

**NORTH ISLAND THRESHING MILL AND AGRICULTURAL  
CONTRACTORS' EMPLOYEES—AWARD**

(Filed in the Office of the Clerk of Awards at Auckland)

In the Court of Arbitration of New Zealand, Northern, 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 New Zealand Workers Industrial Union of Workers (hereinafter called “the union”) and the undermentioned union, persons, firms and companies (hereinafter called “the employers”):

North Island Threshing Mill and Agricultural Contractors Industrial Union of Employers, 475 Main Street, Palmerston North.

**NORTHERN INDUSTRIAL DISTRICT**

Bailey, L. W., Three Mile Bush Road, Kamo.  
Cameron, C. S., Kauri Road, Whenuapai.  
Derby, W. G. and Sons, Esplanade, Te Kuiti.  
Jones, T., Tolaga Bay.

**TARANAKI INDUSTRIAL DISTRICT**

Close, K. R., Normanby Road, Manaia.  
Miles, R. K., Ohura Road, Whangamomona.  
O'Donnell, J. H., York Street, Patea.  
Sole, W. H., 96 Collins Street, Hawera.  
Whitehead, K., Tikorangi, Waitara.

**WELLINGTON INDUSTRIAL DISTRICT**

Archibald, J. E., Kirk Street, Otaki.  
Bannister, C. E., Nursery Road, Masterton.  
Clapham, P. J., 75 Makino Road, Feilding.  
Klein, Eric, 42 Pahiatua Street, Palmerston North.  
Palyle, F. H., Panama Street, Martinborough.

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 15th day of February 1974 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 1th day of February 1973.

(L.S.)

A. P. BLAIR, Judge.

### ARRANGEMENT OF AWARD

Clause Number	Title
1	Industry to which Award Applies
2	Hours of Work
3	Overtime
4	Rates of Pay
5	Payment of Wages
6	Termination of Employment
7	Holidays
8	Annual Holidays
9	Transport
10	General Provisions
11	Unqualified Preference
12	Right of Entry Upon Premises
13	Terms of Employment
14	Application of Award
15	Scope of Award
16	Term of Award

### SCHEDULE

#### INDUSTRY TO WHICH AWARD APPLIES

1. This award shall apply to all workers who are employed by employers engaged in agricultural contracting and who are employed in or about any mill (including a pick up mill), or on general agricultural work including chaff cutting, hay baling, making ensilage, clover shelling, general harvesting, ploughing and cultivating, sowing, spraying (chemical or otherwise), scrub-cutting, fencing, hedge cutting, and draining.

#### HOURS OF WORK

2. The ordinary hours of work may be arranged to suit each employer from Monday to Saturday inclusive, but shall not exceed 90 per fortnight, or 50 in any one week, or 10 on any one day.

#### OVERTIME

3. All hours worked in excess of the hours set out in clause 2 hereof shall count as overtime and shall be paid for at the rate of time and one half.

#### RATES OF PAY

4. (a) The following shall be the minimum rates of pay:

	Per Hour cents
Leading hand or special operator (a man who operates several machines and also acts for the employer) ... ..	145
Operator—drivers ... ..	138
All other workers ... ..	125
Youths under the age of 18 years may be employed as assistants or on light work at the following rates of pay—	
Under 16 years of age ... ..	93
16 to 18 years of age ... ..	103

(b) Work may be done by piecework or on a contract basis but in either case at such rates as shall secure to a competent worker at least ten per cent more than the minimum rate provided in this award.

#### PAYMENT OF WAGES

5. (a) Except when employed on country work all wages shall be paid fortnightly during working hours, not later than Thursday. Each worker shall be supplied with full details of how the wages are made up.

(b) In the event of the pay day falling on a holiday, wages shall be paid on the preceding day.

(c) When a worker is discharged or leaves, he shall be paid, all wages, overtime, and holiday pay due, immediately: Provided that where the worker fails to give the requisite notice, he shall be paid on the next regular pay day.

