

**FLETCHER INDUSTRIES LTD. (DUROID DIVISION)  
AMENDMENT OF 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 the Fletcher Industries Ltd. (Duroid Division) Award, dated the 21st day of August 1969, and recorded in 69 Book of Awards. . . .

Upon reading the joint application made by the original parties to the Fletcher Industries Ltd. (Duroid Division) Award, dated the 21st day of August 1969: And upon being satisfied that the said parties are desirous that the award should be reviewed by it, the Court, in pursuance and exercise of the powers vested in it by section 162 (1) (b) of the Industrial Conciliation and Arbitration Act 1954, and with the consent of the said parties, doth hereby order as follows:

1. That the said award shall be amended in the manner following:
  - (1) By deleting clause 3 and substituting therefor the following clause:

**“WAGES**

3. (a) The following shall be the minimum rates of wages:

	Per Hour \$
Works foreman.....	1.20
Furnaceman.....	1.10
Saturation tanks laminator.....	1.10
Raw material preparer.....	1.10
Other workers.....	1.03

(b) Workers required to perform work in the “Wax Emulsion” room shall be paid 5 cents per hour extra while so employed.

(c) Workers may be temporarily transferred to other work coming within the scope of this award, in which case they shall be paid such higher rate as may apply for the time involved.

No reduction in rate shall be made for a worker carrying out duties for which a lower rate is prescribed unless he is permanently transferred to such work, when a week’s notice of such transfer shall be given.”

- (2) By deleting clause 8 and substituting therefor the following clause:

**“ANNUAL HOLIDAYS**

8. (a) Except as otherwise provided, every worker shall at the end of each year of his employment by any employer become entitled to an annual holiday of two weeks paid on the basis of the worker’s average weekly taxable earnings, provided that the holiday pay does not exceed the worker’s ordinary pay plus 30 percent and provided, further, that in no case shall the holiday pay be less than the worker’s ordinary pay at the time of taking the holiday. For the

purposes of calculating a worker's average weekly taxable earnings for the year the employer may fix a close-off date other than the anniversary date of the worker's commencement of employment.

(b) Upon completion of ten years' continuous service with the same employer each worker shall for the tenth and subsequent years be entitled to an annual holiday of three weeks instead of two weeks paid as prescribed in subclause (a) of this clause. The third week's holiday may be taken in conjunction with or separately from the first two weeks' holiday as the employer may decide.

(c) In lieu of the annual holidays provided in subclauses (a) and (b) of this clause, shift workers regularly and continuously employed on afternoon or night shift or on three rotating shifts shall be allowed three weeks' annual holiday upon completion of each year's service. The third week's holiday may be allowed either in conjunction with or separately from the first two weeks as the employer may decide. Any worker who is regularly and continuously employed for over six months but less than 12 months on afternoon or night shifts or on three rotating shifts shall be allowed a corresponding proportion of the third week's holiday.

(d) for the purposes of this clause lump sum special payments shall be excluded from the computation of average weekly taxable earnings, and ordinary pay shall be as defined in the Annual Holidays Act 1944.

(e) Where a holiday is taken in more than one period the amount payable under this clause shall be divided proportionately. Where a holiday is allowed wholly or partly in advance of the date fixed by the employer as provided in subclause (a) of this clause it shall be sufficient compliance with this clause for payment to be assessed on the percentage formula prescribed in subclause (f) of this clause subject to final adjustment and payment of any remainder after that date, provided that in no case shall the holiday pay be less than the worker's ordinary pay at the time of taking the holiday.

(f) Where the employment of any worker is terminated at the end of a period of employment which is not less than three weeks but less than one year, the employer shall forthwith pay to the worker, in addition to all other amounts due to him, an amount equal to 4 percent of his gross taxable earnings but not exceeding 5.2 percent of his gross ordinary pay for that period of employment.

(g) Where the period of employment is less than three weeks the amount to be paid as proportionate holiday pay shall be as prescribed by the Annual Holidays Act 1944.

(h) Where it is customary for any employer to allow annual holidays to his workers or to any class of his workers during a period in each year when his premises are closed or the work of these workers is for any reason discontinued, and at the date of the commencement of any such period any such worker has not become entitled to an annual holiday then the worker shall not be entitled to any wages for two weeks following that date, but the employer shall before that date pay to him, in addition to all other amounts due to him, an amount equal to 4 percent of his gross taxable earnings but not exceeding 5.2 percent of his gross ordinary pay for the period of his employment up to that date, and the next year of his employment shall be deemed to commence on that date.

(i) Where a worker is entitled to an annual holiday of three weeks instead of two weeks the provisions of subclauses (f) and (h) of this clause shall be modified to provide payment of an amount equal to 6 percent of the worker's gross taxable earnings but not exceeding 7.8 percent of his gross ordinary pay for the period of his employment.

(j) Where practicable, the employer shall give at least two months' notice to his employees of annual holidays pending and each employee shall be advised

of the date at which he is required to commence his holiday period.”  
 (3) By inserting after clause 8 the following new clause:

“SPECIAL HOLIDAYS FOR LONG SERVICE

8. (a) A worker shall be entitled to special holidays as follows:

- (i) One special holiday of two weeks after the completion of 20 years and before the completion of 30 years of continuous service with the same employer.
- (ii) One special holiday of three weeks after the completion of 30 years and before the completion of 40 years of continuous service with the same employer.
- (iii) One special holiday of five weeks after the completion of 40 years' continuous service with the same employer.

(b) Should a worker have completed 30 years of continuous service with the same employer prior to the date of this award he shall not be entitled to the special holiday provided in paragraph (i) of subclause (a) of this clause. Should a worker have completed 40 years of continuous service with the same employer prior to the date of this award he shall not be entitled to the special holiday provided in paragraph (i) or (ii) of subclause (a) of this clause.

(c) All such special holidays provided for in this subclause (a) of this clause shall be on ordinary pay as defined by the Annual Holidays Act 1944 and may be taken in one or more periods and at such time or times as may be agreed by the employer and the worker.

(d) If a worker having become entitled to a special holiday leaves his employment before such holiday has been taken he shall be paid in lieu thereof.

(e) The provisions of this clause shall not apply where an employer has in operation or brings into operation an alternative scheme for rewarding service, which is not less favourable to the worker than the foregoing, including any bonus or gratuity or superannuation scheme (whether or not such scheme is solely at the cost of the employer, but at no less cost to the employer than the cost involved in providing special holidays under this clause.”)

2. That this order shall come into force on the day of the date hereof, except that in so far as it relates to the rates of wages to be paid it shall be deemed to have come into force on the 1st day of April 1970.

Dated this 4th day of June 1970.

J. B. THOMSON, Judge.