

**Please post in a conspicuous place accessible to workers**

---

**HOWICK BOROUGH COUNCIL  
LABOURERS — COLLECTIVE  
AGREEMENT (VOLUNTARY)**

**Dated 3/2/87**

---

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 Howick Borough Council Labourers Dispute of Interest between the Auckland and Suburban Local Bodies Labourers and Related Trades Industrial Union of Workers and Howick 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 Third day of February 1987.

(L.S.)

D. S. CASTLE  
JUDGE

## 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 Howick  
Borough Council Labourers' Dispute of  
Interest

BETWEEN the Auckland and Suburban Local  
Bodies Labourers and Related Trades  
Industrial Union of Workers

AND the Howick 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 1ST DAY OF DEC 1986.

Signature of parties:

Signed for and on behalf of the  
Howick Borough Council

M. T. Cooper, Mayor  
J. H. Skelton, Town Clerk

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

J. J. Duke, President  
R. M. Blumhardt, Secretary

## **HOWICK BOROUGH COUNCIL LABOURERS' COLLECTIVE AGREEMENT**

### **ARRANGEMENT OF AGREEMENT**

#### **Clause Number**

- 1 Persons To Whom Agreement Applies
- 2 Application of Agreement
- 3 Hours of Work
- 4 Overtime
- 5 Wages
- 6 Higher Grade Workers
- 7 Annual Holidays
- 8 Protective Clothing
- 9 Retiring Leave
- 10 Superannuation
- 11 Scope of Agreement
- 12 Term of Agreement

### **S C H E D U L E**

#### **1. PERSONS TO WHOM AGREEMENT APPLIES**

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

#### **2. APPLICATION OF AGREEMENT**

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.

#### **3. HOURS OF WORK**

The hours of work for street sweepers shall be by mutual agreement between the Council and the Union.

#### **4. OVERTIME**

(a) All workers called back to work after the usual terminating time and before the usual time for commencing work (other than work described in Clause 7(c) of the Auckland (Ten-Mile Radius) Local Bodies Gardeners, Labourers and Related Trades Employees Award) shall be paid a minimum of three hours at double time rates.

(b) A worker who works so much overtime between the termination of his ordinary work on one day and the commencement of his ordinary work on the next day, that he has not had at least 10 consecutive hours off work between those times, shall be released after completion of such overtime until he has had 10 consecutive hours off work, without loss of pay for ordinary working time occurring during such absence. If, on the instructions of his employer such a worker resumes or continues work without having had such 10 consecutive hours off work, he shall be paid at double rates until he is

released from duty for such period, and he shall then be entitled to be absent until he has had 10 consecutive hours off work, without loss of pay for ordinary working time occurring during such absence.

## 5. **WAGES**

(a) The following minimum weekly rates of wages shall be paid to men employed in the following branches of work:

	<b>Per hour</b> \$ c	<b>Per week</b> \$ c
Refuse tipmen		
Refuse lifters		
Assistant turncock		
(i) Skilled labourer .....	8.093	323.72
Employees in charge of Refuse		
(ii) Lifting Gang to be paid an extra.....		11.74
Works Foreman		
Parks Foreman		
Head Drainer		
(iii) Turncock .....	9.086	363.44

(b) The Council shall have the right to employ refuse lifters taking delivery of bulk refuse from shops weekly, at the rate prescribed in subclause (a) hereof and without the necessity of supplying clothing prescribed in Clause 8 (a) for a maximum of three hours weekly.

(c) A worker required to do grave diggings shall receive 65.3 cents per hour in addition to his ordinary rate with a minimum payment as for five hours.

(d) 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.

## 6. **HIGHER GRADE WORKERS**

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

## 7. **ANNUAL HOLIDAYS**

(a) Every worker shall, at the end of each year of his employment, become entitled to an Annual Holiday of three weeks paid on the basis of a worker's average weekly taxable earnings, provided that, for the fifth and subsequent years of continuous service with the Council, a worker shall be allowed an Annual Holiday of four weeks. If worker's engaged is terminated before completion of twelve months' service, he shall be paid a proportionate amount of holiday pay.

(b) Absence on compensation under Accident Compensation Act 1982, shall count as time worked for the purpose of assessing annual holidays under the terms of subclause (a) hereof, provided the worker supplies satisfactory medical evidence that the disability is caused by the accident.

## 8. **PROTECTIVE CLOTHING**

### (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) Hydrant men shall be supplied with gumboots, overalls and hand protectors. Street washers with boots and rainproof oilskins.

(c) 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 same.

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

(e) **Overalls, etc.**

(i) Two pairs of overalls or alternative suitable clothing, e.g. denim jacket, trousers, etc. and one pair of leather boots shall be supplied to all workers each year.

(ii) The Council shall, where overalls are supplied and worn, arrange for the overalls to be laundered at the Council's expense or provide washing facilities.

9. **RETIRING LEAVE**

On the resignation or retirement of an employee who has had at least 10 years' service with the Council, he shall be granted retiring leave at the rate of one week for each year of service with a maximum of 26 weeks' leave, provided that such service is continuous. In the event of an employee dying while in the Council's service after having completed at least 10 years' service, a sum equal to the retiring leave shall be paid to the Widow or at the discretion of the Council, to his dependents.

10. **SUPERANNUATION**

All employees covered by this Agreement after one months' service may become a contributor to the employer's subsidised superannuation scheme.

11. **SCOPE OF AGREEMENT**

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

12. **TERM OF AGREEMENT**

This Agreement shall be deemed to have come into force on the 10th day of November 1985 and shall remain in force until the 30th day of September 1987.

Signature of parties:

Signed for and on behalf of the  
Howick Borough Council

M. T. Cooper, Mayor

J. H. Skelton, Town Clerk

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

J. J. Duke, President

R. M. Blumhardt, 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.

The Court has, pursuant to section 92(2) of the Industrial Relations Act 1973, consented to the specified period for which this collective agreement is to continue in force being less than one year from the date of registration.

Section 17 of the Industrial Relations Amendment Act 1985, Transitional Provision in Respect of Unqualified Preference Provisions, says that every collective agreement or award subject to section 17, shall be deemed to contain a union membership clause in the same form as set out in section 98 of the Industrial Relations Act 1973. The Union membership clause reads as follows:

“If any adult person (other than a person who holds a certificate of exemption from union membership issued under section 112o of the Industrial Relations Act 1973) who is not a member of a union of workers bound by this agreement is engaged or employed by any employer bound by this agreement, in any position or employment that is subject to the agreement, the person shall become a member of the union within 14 days after that person’s engagement or, as the case may require, after this clause comes into force, and shall remain a member of the union so long as that person continues in the position or employment.”

(L.S.)

D. S. CASTLE  
JUDGE