

Please post in a conspicuous place accessible to workers

“The attention of all persons affected by this document is drawn to the transitional provisions concerning union membership set forth in section 17 Industrial Relations Amendment Act 1985.”

**WILKINS AND DAVIES
CONSTRUCTION COMPANY LIMITED
MAITAI DAM PROJECT EMPLOYEES —
COMPOSITE AGREEMENT**

Dated 7/5/86

NOTE: See clause 7 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 Wilkins and Davies Construction Company Limited Matai Dam Project Employees Dispute of Interest.

between the New Zealand Labourers, General Workers and Related Trades Industrial Union of Workers; the New Zealand Carpenters and Related Trades Industrial Union of Workers; the Nelson Road Transport and Motor and Horse Drivers and their Assistants Industrial Union of Workers and Wilkins and Davies Construction Company Limited.

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 66 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 7th day of May 1986.

(L.S.)

N.P. WILLIAMSON
JUDGE

Section 66

Regulation 9 (4)

FORM 5
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 Wilkins & Davies Construction Company Ltd Maitai Dam Project Employees Dispute of Interest

BETWEEN The New Zealand Labourers, General Workers and Related Trades Industrial Union of Workers (Central Branch)

The New Zealand Carpenters and Related Trades Industrial Union of Workers (Canterbury Branch) The Nelson Road Transport and Motor and Horse Drivers and Their Assistants Industrial Union of Workers

TO : The Registrar
Arbitration Court
P.O. Box 596
WELLINGTON

WE HEREBY submit to you a signed copy of the terms of voluntary settlement of the above-mentioned dispute of interest arrived at by the parties pursuant to Section 66 of the Industrial Relations Act 1973, for registration by the Arbitration Court as a Collective Agreement.

DATED at Auckland this 12th day of February 1986

SIGNED FOR AND ON BEHALF OF :
Wilkins & Davies Construction Company Ltd

M.D. Lough
Construction Manager

SIGNED FOR AND ON BEHALF OF :
The New Zealand Labourers, General Workers and Related Trades Industrial Union of Workers (Central Branch)
The New Zealand Carpenters and Related Trades Industrial Union of Workers (Canterbury Branch)
The Nelson Road Transport and Motor and Horse Drivers and Their Assistants Industrial Union of Workers

S.C. O'Reilly
Agent

MAITAI DAM CONSTRUCTION WORKERS COMPOSITE AGREEMENT

1. (a) **THIS AGREEMENT** is made between the New Zealand Carpenters and Related Trades Industrial Union of Workers (Canterbury Branch), the New Zealand Labourers, General Workers and Related Trades Industrial Union of Workers (Central Branch) and the Nelson Road Transport and Motor and Horse Drivers and their Assistants Industrial Union of Workers (Nelson Branch) (hereinafter referred to as the Unions) AND Wilkins & Davies Construction Company Ltd (hereinafter referred to as the Employer) and shall apply only to those workers who are employed by the Employer in the working area of the Maitai Dam Project for the Nelson City Council and who are covered in terms of one of the Awards listed in sub clause 1(b) hereof.

(b) Except where varied by the terms of this Agreement all workers shall be employed in accordance with the minimum terms and conditions of the respective Awards. That is :

- (i) The N.Z. Building, Quarrying, Contracting, Civil Engineering Construction and Allied Industries Labourers and Other Workers Award or

- (ii) The N.Z. (with exceptions) Building and Related Industries Tradesman and Other Workers Award or
- (iii) The N.Z. General Drivers Award.

(c) In the event of any inconsistency between the provisions of this Agreement and the Provisions of the respective Awards the provisions of this Agreement shall prevail and in no case shall a provision of this Agreement be taken in conjunction with a corresponding or similar provision of any of the above Awards so as to create a dual entitlement.

2. **WAGES**

The following basic wage rate will apply for work performed on the site provided that qualification and service increments shall apply in accordance with the respective awards.

Core Tradesman \$7.277 per hour

A full schedule of rates is set out in Appendix I.

3. **SAVINGS**

Nothing in this Agreement shall reduce the wages and conditions of employment applying to any worker at the date of this Agreement coming into force.

