

## PORT CHALMERS DOCK LABOURERS'—INDUSTRIAL AGREEMENT

THIS industrial agreement, made in pursuance of the Industrial Conciliation and Arbitration Act 1954, this 17th day of August 1965 between the Port Chalmers Waterfront Workers' Industrial Union of Workers (hereinafter referred to as the union) of the one part, and:

Union Steam Ship Co. of N.Z. Ltd., Port Chalmers.  
Tapley, Swift Shipping Agencies Ltd.  
Otago Harbour Board, Port Chalmers.

(hereinafter referred to as the employers), of the other part, whereby it is mutually agreed by and between the said parties hereto as follows, that is to say:

1. That the terms, conditions, stipulations, and provisions contained and set out in the Schedule hereto shall be binding upon the said parties, and they shall be deemed to be and are hereby incorporated in and declared to form part of this agreement.

2. The said parties hereto shall respectively do, observe, and perform every matter and thing by this agreement and by the said terms, conditions, stipulations, and provisions respectively required to be done, observed, and performed, and shall not do anything in contravention of this agreement or of the said terms, conditions, stipulations, and provisions, but shall in all respects abide by and perform the same.

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### SCHEDULE

#### *Clause 1—"Classes of Work"*

The work covered by the agreement in respect of ship repair and dock work shall be: Overhauling work on vessels such as chipping (by any process), cleaning, scrubbing, painting and tarring (by any process) the outside of hulls (other than the top sides of passenger vessels and other than skilled painters' work); cleaning, chipping or painting (by any process) in and under the boiler or on tank tops; chipping (by any process) and cleaning oil fuel tanks; cementing or cement washing in tanks; painting funnels, masts or derricks; rigging; assisting tradesmen at ships, docks or dock yards and such other work as may be required by the employer.

#### *Clause 2—"Hours of Work"*

(a) The hours of work for men employed under the following classifications shall be from 7 a.m. to noon and 1 p.m. to 6 p.m. Mondays to Fridays, inclusive, and from 7 a.m. to noon on Saturdays: Scrubbing and painting (exterior), chipping holds (interior), interior painting (other than skilled painters work), tanks and bilges, etc., boiler work and rigging.

(b) Men employed under the foregoing schedule of hours shall be paid double ordinary time for the hours between 7 a.m. and 8 a.m.; and 5 p.m. and 6 p.m. Mondays to Fridays, inclusive, and the remainder of the hours at ordinary time rate. On Saturday mornings rates of pay shall be double ordinary time for the hours between 7 a.m. and 8 a.m.; and 11 a.m. and noon, the remainder of the hours shall be paid at time and a half rate.

(c) Work outside of these hours shall be carried out as required and paid for at the rate of double time between 7 p.m. and 9 p.m. Mondays to Fridays, inclusive; with a minimum of two hours in lieu of the provisions contained elsewhere in this agreement. For other hours payment shall be as prescribed. Men attending for work between 1 p.m. and 5 p.m. on Saturdays shall be paid a minimum of four hours at double ordinary time rate.

(d) The ordinary hours of work for tradesmen's assistants shall be 8 a.m. to noon and 1 p.m. to 5 p.m. Mondays to Fridays, inclusive. All other time shall be classed as overtime.

#### *Clause 3—"Holidays"*

(a) The holidays throughout the year shall be: New Year's Day, and the day after, Good Friday, Easter Monday, Sovereign's birthday, Anzac Day, Labour Day, Christmas Day, Boxing Day, and the union's picnic day. The 2nd day of January shall be observed as a holiday in lieu of Anniversary Day.

(b) Work performed on Christmas Day, Good Friday, Anzac Day, and Sundays shall be paid for at the rate of double ordinary time, plus 1s. 7d. per hour, in addition to any statutory holiday payment that may be applicable. Work performed on other holidays in sub-clause (a) shall be paid for at the rate of double ordinary time in addition to any statutory holiday payment.

