

Government Service Tribunal Act, 1948.—Principal Order No. 6

In the matter of section 8 of the Government Service Tribunal Act, 1948; and in the matter of an application for a principal order dated the 11th day of July, 1949, and duly lodged by the New Zealand Workers' Industrial Union of Workers.

THE Government Service Tribunal, having heard and considered the application of the applicant, doth hereby order that the following provisions shall take effect on and from the dates respectively therein set out in clause 1:—

1. APPLICATION OF ORDER

- (a) This order shall apply to Maori Affairs Department workers on construction and maintenance of buildings and in workshops and stores.
- (b) This order shall also apply to workers engaged on Maori land development work up to the time the land has reached production stage by being sown in grass or other first crop.
- (c) This order shall not apply to routine farm workers, settlers, or nominated occupiers, nor shall it apply to "owner-drivers" of hired motor-vehicles, farm implements, or horses.
- (d) For the purposes of this order the term "worker" shall be limited to a worker engaged under the provisions of Public Service Regulation 150.
- (e) This order, with the exception of clause 9, shall be deemed to have come into force on the 1st day of April, 1949.
- (f) Clause 9 shall be deemed to have come into force on 1st day of July, 1948.

2. HOURS OF WORK : GENERAL WORKERS

- (a) Subject to the provisions of clauses 3, 4, and 20 hereof, the ordinary hours of work shall be forty a week and eight a day, and shall be worked between 7.30 a.m. and 5 p.m. on Mondays to Fridays inclusive.
- (b) A rest period of ten minutes shall be allowed every morning and afternoon.

3. HOURS OF WORK : DRIVERS AND OPERATORS PAID ON A WEEKLY BASIS

- (a) Notwithstanding the provisions of clauses 2 and 20 hereof, the ordinary hours of work shall be $42\frac{1}{2}$ a week and $8\frac{1}{2}$ a day (including necessary attendance to motor-vehicles, machines, or horses), and shall be worked between 7 a.m. and 5.30 p.m. on Mondays to Fridays inclusive: Provided that where necessary a 9-hour day may be worked at ordinary time rate when not more than $42\frac{1}{2}$ hours are worked in that week.
- (b) Where a driver or operator engaged on land-development work is working an 8-hour day only, because he lives in a town and travels a considerable distance to and from work in a conveyance with other workers (and the transport time-table does not permit his working an $8\frac{1}{2}$ -hour day), the following shall apply:—
 - (i) If the worker declines to occupy accommodation on the work, he shall be paid for time actually worked and not his full weekly wage—*e.g.*, if he works only 40 hours a week, he shall be paid $\frac{\text{weekly wage} \times 40}{42\frac{1}{2}}$; but
 - (ii) If accommodation is not available on the work, the worker shall be paid his full weekly wage.

4. WET PLACES

Notwithstanding the provisions of clause 2 hereof, in all "wet places" six hours shall be deemed a working-day, and such hours shall be paid for at time and one-third rate. The officer in charge shall decide whether a place is a "wet place" and shall be guided by the following interpretations:—

- (a) Where workers get wet at their work from causes other than rain, it shall be deemed a "wet place."
- (b) Workers required by the officer in charge to work in rain shall be deemed to be working in a "wet place."
- (c) A driver or operator whose vehicle or machine provides adequate protection from the weather shall not be entitled to "wet place" provisions.

5. OVERTIME

- (a) Except as provided in subclauses (b) and (k) below and clauses 15 (h) and 20 (j) hereof, overtime rates shall apply to all time worked outside or in excess of the ordinary hours specified in clauses 2 and 4 hereof.
- (b) Notwithstanding the provisions of subclause (a) above, for drivers or operators paid on a weekly basis overtime rates shall apply to all time worked in excess of 9 hours a day, or $42\frac{1}{2}$ hours a week, and to all time worked outside the hours of 7 a.m. to 5.30 p.m. on Mondays to Fridays inclusive.