

FLETCHER CONSTRUCTION COMPANY LIMITED (NORTHERN AND TARANAKI INDUSTRIAL DISTRICTS) BUILDING AND CIVIL ENGINEERING EMPLOYEES—AMENDMENT OF AWARD

In the Court of Arbitration of New Zealand, Northern and Taranaki Industrial Districts—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of the Fletcher Construction Company Limited (Northern and Taranaki Industrial Districts) Building and Civil Engineering Employees Award, dated the 24th day of November 1969, and recorded in 69 Book of Awards 2526.

Upon reading the joint application made by the original parties to the Fletcher Construction Company Limited (Northern and Taranaki Industrial Districts) Building and Civil Engineering Employees Award, dated the 24th day of November 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, as amended by order of the Court dated 4 June 1970, shall be further amended in the manner following:

(1) By deleting clause 3 and substituting therefor the following clause:

“WAGES

3. (a) The following rates of wages shall be paid to the respective classes of workers:

	Per Hour cents	Per Week \$
(1) General labourer—		
First three months of employment	121.4	48.56
Thereafter	123.6	49.44
Provided, however, that when a worker can produce reasonable written evidence from previous employers of having been engaged for not less than six months as a labourer in the building construction industry he shall be accepted as having qualified for the “thereafter” rate.		
(2) Concrete worker	125.9	50.36
(A worker regularly employed on concrete duties such as placing, operating vibrators, finishing patching and grinding.)		
(3) Reinforcing steel worker	125.9	50.36
(A worker regularly employed on measuring, cutting, placing, bending, tying and welding reinforcing steel.)		
(4) Crane dogman	125.9	50.36
(A worker—other than a rigger/steel erector—regularly employed as responsible for slinging the load and/or the safe movement of the load.)		

	Per Week \$	Per Hour cents
(5) Scaffolders (A worker regularly employed erecting and dismantling scaffolds for which notice of erection is necessary under the Construction Act 1959.)	125.3	50.12
(6) Certificated scaffolder (A worker other than a rigger/steel erector, holding the necessary certificate and who is required to undertake the duties thereby.)	132.6	53.04
(7) Certificated quarry worker using explosives	125.9	50.36
(8) Mechanical operator (light) (A worker regularly employed in operating mechanical equipment driven by power units of 10 h.p. or over but not coming within the definition of heavy mechanical equipment and including motor vehicles substantially used on site and not covered by the rules of any other union.)	125.3	50.12
(9) Mechanical operator (heavy) (An operator or driver regularly employed in operating heavy mechanical equipment such as cranes of over 10 ton capacity, loaders over 1½ cubic yard capacity, tower cranes, pile drivers and crushers.)	137.8	55.12
(10) (i) Riggers and/or steel erectors regularly employed as such (except as provided in paragraph (ii))	140.0	56.00
(ii) Improver riggers and/or steel erectors—		
First year	127.5	51.00
Second year	135.7	54.28
(iii) The union shall provide each worker employed under this award with a card on which the employer shall record the worker's commencing date and ceasing date of employment and type of work at which he was employed.		
(iv) One improver shall be allowed to every two riggers/steel erectors or part thereof.		

For the purpose of this clause an hourly worker is a worker employed for a period of less than ten working days.

(Rigging and steel erecting work shall mean and include—

(i) The assembling and dismantling of pre-fabricated steel work in the field (as opposed to the shop). Such work shall not include any tradesmen's work covered by any other award.

(ii) In a bolted structure, the assembling and bolting up and completing the structure in all respects including drifting and reamering of badly fitting holes, but excluding any marking out or drilling.

(iii) In a welded structure, the assembling and bolting up with service bolts and completing the structure in all respects except for the actual welding.

