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# **Onehunga Borough Council Labourers — Collective Agreement (Voluntary)**

**Dated 16/2/81**

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NOTE: See clause 12 herein for the date on which rates of wages come into force.

## Form 6

Under the Industrial Relations Act 1973

## REGISTERED COLLECTIVE AGREEMENT

In the matter of the Industrial Relations Act 1973; and in the matter of the Onehunga Borough Council Labourers' dispute of interest between the Auckland and Suburban Local Bodies Labourers and Related Trades Industrial Union of Workers and the Onehunga Borough Council.

The Arbitration Court, having before it the terms of a voluntary settlement arrived at in the above-mentioned dispute of interest and submitted or notified to the Court pursuant to the provisions of section 65 of the Industrial Relations Act 1973, hereby registers as a collective agreement the terms, conditions, and provisions set out in the form of submission or notification attached hereto and orders:

1. That the said terms, conditions, and provisions shall be binding on the parties hereto; and
2. That the said parties shall respectively do, observe, and perform every matter and thing by this collective agreement required to be done, observed, and performed, and shall not do anything in contravention of this collective agreement but shall in all respects abide by and perform it.

In witness of the registration of this collective agreement the seal of the Arbitration Court has hereto been affixed and a Judge of the Court has hereunto set his hand, this 16th day of February 1981.

(L.S.)

D. S. Castle, Judge.

Section 66

Form 5

Regulation 9

Under the Industrial Relations Act 1973

## SUBMISSION OF VOLUNTARY SETTLEMENT FOR REGISTRATION

In the matter of the Industrial Relations Act 1973; and in the matter of the Onehunga Borough Council Labourers' Dispute of Interest between the Auckland and Suburban Local Bodies Labourers' and Related Trades Industrial Union of Workers and the Onehunga Borough Council.

To the Registrar of the Arbitration Court:

We hereby submit to you a signed copy of the terms of voluntary settlement of the abovementioned dispute of interest arrived at by the parties pursuant to section 65 of the Industrial Relations Act 1973, for registration by the Arbitration Court as a collective agreement.

Dated at Auckland this 17th day of December 1980.

Signature of Parties:

Signed for and on behalf of the Onehunga Borough Council:

J. L. Henderson, Mayor.

A. B. Anderson, Town Clerk.

Signed for and on behalf of the Auckland and Suburban Local Bodies Labourers' and Related Trades Industrial Union of Workers:

E. D. Ericksen, President.

H. F. Callagher, Secretary.

## ONEHUNGA BOROUGH COUNCIL LABOURERS' COLLECTIVE AGREEMENT

### ARRANGEMENT OF AGREEMENT

#### Clause Number

- 1 — Persons To Whom Agreement Applies
- 2 — Application of Agreement
- 3 — Wages
- 4 — Overtime
- 5 — Higher Grade Workers
- 6 — Holidays
- 7 — Protective Clothing
- 8 — Sick Benefit
- 9 — Resignation or Retirement Gratuity Provisions
- 10 — Special Holidays for Long Service
- 11 — Scope of Agreement
- 12 — Term of Agreement

### SCHEDULE

#### PERSONS TO WHOM AGREEMENT APPLIES

1. This Agreement shall apply to workers specified in Clause 2 of this Agreement who are employed by the Onehunga Borough Council.

#### APPLICATION OF AGREEMENT

2. The provisions of the Auckland (Ten-Mile Radius) Local Bodies Gardeners, Labourers and Related Trades Employees Award, for the time being in force, shall apply to all workers except as provided for in this Agreement.

#### WAGES

3. The following rates of wages shall be paid to men employed in the following branches of work:

	Per Hour	Per Week
	\$ c	\$ c
(a) (i) Concrete workers		
Garden labourer		
Road construction workers		
Tar		
Tar oil and bitumen workers		
Hand mower operators		
Convenience or rest room cleaners and attendants		
Kerb layers		
Wall builders		
Quarrymen		

	Per Hour \$ c	Per Week \$ c
Shot firers		
Bath attendants		
Machine drillmen		
Hand motor mowers		
All other workers not specified .....	4.251	170.04
(ii) Drainage, sewerage and waterworks workers not elsewhere defined .....	4.367	174.68
(iii) Skilled labourer		
Refuse tipmen		
Refuse lifters		
Regular grave diggers		
Assistant turncock or water serviceman .....	4.646	185.84
(iv) Employee in charge of Refuse Lifting Gang shall be paid .....		7.66 extra
(v) Bath custodian .....	4.928	197.12
(vi) Head Ganger (Works)	Or substitute title which the Council may use in place of any of those listed in this subclause.	
Turncock or Head Water Serviceman		
Head Drainer		
Head Gardener		
Head Groundsman		

Workers under this subclause shall be paid an In-Charge rate in accordance with the formula set out in Clause 9 (d) of the Auckland (Ten-Mile Radius) Local Bodies Gardeners, Labourers and Related Trades Employees Award, excepting that no worker will receive less than the rate provided for a third class ganger in addition to his classified job rate.

- (b) Bath Attendants — Bath attendants who take money shall receive an hourly payment of 10.5c per hour, above the wage provided for other Bath Attendants.
- (c) The adjustment to wage rates provided for in this Agreement and any special payments or allowances, shall be in terms of Clause 8 (s) and Clause 9 (l) of the Auckland (Ten-Mile Radius) Local Bodies Gardeners, Labourers and Related Trades Employees Award.

#### OVERTIME

4. (a) Any worker called out for special work such as wash-outs, urgent road repairs, blow-outs, and water services and/or of a similar nature and who performs the work outside ordinary working hours, shall be paid at the rate of double time with a minimum payment of four hours.

