

TARANAKI AND WELLINGTON TANNERS—AWARD

[Filed in the Office of the Clerk of Awards, Wellington]

In the Court of Arbitration of New Zealand, Taranaki and Wellington Industrial Districts—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of an industrial dispute between the Wellington and Taranaki Soap, Candle, Tannery and Related Trades Employees Industrial Union of Workers (hereinafter called “the union”) and the undermentioned companies (hereinafter called “the employers”):

Payes Brothers Ltd., Seaview Road, Lower Hutt.

Sheehan, J. Ltd., Stratford.

Tasman Tanning Co. Ltd., Castlecliff, Wanganui.

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 August 1967 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 17th day of December 1965.

[L.S.]

A. P. BLAIR, Judge.

SCHEDULE

Industry to Which Award Applies

1. This award shall apply to the tanning industry.

Hours of Work

2. (a) The ordinary hours of work shall not exceed 40 per week or eight per day, 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 made to fall between 7 a.m. and 5 p.m. on five days of the week (Monday to Friday, both days inclusive).

(b) Two or three shifts of eight hours each may be worked, if necessary, on five days of the week (Monday to Friday, both days inclusive). Workers employed on shift work between the hours of 5 p.m. and 7 a.m. shall during each shift be allowed 30 minutes for a meal without deduction from wages. No worker under the age of 21 years shall be employed on the morning or evening shifts unless adult wages are paid. Any shift, other than one worked between the hours of 7 a.m. and 5 p.m., shall consist of eight consecutive hours, inclusive of crib time.

(c) A worker employed on shift work between the hours of 5 p.m. and 7 a.m. shall be paid 5s. 3d. per shift in addition to the wage specified in clause 3 of this award.

(d) Except in the case of shift workers employed between 5 p.m. and 7 a.m. (who shall be allowed 30 minutes' crib time in each shift), not less than three-quarters of an hour shall be allowed for dinner, between 12 noon and 1 p.m. unless otherwise mutually arranged between the employer and the workers.

(e) Notwithstanding the foregoing, by mutual arrangement, five hours may be worked continuously without an interval for a meal in order to complete the day's work.

Wages

					Per Hour	
					s.	d.
3. (a)	The following shall be the minimum rates of wages:				..	7 6 $\frac{3}{4}$
	Machine-splitter (operator in charge of machine)				..	7 6 $\frac{3}{4}$
	Colour-leather dyer (responsible for making dyes)				..	7 6
	Finished-leather grader .. .. .				..	7 5
	Shaving machinist .. .. .				..	7 5
	Machine-flesher .. .. .				..	7 5
	Machine or hand unhairers .. .. .				..	7 5
	Drum hands .. .. .				..	7 5
	Workers responsible for operating pasting unit ..				..	7 5
	Buffing machinist .. .. .				..	7 11 $\frac{1}{2}$
	Staking machinist .. .. .				..	7 11 $\frac{1}{2}$
	Lacquer mixer and sprayer .. .. .				..	7 11 $\frac{1}{2}$
	Clipping machinist .. .. .				..	7 11 $\frac{1}{2}$
	Pelt flesher .. .. .				..	7 11 $\frac{1}{2}$
	Striking or setting out machinist .. .. .				..	7 0 $\frac{3}{4}$
	Combing machinist .. .. .				..	6 10 $\frac{3}{4}$
	Glazing machinist .. .. .				..	6 10 $\frac{3}{4}$
	Ironing and embossing machinist .. .. .				..	6 10 $\frac{3}{4}$
	General hands .. .. .				..	6 9 $\frac{3}{4}$

In the event of the introduction of a machine of a type not now used in the industry, the operator or assistant shall be paid 1 $\frac{1}{2}$ d. per hour in addition to the minimum rate.

No worker while he remains in his present position of employment shall have his wage reduced by the operation of this award.

(b) When workers are required to enter flues or back-end smoke-boxes for the purpose of cleaning them or to chip and/or clean the interior of boilers while such boilers are laid off for inspection or overhaul, they shall be paid 5s. 6d. extra per day or part of a day while so employed.

(c) Youths may be employed at the following minimum rates of pay:

					Per Week		
					£	s.	d.
Under 17 years of age	..	..	..	..	6	8	4
17 to 17 $\frac{1}{2}$ years of age	..	..	..	..	7	0	0
17 $\frac{1}{2}$ to 18 years of age	..	..	..	..	7	15	0
18 to 18 $\frac{1}{2}$ years of age	..	..	..	..	8	5	0
18 $\frac{1}{2}$ to 19 years of age	..	..	..	..	9	0	0
19 to 20 years of age	..	..	..	..	10	0	0
20 to 21 years of age	..	..	..	..	11	5	0

(d) The number of youths employed shall not exceed one youth to every two or fraction of two workers over 21 years of age employed.

(e) 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.

(f) Youths substantially employed as beam-shed, tan-yard, or drum-hands shall be paid 15 per cent above the scale set out in subclause (c) of this clause.