	Per Hour cents	Per Week \$
(iv) In a riveted structure, the assembling and bolting up with service bolts and completely preparing the structure for riveting, but excluding reamering of badly fitting rivet holes.		
(v) The making of knots and lashings, assembling, erecting tackle, splicing of wire and hemp ropes, erection and dismantling of gin poles, masts, towers, cranes, sheers and derricks; the rigging of gear (including lifting tackle, anchors, guys and the like to take heavy lifts, and placing them in position.)		
(11) Licensed drainlayers	127.0	50.80
(12) Tunnellers and tunnel labourers— (Tunnellers and tunnel labourers are workers substantially engaged on duties inside an underground excavation more than 15 ft in length or a shaft more than 15 ft in depth.)		
Tunnel labourers	125.9	50.36
Tunnellers	132.6	53.04

A tunneller is a worker employed as a member of the face crew or as a mechanical operator in a tunnel or shaft.

Provided that where a tunneller or tunnel labourer can supply proof of one year's experience in tunnel work he shall be paid 2 cents extra per hour.

(b) Where a worker performs duties for which a higher rate of wages is prescribed, he shall be paid such higher rate 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.

(NOTE—It is acknowledged by the union and accordingly recorded by the parties that except where specific provisions have been made in this award, that incorporated in the wage rates set out above are allowances to fully cover all working conditions and operations that may arise in the performance of the normal and expected duties of the various classes of workers concerned on the building, civil engineering and other sites of work of the employer.)”

(2) By inserting after clause 10 of the following new clause:

“SICK PAY

10A. (a) After 12 months' continuous service with the same employer a worker shall be entitled in each subsequent year of service to sick pay for up to five days calculated at the rate of his ordinary pay, reduced by the amount of any social security sickness benefit or any other payment to which the worker would be entitled in respect of such incapacity.

(b) The amount of the allowance in accordance with subclause (a) of this clause shall, together with any other payments to which the worker is entitled in respect of such incapacity, not exceed the permitted separate income rates as defined by the Social Security Act from time to time.

(c) Sick pay shall not be paid in respect of any statutory or award holiday for which the worker is entitled to full pay.

(d) Sick pay for a day shall be calculated according to the number of working days for which the worker's ordinary weekly pay is paid.

Ordinary weekly pay for the purpose of this subclause shall be calculated on the basis of 40 hours at the hourly rate which the worker is actually paid.

(e) Absence of one day only shall not be paid.

(f) A claim for sick pay shall be supported by a medical certificate.

(g) It shall be obligatory on the worker to ensure notice is given to the employer on the first day of absence due to illness.

(h) The employer shall also have the right to require the worker to produce additionally a medical certificate at the employer's expense from a doctor nominated by the employer.

(i) Where in any instance, The Fletcher Holdings Limited operates a sick pay scheme, the benefits of which are no less favourable than those set out herein, then the provisions of such alternative scheme shall apply."

(3) By deleting from the undermentioned clauses the symbols, figures and words set out in the first column hereunder and substituting therefor in each case the symbols, figures and words respectively set out in the second column hereunder:

	First Column	Second Column
Clause 4 (a)	50 cents	51.5 cents
Clause 4 (b)	Twenty-five cents	Twenty-six cents
Clause 4 (j) (i)	8 cents	8.2 cents
Clause 4 (j) (ii)	3 cents	3.1 cents
Clause 4 (j) (iii)	2.5 cents	2.6 cents
Clause 4 (j) (iv)	2.5 cents	2.6 cents
Clause 4 (j) (v)	30 cents	31 cents
Clause 4 (j) (vi)	25 cents	26 cents
Clause 12 (f)	\$2	\$2.32
Clause 13 (a)	65 cents	67 cents
Clause 15 (c)	70 cents	72 cents
Clause 15 (l) (ii)	30 cents	31 cents
Clause 24 (a)	50 cents	51.5 cents

(4) By deleting the figures and words "7th day of May 1971" where they appear in the enacting sheet and in clause 36 (Term of Award) and substituting therefor in each case the figures and words "14th day of July 1971".

2. That the amended rates of remuneration prescribed by this order shall not be increased by the application of the provisions of the general order dated the 3rd day of November 1970.

3. 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 13th day of January 1971.

Dated this 10th day of March 1971.

(L.S.)

A. P. BLAIR, Judge.