(c) Men who are ordered down or back on a Sunday or holiday and who attend and commence work shall receive a minimum of eight hours employment. Men who are ordered down or back and attend, but who for any reason are not required to start work and are released without delay, shall be paid a minimum of four hours in addition to the statutory holiday payment.

#### *Clause 4—"Overtime"*

Except where otherwise specified the rates for overtime shall be: Time and a half (ordinary overtime) from 6-9 p.m., Mondays to Fridays, inclusive, and from 8 a.m. to 11 a.m. on Saturdays. All work performed between the hours of 9 p.m. and 8 a.m. Mondays to Fridays, inclusive, and from 11 a.m. on Saturdays to midnight on Saturdays, and from midnight on Sundays to 8 a.m. on Mondays be paid for at double rates (special overtime).

No worker shall be required to work more than five hours continuously without an interval for a meal, except in the case of docking and undocking vessels. Double time shall be paid for work after the fourth hour at ordinary rate, and no worker shall be required to work more than the fifth hour unless he agrees to do so.

Any worker having worked his normal eight hours or 10 hours, as the case may be, and being required to continue working on into the next day shall be paid double the ordinary rate of pay for all such continuous time worked on the second day.

Any worker having worked his normal eight hours or 10 hours, as the case may be, and having continued to work until midnight shall be given eight hours off or be paid double the ordinary time rate for all time worked on the second day.

Where a worker is required to work beyond midnight he shall be given eight hours off for rest and any part of such eight hours coming within 8 a.m. to noon or 1 p.m. to 5 p.m. shall be paid for at the ordinary time rate.

Any worker having worked for 24 hours inclusive of intervals for meals shall not be required to continue working without his consent. If he does continue working he shall be paid double ordinary rate for all time worked on the second day until an eight hour break is allowed.

Overtime orders shall be given as early as practicable but in any case not later than 4 p.m. on Mondays to Fridays, inclusive, or not later than 10.30 a.m. on Saturdays; except that orders may be given later than the foregoing to meet exceptional circumstances.

*Clause 5—"Wages and Classifications"*

(a) Workers shall be classified for ship repair and dock work as follows:

Scrubbing and painting (exterior work)	..	..	S.P.
Chipping holds, etc. (interior work)	..	..	C.H.
Tanks, bilges etc.	..	..	T.
Boiler work	..	..	B.
Engine room, tail shaft, and rudder work	..	..	E.
Tradesmen's assistants, in U.S.S. Co.'s yard, ships, or elsewhere	..	..	T.A.
Boilermakers assistants, in U.S.S. Co.'s yard, ships, or elsewhere	..	..	B.M.
Riggers	..	..	R.
Donkeymen	..	..	D.

(b) The basic wage rate to be paid to workers employed on ship repair and dock work covered by this agreement shall be 8s. per hour and shall apply to work under the following classifications:

- (i) *Scrubbing and Painting (Exterior Work): (S.P.)*—Scrubbing, chipping, scraping and/or painting outside the hull below the rail basic rate except for work from ladders, bosun-chairs, or swinging stages involving the risk of a fall of 20 ft or more from the dock floor when an additional 3d. per hour shall be paid. Monkey when rigging stages for painting, or when required to apply paint from rollers with handles over 6 ft in length the payment shall be basic rate plus 6d. per hour extra.
- (ii) *Chipping Holds, etc. (Interior Work): (C.H.)*—Cleaning, chipping, scraping, painting in holds, decks, rails and anywhere inside the rail (excluding skilled painters' work and excluding work coming under other classifications specified in this Schedule) basic rate.
- (iii) *Tradesmen's Assistants, in Union S.S. Co.'s Yard, Ships, Dockyards or Elsewhere: (T.A.)*—Assisting carpenters, shipwrights, tinsmiths, coppersmiths, plumbers, electricians, engineers, and assisting at any skilled work associated with ship repair and overhauling (excepting work under classifications B.M. and E.) basic rate.
- (iv) *Boilermakers' Assistants in Union S.S. Co.'s Yard, Dockyards, Ships or Elsewhere (B.M.)*—Assisting boilermakers, basic rate. Men employed assisting boilermakers in confined spaces with restricted head room such as under the holds of ships, in tanks and elsewhere shall be paid an additional 3½d. per hour. When men are assisting boilermakers where gas burning, riveting, caulking, or welding on ships' bottoms is being carried out on slip or dock where such work is not defined as within a "confined space", they shall be paid, if the height from floor of dock or slip to the job is 5 ft or less, 1s. 3d. per hour extra while so employed.