(g) No youth under 21 years shall work the following machines unless paid the adult rates for the time so employed:

Machine splitters, machine splitter's assistant on limed hides or limed hide sides, shaving machine on hides or hide sides, machine unhairer, hydro extractor, and scudding machine on hides or hide sides.

Overtime

4. (a) Time worked in any day outside of or in excess of the hours specified in clause 2 of this award shall be paid for at the rate of time and a half for the first three hours and double time thereafter: Provided that on Saturdays four hours may be worked before noon at time and a half rates.

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

Holidays

5. (a) The following holidays shall be allowed and paid for: New Year's Day, 2 January, Good Friday, Easter Monday, Anzac Day, Labour Day, Christmas Day, Boxing Day, the birthday of the reigning Sovereign, and Anniversary Day or a day in lieu thereof.

(b) Workers shall be paid double rate in addition to their ordinary pay for work done on any holiday specified in subclause (a) of this clause and double rates for work done on Sunday.

(c) Pieceworkers shall be paid the rates specified herein for time workers.

(d) In the event of a holiday, other than Anzac Day, falling on a Sunday, such holiday shall be observed on the succeeding Monday, and in the event of another holiday falling on such Monday, such other holiday shall be observed on the succeeding Tuesday.

(e) The provisions of the Annual Holidays Act 1944 shall apply to all workers covered by this award: Provided, however, that on completion of 10 years' continuous service with the same employer each worker for the tenth and subsequent years shall be allowed an annual holiday of three weeks in lieu of the two weeks under the Annual Holidays Act. The third week's holiday may be taken in conjunction with or separately from the first two weeks as may be agreed upon between the employer and the worker or if there is no agreement as decided by the employer.

Payment of Wages

6. Workers shall be paid weekly in cash not later than Thursday and in the employer's time, provided that where a holiday falls on a Friday wages shall be paid not later than the preceding Wednesday. On request workers shall be supplied with written details of wage calculations. Workers shall be paid immediately upon discharge.

Termination of Employment

7. 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.

Tools and Equipment

8. The employer shall provide all tools, aprons, clogs, leggings, gloves, vamps, gumboots, respirators, and other equipment necessary to carry on the work.

Piecework

9. Where it is customary to work piecework, the rates of pay shall be mutually agreed upon between the employer and the local union.

Matters Not Provided For

10. If any dispute shall arise between the parties to this award upon any matter arising out of or in connection with this award, it shall be referred to a committee consisting of a representative of the employer and a representative of the union, who

shall appoint an independent chairman. The committee may either decide the matter or refer it to the Court. Either party, if dissatisfied with the decision of the committee, 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.

General Conditions

11. (a) Standing-by time shall be paid for at ordinary rates.
- (b) Suitable accommodation shall be provided for workers' bicycles.
- (c) As required by the Factories Act 1946 proper provision shall be made for dining and dressing accommodation and for drying wet clothes. Such accommodation shall be kept clean by the employer. The union shall appoint delegates, whose duty it shall be to see that the workers do everything in their power to keep the accommodation in a clean and tidy condition.
- (d) Suitable washing accommodation, with both hot and cold water and soap, shall be provided.
- (e) A supply of boiling water shall be available at mealtimes.
- (f) Men cleaning filters and ditches shall be paid 1s. 1d. per hour extra.
- (g) A first aid outfit shall be supplied, and such outfit shall contain a recognised ointment for the treatment of skin rash.
- (h) Any worker, not having been informed before leaving work that there will be no work on the following day, who presents himself at the works, shall in the event of there being no work, receive not less than two hours' pay.
- (i) A worker covered by this award shall not be required to work at night unless some other person is in the building or within call.
- (j) A minimum of two hours' pay shall be paid to workers when ordered back for the purpose of working overtime.
- (k) Meal money shall be paid at the rate of 5s. 7d. per meal to workers called back for the purpose of working overtime in all cases where notice of intention to work overtime has not been given by the employer prior to noon on the day on which the overtime is to be performed.
- (l) Workers called upon to perform relieving duties for which a higher rate of pay is provided in the award shall be paid such higher award rate while so relieving: Provided, however, that this clause shall not apply to relieving duties for less than one hour per day.
- (m) Employers shall supply two overalls, and one pair of heavy boots yearly to tan-yards, lime-yards, and drum-hands, fleshers, scudders, and unhairers, and to workers employed in unusually wet places. In lieu thereof a boot allowance of 2s. 6d. per week and overall allowance of 1s. 9d. per week shall be paid to such workers.
- (n) All labour shall be engaged for the factory and remain mobile and work in any part of the factory as directed by the employer.
- (o) A smoko period of 10 minutes shall be allowed within each four hours' working period and after two hours' continuous overtime if such overtime is to be continued for at least one further hour.

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 purpose 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 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 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.

Application of Award

15. 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 districts to which this award relates.

Scope of Award

16. This award shall operate throughout the Taranaki and Wellington Industrial Districts.

Term of Award

17. 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 week in each establishment commencing on or after the 13th day of December 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 August 1967.

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 17th day of December 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.