#### TERMINATION OF EMPLOYMENT

6. One day's notice of the termination of employment shall be given by the party desiring to terminate the employment, or one day's wages paid or forfeited as the case may be provided that nothing herein contained shall prevent the employer from summarily dismissing a worker for misconduct.

#### HOLIDAYS

7. (a) All workers who have been employed for one month or more immediately prior to the holiday, shall be paid at ordinary rates for the following holidays: New Year's Day, 2 January or a day in lieu thereof, Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day, Boxing Day, and Anniversary Day or a day in lieu thereof.

(b) Any work performed on any of the above-named holidays shall be paid for in addition to any holiday pay due.

(c) 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 any holiday falling on such Monday, such other holiday shall be observed on the succeeding Tuesday.

#### ANNUAL HOLIDAYS

8. The provisions of the Annual Holidays Act 1944 shall apply to all workers covered by this award.

#### TRANSPORT

9. It shall be the duty of the employer to transport the men to and from his depot to the work each day. Time shall be taken to commence and finish at such depots or agreed pick-up points.

#### GENERAL PROVISIONS

10. (a) A fully equipped ambulance kit for first aid shall be kept by the driver or foreman in a convenient and accessible place, to be used only in the event of an accident.

(b) Should any worker meet with an injury necessitating medical attention, he shall be conveyed to the nearest doctor or hospital by the employer free of charge.

(c) Mill feeders and chaff-cutter feeders shall be supplied with leather gloves by the employer.

(d) Time spent in travelling from one job to another, and in transferring plant equipment, shall count as time worked.

(e) Smoko—Fifteen minutes shall be allowed for morning and afternoon smoko and shall be paid for.

(f) A copy of this award shall be posted up in a conspicuous place at the depot by the employer for the information of the men.

(g) At the request of the secretary of the union, but not more often than once in each six-monthly period, employers shall supply the full names and address of all workers employed subject to this award.

(h) Regard shall be had for the safety of workers employed alone in isolated places and steps taken for some form of regular contact to ensure their safe well-being.

(i) A worker required to work in wet drains or in water, slush or mud one inch or more in depth shall be supplied with gumboots or paid an allowance of 25 cents per day to use his own.

(j) A worker required to supply his own tools i.e. shovel, axes, slashers etc. shall be paid an allowance of 25 cents per week.

(k) Where special mechanical equipment is used for hedge cutting or trimming, an additional allowance of 5 cents per hour shall be paid to the worker operating such equipment.

### UNQUALIFIED PREFERENCE

11. (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 fourteen 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.)

### RIGHT OF ENTRY UPON PREMISES

12. 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.

### TERMS OF EMPLOYMENT

13. (a) It is a condition of employment under this award that adult workers shall pay New Zealand Workers Industrial Union of Workers membership dues amounting to 20 cents for each week in which they are employed for three days or more, to the employer, who shall remit such dues half yearly to the appropriate branch secretary of the union. Workers not in receipt of adult rates shall pay weekly subscription of 15 cents.

(b) The union shall provide each employer who employs any worker to whom this award applies with a supply of membership enrolment forms each of which shall have attached thereto an authority (to be signed by the worker to whom it relates) authorising the employer to deduct from the wages of the worker, as the wages become payable, the amount of the union subscription then due and owing by the worker, or, subject to the provision of subclause (a) of this clause, the appropriate sum in respect of the seasonal subscription.

#### APPLICATION OF AWARD

14. 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

15. This award shall operate throughout the Northern, Taranaki, and Wellington Industrial Districts.

#### TERM OF AWARD

16. This award shall come into force on the day of the date hereof and shall continue in force until the 15th day of February 1974.

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 15th day of February 1973.

(L.S.)

A. P. BLAIR, Judge.

#### MEMORANDUM

The award incorporates the terms of settlement arrived at by the parties in the course of an inquiry held before a Council of Conciliation. The unqualified preference provision (clause 11) has been inserted in accordance with the agreement of all the assessors.

A. P. BLAIR, Judge.