(c) *Tanks, Bilges, etc. (T)*—Men employed under these classifications chipping, scraping, cleaning, painting or cementing interiors of tanks, peaks and chain lockers, tank tops and bilges, (excluding work under classification "B") shall be paid 1s. per

hour additional to the basic rate except that when men are employed in tanks where the ceiling over the keel is less than 2 ft 10 in. they shall be paid an additional 1s. 4d. per hour.

(d) *Boiler Work (B) (i)*—Men employed under this classification cleaning any inside or outside parts of any type of ship's boilers, furnaces of header facings, header door and boiler doors, fan casings and any process of removing scale of salt from tubes; removing and rebuilding bricks in any type of furnace; removal and replacement of fire bars and wing bars; caulking and fire-claying of furnace front; lagging of all types of boilers, super heaters and piping where required; shifting and discharging soot ashes, scrap, disused material and refuse from vicinity of boiler and stokehold; filling of boiler with fresh water from shore; firing of boiler for testing or lagging; trimming coal for boilers on board ship for any purpose to be paid 3s. per hour additional to basic rate.

(ii) Men employed under this classification cleaning tank tops, crank pits and open bilges from bulk head of engine room to stern gland of tail shaft; cementing and applying tar or composition by any process to tank tops and bilges, shall be paid 1s. 9d. per hour additional to basic wage.

(e) *Engine Room - Tailshaft and Rudder Work (E)*—Men employed under this classification assisting at boring cylinders by hand, assisting electricians on dirty work in engine room, reimering by hand, shafting and propeller work outside and in tunnel; rudder work on stages; work at top and bottom ends and carting, carrying and trolleying in connection with above shall be paid an additional 6d. per hour.

(f) *Riggers (R)*—Men employed under this classification at rigging work shall be paid an additional 9d. per hour.

(g) *Donkeymen (D)*—Men employed under this classification keeping steam on board ships, donkey boilers on wharves, ships or elsewhere, shall be paid an additional 3d. per hour on basic rate.

#### Clause 6—"Transfer to Dunedin"

Men engaged to work at Dunedin shall be paid from the time of leaving the place of engagement until they return at the rate applicable to the time at which travelling takes place, i.e. ordinary time, ordinary overtime or special overtime etc., as the case may be.

Except for men engaged for shifting ship, men transferred to Dunedin in connection with any work coming within the scope of the Port Chalmers Dock Labourers' Agreement shall be guaranteed employment on the first day of such engagement from 7 a.m. to 6 p.m. (in the case of men employed on the basis of a 10 hour day). Men engaged as tradesmen's assistants shall be guaranteed employment on the first day of such engagement from 8 a.m. to 5 p.m.

Men engaged for shifting ship shall be paid the minimums prescribed by this agreement, except that men engaged for a 1 p.m. start and who have not been employed that morning, shall be paid a retaining fee of one hour at ordinary time rates.

#### Clause 7—"Special Work"

(a) For cleaning dirty holds which have contained bulk cargoes such as basic slag, phosphate, guano, sulphur, gypsum, coal, men shall be paid the same additional rate per hour as is prescribed for waterside workers handling such cargoes.

