3. If the employer elects to make the payment under this paragraph he shall inform the worker in writing.

(k) Workers employed in glue works cleaning hot pans shall receive 7d. per hour extra while so employed.

Payment of Wages

10. Wages shall be paid weekly not later than Thursday of each week and during working hours. When a holiday falls on a Friday, wages shall be paid not later than the preceding Wednesday.

Termination of Employment

11. Three day's notice shall be given on either side of the termination of employment, but this shall not prevent an employer from summarily dismissing a worker for misconduct. Where, after one week's employment, the employment is improperly terminated by either party, the defaulting party shall pay or forfeit as the case may require, three day's pay or the value of the unexpired period of the notice.

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.)

Notification

13. At the request of the union secretary, the employer shall furnish a list of employees: Provided that such lists shall not be required at shorter intervals than three months.

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 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.

Right of Entry

15. 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.

Disputes

16. The essence of this award being that the work of the employer shall not on any account whatsoever 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 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 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

17. This award shall apply to the original parties named herein, and shall extend to and bind as a subsequent party hereto every employer who, not being an original party hereto, is, when the 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 Northern 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 first day of the working week in each establishment commencing on or after the 8th day of December 1964, 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 8th day of June 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 11th day of February 1965.

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

A. TYNDALL, Judge.