(b) Where a worker has not had 10 consecutive hours off duty between the ordinary time for ceasing work and the ordinary commencing time on the next day double time rates shall be paid for all time worked until a break of 10 hours has been allowed. Where by virtue of the 10 hour break he loses time on the second day such time shall be paid for at ordinary time rates from the commencement of the employee's normal starting time.

#### HIGHER GRADE WORKERS

5. Where a worker is required to relieve a worker receiving a higher rate and where the higher rate has been agreed to by resolution of the Council outside of

this Agreement, the relieving workers shall receive that higher rate as agreed to by the Council while so employed.

### HOLIDAYS

6. Except that employees on leave of absence without pay due to sickness shall be entitled to payments for such holidays as defined in Clause 16 (a) of the Auckland (Ten-Mile Radius) Local Bodies Gardeners, Labourers and Related Trades Employees Award, on supplying a medical certificate to the Council if so required.

### PROTECTIVE CLOTHING

7. (a) Refuse Lifters — Two pairs of overalls or alternative suitable clothing shall be supplied twice yearly to refuse lifters. This provision to be effective after the worker has been in the employ of the Council for a period of four weeks.

(b) Grave Diggers — (i) Suitable waterproof coats and hats shall be supplied when it is necessary when attending funerals in wet weather.

(ii) Grave diggers shall be supplied with two pairs of leather boots and four pairs of overalls per year.

(c) Hydrant men shall be supplied with gumboots, overalls and hand protectors; street washers with boots and rainproof oilskins.

(d) Where the Council requires a worker to purchase gumboots, overalls, hand protectors, boots, rainproof oilskins, skinbacks, leather boots or gloves, the Council shall meet the full cost of the same.

(e) Overalls — Except where otherwise provided, two pairs of overalls shall be supplied to all workers at the commencement of employment and shall be replaced at the rate of one pair every six months thereafter.

(f) Workers shall wear the protective clothing provided on all occasions where it is necessary.

(g) Footwear — Workers must not come onto the job unless wearing boots or other approved footwear suitable to the work on which they are engaged.

### SICK BENEFIT

8. (a) Any employee unable to perform his or her duties on account of sickness or accident shall, on production of a medical certificate where such absence exceeds three working days continuously, be entitled to sick leave on full pay as follows:

over six months and up to one year, at the rate of five working days; over one year at the rate of 10 working days per year or portion thereof, for each complete year of local authority service, and such leave shall be regarded as accumulative over the whole of any employee's service.

Sick leave in the first six months of service may only be granted by resolution of Council.

(b) The Council may, in cases which it is considered special, vary and extend the period of pay during the sick leave as stated in subclause (a) hereof, particularly when in its opinion the illness results from causes that are due to conditions under which the employee has been working.

(c) For the purpose of this Clause 'local authority' service shall mean service with the Onehunga Borough Council, except in the case of amalgamation of local authorities or services.

(d) Time off caused by injuries received in course of duty is not to be included in computing sick leave under this Clause.

## RESIGNATION OR RETIREMENT GRATUITY PROVISIONS

9. (a) (i) All employees shall, upon retirement, be paid a gratuity in accordance with the provisions of Clause 19 (a) of the Auckland (Ten-Mile Radius) Local Bodies Gardeners, Labourers and Related Trades Employees Award.

(ii) All employees may, upon resignation, be paid a gratuity on the following basis:

On completion of ten years' continuous service with the Council, five weeks' ordinary pay;

Thereafter one additional weeks' ordinary pay for each year of service with a maximum of 26 weeks, provided that such service is continuous.

## SPECIAL HOLIDAYS FOR LONG SERVICE

10. (i) One unbroken period of two weeks after the completion of 10 years' continuous service and before the completion of 20 years of continuous service.

(ii) One unbroken period of four weeks after the completion of 20 years' continuous service and before the completion of 30 years of continuous service.

(iii) One unbroken period of six weeks or two unbroken periods of three weeks after the completion of 30 years of continuous service.

(iv) Subject as provided in subclause (v) hereof, long service leave must be taken within the entitlement periods stated or it shall be forfeited.

(v) Long service leave must be taken not later than one year before retirement provided that an employee whose period of 10, 20 or 30 years' continuous service is completed within one year of retirement date may take the long service leave to which he is entitled between completion and retirement dates, at a time which at the discretion of the Town Clerk is acceptable to the Council.

(vi) In no circumstances will payment be made in lieu of long service leave. This applies also in the event of the death of an employee before taking long service leave to which he is entitled.

(vii) In the event that an employee is dismissed or resigns from the Council he shall thereby forfeit his long service leave.

(viii) All long service leave shall be computed and paid in accordance with the provisions of the Annual Holidays Amendment Act 1974.

## SCOPE OF AGREEMENT

11. The operation of this Agreement is limited to all works performed by the Onehunga Borough Council.

## TERM OF AGREEMENT

12. This Agreement shall be deemed to have come into force on the 17th day of December 1980 and shall continue in force until the 16th day of December 1982.

Signature of Parties:

Signed for and on behalf of the Onehunga Borough Council:

J. L. Henderson, Mayor.

A. B. Anderson, Town Clerk.

Signed for and on behalf of the Auckland and Suburban Local Bodies Labourers' and Related Trades Industrial Union of workers:

E. D. Ericksen, President.

H. F. Callagher, Secretary.

MEMORANDUM

This collective agreement incorporates the terms of voluntary settlement arrived at by the parties and forwarded to the Court for registration pursuant to section 65 of the Industrial Relations Act 1973.

(L.S.)

D. S. Castle, Judge.