(b) For cleaning ballast tanks used as fuel oil containers a flat rate of 16s. per hour shall be paid. Where such ballast tanks have contained diesel oil the flat rate for cleaning same shall be 14s. 4d. per hour. Where ballast tanks containing fuel oil have been treated by special cleaning agent the flat rate shall be 13s. 4d. per hour. For cleaning deep tanks and bilges contaminated with fuel oil the flat rate shall be

12s. 10d. per hour and in the case of diesel or lubricating oil where lime is used the flat rate shall be 12s. 7d. per hour, and where lime is not used the flat rate shall be 12s. 4d. per hour.

(c) For cleaning bunkers and shifting coal in same an additional rate of 8d. per hour shall be paid.

(d) While employed using a spray-gun while spraying on ships an additional 1s. 3d. per hour shall be paid except when such work is performed in holds the additional payment shall be 2s. 2d. per hour and when in tanks or confined spaces the additional payment shall be 3s. 2d. per hour.

(e) For using mechanical chipping hammers an additional 8d. per hour shall be paid, provided that when used inside tanks, chain lockers, or on ships' bottoms on dock where such work is not defined as within a confined space and the height from the floor of dock to the job is 5 ft or less an additional 1s. 3d. per hour shall be paid.

(f) Where a tradesman is in receipt of time and a half for welding or burning while working in an enclosed tank, D.B. compartment, or boiler of a ship, a tradesman's assistant who is employed in the same compartment, shall receive time and a half also.

(g) Men employed on punts scrubbing ships hulls shall be paid an additional rate of 6d. per hour.

(h) Men employed chipping, scraping and/or painting on superstructures of dredges above the rail, from ladders (including bucket ladders), bosun-chairs or swinging stages, involving the risk of a fall of 20 ft or over, shall be paid an additional 3d. per hour while so engaged.

(i) While employed breaking out concrete or other substances with a pneumatic drill 8d. per hour extra shall be paid except that when such work is done in confined spaces where the men are unable to stand upright or where the air is impregnated by dust the additional payment shall be 1s. 10d. per hour.

#### *Clause 8—"Engagement of Labour"*

All labour required to perform work as classified in clause 5 shall be requisitioned from the bureau, and in accordance with the classification.

The hours of engagement of labour shall be from 7 a.m. to 9 a.m. Mondays to Fridays, inclusive. Men required as tradesmen's assistants shall be engaged as above, one day in advance, to commence work at 8 a.m. the following day. If labour is required to commence work on Saturdays the employers concerned shall notify an officer of the union or the bureau manager not later than 3 p.m. on Fridays.

If labour is required for cases of emergency it may be engaged outside of the foregoing hours by arrangement with officers of the union.

When dispensing with labour in dock and repairs works it shall be the duty of the foreman, when the information is available, to notify the bureau office accordingly, not later than 3 p.m. where men are finishing at 5 p.m., and not later than 8 a.m. on the following morning where men have finished during overtime hours.

#### *Clause 9—"Transfer of Labour"*

Before transferring labour from one job on a ship to another job on the same ship or from one ship to another ship the employer shall first ascertain if there are competent men willing to accept employment at the place of engagement and in such cases, he shall employ men out of a job in preference to men already working. In cases of emergency men may be transferred after the termination of the time of engagement for jobs commencing after 1 p.m. and of not longer duration than four hours.

#### *Clause 10—"Timekeeping"*

All workers employed shall, if and when required by the employer, sign on and off and assist in making out their own time sheets as hitherto.

*Clause 11—"Minimum Periods"*

On the first day of their employment, men whose normal hours of work are from 7 a.m. to 6 p.m. and are ordered to commence work between 7 a.m. and noon, shall be paid a minimum of five hours at the appropriate rates; and when men whose normal hours of work are from 8 a.m. to 5 p.m. and are ordered to commence work between 8 a.m. and noon, shall be paid a minimum of four hours at the ordinary time rate.

The foregoing minimum periods shall also apply to men ordered to commence work between 1 p.m. and 5 p.m. or between 1 p.m. and 6 p.m. as the case may be, i.e., four hours and five hours respectively; in accordance with the schedule of their normal hours of work.

