



THE AGRICULTURAL WORKERS EXTENSION ORDER 1942

C. L. N. NEWALL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 12th day of August, 1942.

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 to the organization of the workers of the class affected and to the organizations of their employers of the proposal to extend Part III of the said Act as hereafter appears, and after submission to and approval in all material particulars by the said organizations of the provisions herein contained, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby order as follows :—

I. This Order may be cited as the Agricultural Workers Extension Order 1942.

II. 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 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.

III. (1) Except as herein provided, this Order shall come into force on the day following notification in the *Gazette* of the making thereof,* and shall continue to force until the 31st day of July, 1944, and thereafter until a further Order is made pursuant to section 20 of the said Act :

Provided that in the event of exceptional circumstances arising before the said 31st day of July, 1944, the rates prescribed in the said Schedule may, on the application of any of the organizations herein-before referred to, be varied in the manner prescribed by section 20 of the Agricultural Workers Act, 1936.

(2) The provisions of this Order relating to wages shall be deemed to have come into force on the 1st day of August, 1942.

IV. The Agricultural Workers Extension Order 1937, No. 2†, and the Agricultural Workers Extension Order 1937, No. 3‡, are revoked as from the coming into force of this Order.

* See end note.

† Statutory Regulations 1936-7, Serial number 1937/154, page 569.

‡ Statutory Regulations 1936-7, Serial number 1937/162, page 603.

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:—

	Per Week.		
	£	s.	d.
For workers under the age of 17 years	..	1	2 0
For workers of the age of 17 but under 18	..	1	9 0
For workers of the age of 18 but under 19	..	1	16 0
For workers of the age of 19 but under 20	..	2	3 6
For workers of the age of 20 but under 21	..	2	10 6
For workers of 21 years of age and upwards	..	2	17 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. 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 a week.

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	2s. 3d.	an Hour with Rations.		
Other workers	1s. 11d.	2s. 3d.	15s. 4d.	18s.
Youths up to 18 years	1s. 3d.	1s. 6d.	10s.	12s.

7. Every worker shall be allowed by his employer for each twelve months' service a total of eighteen days' holidays (on full money-wage paid) to be given at the convenience of the employer, provided that if the period of employment is less than twelve months but more than three 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.

8. Payment of wages shall be made in full at monthly intervals or at such other period 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.

NOTE.—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.

C. A. JEFFERY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 13th day of August, 1942.

These regulations are administered in the Department of Labour.