

NORTHERN, WELLINGTON AND CANTERBURY RUBBER WORKERS
—AMENDMENT OF AWARD

In the Court of Arbitration of New Zealand Northern, Wellington, and Canterbury Industrial Districts—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of the Northern, Wellington, and Canterbury Rubber Workers Award, dated the 26th day of March 1969, and recorded in 69 Book of Awards

Upon reading the joint application made by all the original parties to the Northern, Wellington, and Canterbury Rubber Workers Award, dated the 26th day of March 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 be amended in the manner following:
 - (1) By adding to subclause (a) of clause 3 (shifts) a further proviso as follows:
“Provided, further, that a shift worker required to transfer to day work shall receive crib time for a period of four weeks from the commencement of his transfer.”
 - (2) By deleting from subclause (c) of clause 3 (Shifts) the figures “75” and “63” and substituting therefor the figures “80” and “65” respectively.
 - (3) By deleting from subclause (c) of clause 4 (Overtime) the figures “65” wherever they appear and substituting therefor in each case the figures “70”.
 - (4) By deleting from subclause (a) of clause 5 (Wages) the rates of pay for each of the groups 1, 2, 3, and 4 and substituting therefor the following rates of pay:
 - Group 1 — “\$41.75 per week”.
 - Group 2 — “\$40.19 per week”.
 - Group 3 — “\$38.95 per week”.
 - Group 4 — “\$37.71 per week”.
 - (5) By deleting from paragraph (i) of subclause (c) of clause 5 (Wages) the symbol and figures “\$2.27” and substituting therefor “\$2.50”.
 - (6) By adding to paragraph (i) of subclause (d) of clause 5 (Wages) the following sentence:
“A clothing allowance of 20 cents per week shall be paid to workers qualifying for this payment.”
 - (7) By deleting clause 6 and substituting therefor the following clause:

“BOYS’ AND YOUTHS’ WAGES

6. Subject to the provisions of the Factories Act 1946, boys and youths may be employed at not less than the following rates of wages weekly:

	Per Week \$
Under 17 years of age.....	16.17
17 to 18 years of age.....	21.78
18 to 19 years of age.....	27.00
And thereafter adult rates.”	

- (8) By deleting subclause (a) of clause 7 (Females — Wages) and substituting therefor the following subclause:
 “(a) Females may be employed at not less than the following weekly rates of wages:

	Per Week \$
Under 17 years of age.....	16.17
17 to 18 years of age.....	19.91
18 to 19 years of age.....	23.65

Thereafter for the first six months \$27.40 per week and thereafter \$28 per week.”

- (9) By deleting from subclause (d) of clause 7 (Females — Wages) the symbol and figures “\$2.27” and substituting therefor “\$2.50”.
- (10) By adding to subclause (e) of clause 11 (Holidays) the following sentence:
 “The basis of the determination of ‘ordinary wages’ shall be as prescribed in clause 13A.”
- (11) By deleting clause 12 and substituting therefor the following clause:

“ANNUAL HOLIDAYS

12. (a) The following shall apply in the Wellington Industrial District:
- (i) The provisions of the Annual Holidays Act 1944 shall apply to all workers covered by this award, except that upon completion of ten years’ continuous service with the same employer a worker shall be granted in respect of the tenth and each further year of service with that employer an annual holiday of three weeks instead of two weeks. Such extra week may be allowed in conjunction with or separately from the first two weeks as the employer may decide and as far as practicable to meet the wishes of the worker. Payment shall be on the basis prescribed in clause 13A of this award.
 - (ii) Notice of the annual holiday closing down time shall be posted in the factory at least one month before the commencement of the closing down period.
- (b) The following shall apply in the Northern and Canterbury Industrial Districts:
- (i) Annual holidays shall be allowed in accordance with the provisions of the Annual Holidays Act 1944, except that upon completion of ten years’ service with the same employer a worker shall be granted in respect of the tenth and each further year of service with that employer an annual holiday of three weeks instead of two weeks. Such extra week may be allowed either in conjunction with, or separately from, the first two weeks as the employer may decide and as far as practicable to meet the wishes of the worker. Payment shall be on the basis prescribed in clause 13A of this award.
 - (ii) Where it is customary for any employer to allow 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 those 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 any annual holiday, then that 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 at that date, an amount determined on the percentage formula provided in subclause (e) of clause 13A

of this award for the period of his employment up to that date, and for the purposes of the Annual Holidays Act the next period of his employment shall be deemed to commence on that date."

(12) By deleting subclause (c) of clause 13 (Special Holidays for Long Service) and substituting therefor the following subclause:

"(c) All such special holidays provided for in subclause (a) of this clause shall be on ordinary pay as prescribed in clause 13A of this award 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."

(13) By deleting subclause (e) of clause 13 (Special Holidays for Long Service).

(14) By inserting after clause 13 the following new clause:

BASIS OF HOLIDAY PAY CALCULATION

13A. (a) The holidays provided for in clauses 12 and 13 of this award shall be paid on the basis of the worker's average weekly taxable earnings, provided that the holiday pay does not exceed the following maximum amounts per week:

Adult Males —

Group 1 — \$60.00

Group 2 — \$58.50

Group 3 — \$57.25

Group 4 — \$56.00

Adult Females — \$42.00.

Maximum payment for other than adult workers shall be proportionate, the proportion to be determined by reference to the maxima for adult males Group 4 and adult females, and the appropriate ordinary weekly rates.

(b) Ordinary wages in terms of clause 11 of this award shall be average taxable earnings for the fortnight immediately preceding the holiday. A day's ordinary wages shall be one-tenth of that average. The maximum payment for any holiday shall be one-fifth of the weekly sums provided for in subclause (a) of this clause.

(c) For the purpose 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.

(d) 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 (c) of this clause it shall be sufficient compliance with this clause for payment to be assessed on the percentage formula prescribed in subclause (e) 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.

(e) 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 per cent of his gross taxable earnings but not exceeding 5.85 per cent of his gross ordinary pay for that period of employment.

(f) 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.

(g) Where a worker is entitled to an annual holiday of three weeks instead of two weeks the provisions of subclause (e) of this clause and of paragraph

(ii) of clause 12 (b) of this award shall be modified to provide payment of an amount equal to 6 per cent of the worker's gross taxable earnings but not exceeding 8.77 per cent of his gross ordinary pay for the period of his employment."

(15) By deleting the figures and words "26th day of August 1970" where they appear in the enacting sheet and in clause 23 (Term of Award) and substituting therefor in each case the figures and words "30th day of June 1971".

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 wages to be paid it shall be deemed to have come into force on the first day of the pay period in each establishment commencing on or after the 13th day of April 1970.

Dated this 18th day of June 1970.

J. B. THOMSON, Judge.