Men who are ordered to commence work between the hours of 6 p.m. and 9 p.m. shall be paid a minimum of three hours, but if work is continued after 9 p.m. a four hour minimum shall be paid. The rate of pay from 9 p.m. to 10 p.m. shall be double ordinary time.

Men whose normal hours of work are from 8 a.m. to 5 p.m. and are ordered back after the midday meal or for the following morning, as the case may be, shall be paid the minimum periods applicable to these hours; and men whose normal hours of work are from 7 a.m. to 6 p.m. and are ordered back after the midday meal, or for the following morning, as the case may be, shall be paid a minimum of five hours in either case.

Except where otherwise provided men who are ordered back between 6 p.m. and 9 p.m. shall be paid a minimum of three hours, but if work is continued after 10 p.m. a minimum of four hours shall be paid. The rate of pay from 9 p.m. to 10 p.m. shall be double ordinary time.

All minimum periods shall be paid for at the rate specified for the particular work concerned.

*Clause 12—"Docking and Undocking of Ships"*

The number of men to be employed for docking and undocking of vessels of 500 net registered tons and over shall be 12 and for vessels below that tonnage eight men shall be employed. This does not apply to small craft such as pilot and fishing vessels, and Navy M.L.s etc.

The minimum payment for docking and undocking of vessels between 7 a.m. and 6 p.m. shall be three hours at the rates applicable to these hours, except where the meal hour is worked, in which case the minimum shall be two hours at the rate applicable plus the meal hour at double ordinary time rate; provided that where men are retained into or beyond the dinner or tea hour for attendance to lines they shall be paid to 3 p.m. or 8 p.m. as the case may be. For docking or undocking between the hours of 6 p.m. and 7 a.m. the following day, the minimum payment shall be three hours at double the ordinary time rate.

When men are employed for docking between 7 a.m. and 6 p.m. and are kept continuously employed at scrubbing, painting, etc., the minimum shall not apply. When the undocking vessel is to be berthed at the company wharf men employed undocking vessel shall take the lines at the company's wharf if required or vice versa.

*Clause 13—"Preference"*

(a) Except as otherwise herein provided, members of the Port Chalmers Waterfront Workers' Industrial Union of Workers shall be employed on all work covered by this agreement, provided there are members of the union available for the particular work required to be done; provided that the executive of the branch when admitting members to the union, shall admit persons of good character and sober habits and shall also take into consideration general suitability for ship repair, slip and dock work, physical fitness and previous experience.

(b) When members of the union and non-members are employed together there shall be no distinction between them and both shall work together in harmony and under the same conditions and shall receive equal pay for equal work.

(c) Notwithstanding the provision of subclauses (a) and (b) hereof nothing herein contained shall operate to prevent the employment (to the extent that has been customary in the past) of tradesmen's assistants and others in employ of the Port Chalmers Marine Repair Works and the Otago Harbour Board, nor to the employment of bona fide members of ships' crews whether on or off articles, to the maximum number of four each in the deck and engine room departments.

(d) The classes of work for which seamen may be employed by the employer parties hereto under the provisions of sub-clause (c) hereof shall cover rigging and general maintenance work; but not to such an extent as to unduly restrict the employment of waterside workers covered by this agreement.

(e) The employers shall have the right to engage members of the Metal Workers' Assistants Union as tradesmen's assistants provided they are being engaged for regular employment by the company concerned. Where such labour is required temporarily for a job or jobs as tradesmen's assistants they shall be drawn from the Port Chalmers Waterfront Workers' Union but not so as to displace metal workers' assistants already in employment.

#### *Clause 14—"Meals and Meal Hours"*

(a) Workers whose normal hours of employment are from 8 a.m. to 5 p.m. and who are ordered back and attend or who are transferred from a job finishing after noon and who attend, for overtime at 6 p.m. or later, or at 1 p.m. on Saturdays, shall be paid the sum of 5s. 10d. meal money. Where meals are provided the meal money shall not be payable.