4. **SITE/INDUSTRIAL/REDUNDANCY SEVERANCE ALLOWANCE**

- (a) This allowance shall comprise of two sections

Section (i) :

The site/industrial allowance of \$2.35 per hour and

Section (ii) :

The redundancy/severance allowance of \$0.70 per hour

- (b) Section (i) :

An allowance of \$2.35 per hour will be paid for each hour worked on the site in full satisfaction of all claims that might arise in regard to the special nature, location, weather and other conditions applicable to all work on site or associated with working on the site and also in lieu of any award provision for penal or special payments associated with the project including working in the following situations :

Working in depths

Working at heights

Demolition work

Wet conditions

Working with bitumastic tar and oil

Dusty or dirty conditions

Hiab operation

Handling cement

Using compressors, pneumatic or vibrating tools

Sawing used boxing

Grouting operations

Concrete work

Handling reinforcing steel

Handling scaffolding
 Welding
 Grinding operations
 Handling formwork
 Working with transformer oil
 Steam cleaning
 Blocked drains

Section (ii) :

In full settlement of all claims for loss of service related entitlement that might arise as a result of termination brought about by reduced manpower requirements of the Employer, each worker who remains at or available for work and performing normally his assigned duties shall be entitled to an allowance of \$0.70 per hour.

Each worker shall receive \$0.35 of this allowance for each hour worked on the site with the balance of the payment accruing and becoming payable when the worker is made redundant. The balance of the payment will not be made to employees who remain in the employment of the Employer.

5. CLOTHING & FOOTWEAR ALLOWANCE

Every employee will be provided with an order form to the value of \$160 for the purpose of purchasing a jacket or swandri-type shirt, socks, or other appropriate warm clothing. This allowance is in addition to the respective Award provisions (i.e. Clause 25 of the N.Z. Drivers Award. Clauses 8 and 27 of the N.Z. Building Trades Awards and Clause 12 of the N.Z. Labourers Award) and is made in recognition of the extra clothing necessitated by the exposed nature of the Maitai site and the geographical location.

The allowance is paid in full satisfaction of all clothing and footwear claims outside the Award provisions.

Should any employee wish to spend more on clothing and footwear than the allowance provides he is of course entitled to do so, but at his own cost.

The allowance will be paid every twelve months to existing employees from the date of the first payment and for new employees on commencement and every twelve months thereafter.

Should an employee resign or be dismissed within twelve months of receiving his allowance the Employer will require a pro rata repayment of the allowance on the basis of deducting from the final wages one fiftieth of the cost for each week short of one year.

6. THE ECONOMIC STABILISATION (Cost of Living Allowance Regulations 1984)

The rates of remuneration determined by this Composite Agreement are not to be increased by the application of the provisions of the Cost of Living Allowance made under the Economic Stabilisation (Cost of Living Allowance) Regulations 1984.

7.

TERM

This Agreement shall come into force on the first day of the pay week on or after 3 December 1985 and shall remain in force until 1 December 1986.

Appendix I

**Proposed Schedule of Award Employee Payments
at the Maitai Dam Project
W&D Staff**

Award Group

| | \$ | |
|-------------------------|-------|------|
| Labourers | 6.330 | 87% |
| Concrete Finish workers | 6.594 | 90% |
| Drivers up to 2 tonnes | 5.967 | 82% |
| 10 tonnes | 6.113 | 84% |
| 14 tonnes | 6.185 | 85% |
| 20 tonnes | 6.330 | 87% |
| 28 tonnes | 6.403 | 88% |
| 34 tonnes | 6.549 | 90% |
| 40 tonnes | 6.622 | 91% |
| 40 tonnes + | 6.694 | 92% |
| Tractors & Dozers | 6.476 | 89% |
| Operator Special | 6.677 | 93% |
| Core Tradesmen | 7.277 | 100% |

Qualification payments for tradesmen shall be paid in accordance with the appropriate Award provision.

SIGNED

For and on behalf of :

(1) The N.Z. Labourers, General Workers and Related Trades Industrial Union of Workers (Central Branch)

S.C. O'Reilly
Secretary

(2) The New Zealand Carpenters and Related Trades Industrial Union of Workers (Canterbury Branch)

A. Russ
Secretary

(3) Nelson Road Transport and Motor and Horse Drivers and Their Assistants Industrial Union of Workers (Nelson Branch)

R. Campbell
Secretary

For and on behalf of :
Wilkins & Davies Construction Company Ltd

M.D. Lough
Construction Manager

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 66 of the Industrial Relations Act 1973.

The parties' settlement for a shortened term has the Court's consent pursuant to section 92(2) of the Industrial Relations Act 1973 and Regulation 6(3) of the Wage Adjustment Regulations 1974.

The parties attention is drawn to clause 4 which makes provision for the payment of redundancy compensation. That provision must be read in light of the requirements of Regulation 45C(1)(b) and Regulation 45C(2) of the Wage Adjustment Regulations 1974.

(L.S.)

N.P. WILLIAMSON
JUDGE