

Government Service Tribunal Act, 1948—Principal Order No. 5

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
7th 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 appli-
cation 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 Lands and Survey Department workers on
land-drainage and land-development schemes.

(b) This order shall not apply to routine farm workers or farm-managers
or to farm workers who by virtue of their employment will be given the right
to select the whole or part of the farm or block on which they are employed
or any other farm or block, nor shall it apply to "owner-drivers" of hired
motor-vehicles, farm implements, or horses.

(c) For the purposes of this order the term "worker" shall be limited
to a worker engaged under the provisions of Public Service Regulation 150.

(d) With the exception of clause 10, this order shall be deemed to have
come into force on the 1st day of April, 1949.

(e) Clause 10 shall be deemed to have come into force on the 1st day
of July, 1948.

2. HOURS OF WORK : GENERAL WORKERS

(a) Subject to the provisions of clauses 3 and 5 hereof the ordinary
hours of work shall be forty a week and eight a day, and, subject to the
provisions of clauses 3 and 4 hereof 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 PAID ON A WEEKLY BASIS

(a) Notwithstanding the provisions of clause 2 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, subject to the provisions of
clause 4 hereof, 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 such driver 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. SHIFT-WORK

(a) Notwithstanding the provisions of clauses 2 and 3 hereof, shifts may
be worked at any time as required by the officer in charge.

(b) Subject to the provisions of clause 5 hereof, eight hours (eight and
a half hours in the case of drivers paid on a weekly basis), inclusive of half
an hour for crib, shall constitute a day's work where two or three shifts are
being worked.

(c) Shift-workers shall be paid an allowance of 2s. 6d. a shift, provided
that where shifts are not rotated the allowance shall not be paid to the
day-shift workers.

5. WET PLACES

Notwithstanding the provisions of clauses 2 and 4 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 and the
union representative shall decide whether a place is a "wet place," and shall
be guided by the following interpretations :—

(i) Where workers get wet at their work from causes other than rain
it shall be deemed a "wet place" :

(ii) Where workers are required by the officer in charge to work in rain
it shall be deemed a "wet place" :

(iii) A driver whose vehicle or machine provides adequate protection
from the weather shall not be entitled to "wet place"
provisions.