On Saturdays, Sundays or holidays, when meal money is payable the employer shall pay to the worker a special surcharge of 6d. in addition.

(b) Workers whose normal hours of employment are from 7 a.m. to 6 p.m. and having attended and worked that day and continued to work after 1 p.m. Mondays to Fridays, inclusive, shall be paid the sum of 5s. 10d. for meal money. Men who are ordered back and attend at 1 p.m. on Saturdays shall be paid the sum of 5s. 10d. meal money. Where meals are provided meal money shall not be payable.

On Saturdays, Sundays or holidays, when meal money is payable the employer shall pay to the worker a special surcharge of 6d. in addition.

(c) Hours for meals shall be as follows: Where the normal hours of work are from 7 a.m. to 6 p.m. the following meal hours shall be observed: Breakfast 6 a.m. to 7 a.m., dinner noon to 1 p.m., tea 6 p.m. to 7 p.m. Meal hours for men whose normal hours of work are from 8 a.m. to 5 p.m. shall be: Breakfast 7 a.m. to 8 a.m., dinner noon to 1 p.m., tea 5 p.m. to 6 p.m.

If required work may be continued during the meal hour but in no case (except as provided for in clause 4 of this agreement) shall men be called upon to work longer than five hours without a break for a meal.

(d) When men are employed during meal hours they shall be paid double the ordinary rate for the particular class of work at which they are employed.

(e) When men are required to work extended overtime hours beyond 10 p.m. a supper break of half an hour shall be allowed between 9 p.m. and 11 p.m., such time to be paid for by the employer.

#### *Clause 15—"Fumigation"*

When fumigation with cyanide is to be carried out during the hours of darkness the employer shall consult with representatives of the union in order that every precaution may be taken to provide for the safety of the workers performing the fumigation.

*Clause 16—"Disputes"*

The essence of this agreement being that the work of the employer 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 agreement or any of them, as to any matter whatsoever arising out of or connected therewith, every such dispute or difference, as the same shall arise, shall be referred to a committee to be composed of two representatives of the union and two representatives of the employers, together with an independent chairman to be agreed upon between the parties. The decision of the majority of this committee shall be binding except that either party shall have the right to appeal to the Court of Arbitration upon giving a written notice of such an appeal to the other party within 14 days of such a decision. Notwithstanding the foregoing should the dispute or difference between the parties relate to an extra rate which may be claimed for any particular job and in the event of no agreement, the chairman of the committee shall decide what extra rate, if any, is to be paid and his decision shall be final and shall be accepted and abided by both parties. An independent chairman shall be a person agreed between the parties hereto and his fee shall be paid by both parties to the dispute in equal amounts. It shall be binding on both parties to the dispute to meet in negotiation not later than four hours after the dispute has been cited.

*Clause 17—"Safety"*

When a vessel is on the dock the employer shall take all precautions that are practicable to prevent the discharge of any water or matter from the ship while labour is being employed for cleaning and painting the hull and shall see that all lavatories, etc., on the ship are locked to prevent their use.

*Clause 18—"Exclusion from Operation of General Order"*

The rates of remuneration provided for in this agreement shall not be subject to the 6 per cent provided by the general order of the Court, dated the 19th day of August 1964.

*Clause 19—"Term of Agreement"*

This industrial agreement shall come into force on the 16th day of August 1965, and shall continue in force until the 31st day of March 1967.

For Port Chalmers Waterfront Workers' Industrial Union of Workers:

N. AGNEW, President.  
N. CRICHTON, Secretary.

P. Guthrie—Witness.

For Union Steam Ship Co. of New Zealand Ltd.:

K. BELFORD, Industrial Superintendent.

R. T. Goddard—Witness to the above signature.

For Otago Harbour Board:

W. KEIR, General Manager.

J. McIntosh—Witness to the above signature.

For Tapley, Swift Shipping Agencies Ltd.:

J. DE CLIFFORD.

I. J. Farquhar—Witness to the above signature.