

Serial Number 1947/207



**THE AGRICULTURAL WORKERS (FARMS AND STATIONS)
EXTENSION ORDER 1947**

B. C. FREYBERG, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington, this 17th day of
December, 1947

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 20 of the Agricultural Workers Act, 1936, and after submission by the Minister of Labour of the provisions contained in this Order to the organization of the workers of the class affected and the organizations of their employers, and after approval of the said provisions in all material particulars by the said organizations, such approval in the case of the organizations of employers aforesaid being given with the recommendation set forth in the Second Schedule to this Order, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby order as follows :—

1. This Order may be cited as the Agricultural Workers (Farms and Stations) Extension Order 1947.

2. The provisions of Part III of the Agricultural Workers Act, 1936, are hereby extended to apply, with the necessary modifications and with the further modifications set out in the First Schedule hereto, with respect to the following classes of agricultural workers—that is to say, agricultural and pastoral workers employed on farms and stations used for the commercial production of wool, meat, or grain (including seed), whether exclusively or together with any other purpose, other than those so employed who are covered by the provisions of an award or industrial agreement under the Industrial Conciliation and Arbitration Act, 1925, and its amendments.

3. (1) Except as provided in subclause (2) of this clause, this Order shall come into force on the day following notification in the *Gazette* of the making thereof, and shall continue in force until the 31st day of October, 1948, and thereafter until a further Order is made pursuant to section 20 of the said Act.

(2) The provisions of this Order relating to wages shall be deemed to have come into force on the 1st day of November, 1947.

* Statutory Regulations 1942, Serial number 1942/247, page 608.
† Statutory Regulations 1945, Serial number 1945/31, page 82.
‡ Statutory Regulations 1946, Serial number 1946/35, page 74.

4. The Agricultural Workers Extension Order 1942,* the Agricultural Workers Extension Order 1942, Amendment No. 1†, and the Agricultural Workers Extension Order 1942, Amendment No. 2‡, are revoked as from the coming into force of this Order.

SCHEDULES

FIRST SCHEDULE

1. Except as hereinafter provided, every worker shall be entitled to receive from his employer payment for his work at such rate as is agreed upon, being not less than the appropriate rate as prescribed hereunder:—

For workers—	Per Week and Found.
	£ s. d.
Under the age of 17 years . . . . .	.. 1 18 0
Of the age of 17 but under 18 years . . . . .	.. 2 9 0
Of the age of 18 but under 19 years . . . . .	.. 3 1 0
Of the age of 19 but under 20 years . . . . .	.. 3 12 0
Of the age of 20 but under 21 years . . . . .	.. 4 3 6
21 years and upwards . . . . .	.. 4 15 0

For example—

Man 21 years and over occupying a house on farm, £5 15s.

Man 21 years and over not provided with board and lodging or a house on the farm, £6.

2. In the case of any married couple where the wife is employed as a cook or in connection with the operations of the farm or station, the wages of the wife shall be such rate as is agreed upon between the employer and the worker. Where any dispute arises as to the rates of wages to be paid in accordance with this clause the rates shall be determined by the Inspector of Factories.

3. (a) No charge shall be made for board and lodging provided for workers by their employers. In the case of any worker who is not provided with board and lodging by his employer his wages shall be increased by £1 5s. per week.

Where a worker is provided with only lodging or free house, his wages shall be increased by £1 per week.

(b) Where a married employee is occupying a house or portion of a house on a farm which house or portion thereof is the property of the farm-owner no rent shall be charged for the said house or portion thereof.

4. No deduction shall be made from the wages payable to any worker in respect of time lost by him except for time lost by reason of the default of the worker, or by reason of his illness or of any accident suffered by him.

5. The wages paid to any worker at the date of coming into force of this Order shall not be reduced, and any employer who makes any such reduction in the wages payable shall be deemed to have committed a breach of section 18 of the said Act.

6. The rates payable to casual workers shall be as follows:—

	By the Hour.		By the Day.	
	Found.	Not Found.	Found.	Not Found.
Harvesters . . . . .	.. 3s. 1½d.	an hour with rations.		
Other workers . . . . .	.. 2s. 7½d.	3s. 1½d.	£1 1s.	£1 5s.
Youths up to 18 years . . . . .	.. 1s. 9d.	2s. 3d.	14s.	18s.

7. *Holidays*.—Farm workers shall be entitled to the following holidays, namely:—

Subsection (1): The seven statutory holidays, Anzac Day, and Anniversary Day or days in lieu thereof to be agreed on between the employer and employee.

Subsection (2): Twelve working-days' annual leave on full pay for each twelve months' service shall be given at the convenience of the employer, provided that if the period of employment is less than twelve months the worker shall be entitled during or on the termination of his employment to a proportion of the annual holidays according to the length of service performed.

Subsection (3): A half-day each week amounting in the annual aggregate to not fewer than twenty-six half-days per annum. The half-day each week to be taken at times mutually agreed upon between employer and employee and at times when essential work is not required to be performed. The decision to be left to the employer whether or not the work is essential. By arrangement between the employer and employee two or more half-days can be taken together.

Subsection (4): The total number of holidays granted under subsections (1), (2), and (3) hereof shall aggregate not fewer than thirty-four days per annum, including half-days, statutory, special, and annual holidays.

8. Payment of wages shall be made in full at monthly intervals or at such other periods as shall be agreed on by the employer and the worker.

9. If any worker satisfies an Inspector that he is incapable of earning wages at the appropriate minimum rate for the time being prescribed under this Order, the Inspector may from time to time grant him a permit to accept wages at such lower rate as may be specified in the permit. A permit granted to any worker under this clause shall continue in force for the period specified in that behalf in the permit; and while it continues in force the rate of wages specified in the permit shall be deemed to be the minimum rate of wages prescribed under this Order in respect of that worker.

10. A permit may be granted under the preceding clause to any woman or girl employed as an agricultural or pastoral worker if the Inspector is satisfied having regard to the conditions of her employment, the nature of the work performed by her, the time occupied in the performance of her work, and any other relevant circumstances that she is not reasonably entitled to wages at the prescribed minimum rate. Where a permit is granted under this clause the Inspector may also reduce to such amount as he thinks fit the amount, if any, payable to the woman or girl in respect of her board and lodging pursuant to subsection (4) of section 14 of the said Act and to clause (3) hereof.

11. When any work is done on a Sunday by workers covered by this Order a day off shall be allowed at a time to be mutually arranged between the employer and the worker concerned, save that this provision shall not apply to the milking of cows or to the feeding of animals on Sunday mornings and evenings, such attention to the animals being essential every day of the week. Also the above provisions shall not apply to workers engaged temporarily during the lambing period.

SECOND SCHEDULE

It is recommended by the New Zealand Sheepowners' Industrial Union of Employers and the New Zealand Agricultural and Related Farmers' Industrial Union of Employers that any officer or accredited representative of the New Zealand Workers' Industrial Union of Workers shall be permitted by members to enter at all reasonable times upon the farm or station and there to interview any workers, but so as not unreasonably to interfere with the work of the employer.

W. O. HARVEY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette*: 18th day of December, 1947.
These regulations are administered in the Department of Labour.