

Serial Number 1938/184.



**THE AGRICULTURAL WORKERS EXTENSION ORDER
(NO. 5) 1938.**

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 20th day of
December, 1938.

Present :

THE RIGHT HON. M. J. SAVAGE PRESIDING 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 organization of their employers of the proposal to extend Part III of the said Act by varying the Agricultural Workers Extension Order (No. 2) 1938* 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 (No. 5) 1938.

II. The provisions of the Agricultural Workers Extension Order (No. 2) 1938* are hereby varied in the manner and to the extent appearing by the Schedule hereto with respect to agricultural workers employed in the picking and harvesting of peas, beans, tomatoes, and soft fruits in market gardens (including market gardens where soft fruit is produced) situate in the Wellington and Nelson Industrial Districts.

III. This Order shall come into force on the day of the date hereof, and shall continue in force until the 23rd day of April, 1939, and thereafter until a further Order is made pursuant to section 20 of the said Act.

SCHEDULE.

APPLICATION OF ORDER.

1. This Order shall apply to workers engaged specifically for the picking and harvesting of peas, beans, tomatoes, and soft fruits, and shall not apply to any other workers.

* Statutory Regulations 1938, Serial number 1938/53.

ORDINARY HOURS.

2. (a) The ordinary hours of work for workers engaged within the scope of this Order shall be not more than forty-eight hours worked in seven consecutive days, including Sundays.

(b) Notwithstanding the provision of subclause (a), an employer may employ a worker in the season for one period only for ninety-six hours in fourteen consecutive days, including Sundays. The employer shall notify the official representative of the union of the period chosen.

(c) No worker shall be employed for more than five hours continuously without an interval of an hour for a meal:

Provided that, with the approval of the official representative of the union, a shorter meal interval may be allowed.

OVERTIME.

3. All time worked in excess of forty-eight hours in any seven consecutive days or in excess of the ninety-six-hour period referred to in clause 2 (b) shall be paid at the rate of time and a quarter for the first six hours, and time and a half thereafter.

WAGES.

4. Adult males	..	..	..	..	..	2s. per hour.
Females 18 years and over	..	..	..	..	..	1s. per hour.
Males 18 years and under 21 years	..	..	..	..	..	1s. per hour.
Females from 15 years to 18 years	..	..	..	..	..	9d. per hour.
Males from 15 years to 18 years	..	..	..	..	..	9d. per hour.
Juvenile workers, male and female, under 15 years	..	..	..	..	..	6d. per hour.

PIECEWORK.

5. Piecework may be worked at picking peas, tomatoes, beans, and soft fruits at such rates as will enable an ordinary worker to earn the rates provided for in clause 4. Should any dispute arise regarding the piecework rates the matter shall be referred to the Inspector, whose decision shall be final. For the purposes of this clause the term "ordinary worker" shall be deemed to mean a worker of average ability in the classification in which he or she comes as prescribed in clause 4.

TERMS OF EMPLOYMENT.

6. Engagement shall be on an hourly basis. Workers shall be paid weekly or fortnightly on a regular pay-day. On termination of engagement all wages due shall be paid within twenty-four hours of ceasing work. All time workers are kept waiting for wages after twenty-four hours of termination of engagement shall be paid for at ordinary rates of pay.

WORKERS TO BE MEMBERS OF UNION.

7. Every worker employed within the scope of this Order shall be a member of the Wellington, Nelson, and Westland Labourers and Related Trades Industrial Union of Workers, and the union fees payable by such members shall be as follows:—

- (1) No entrance fee.
- (2) Adult male workers, 7s. 6d. for season.
- (3) Adult female workers, 3s. 6d. for season.
- (4) Juvenile workers, 2s. 6d. for season.

"Season" shall mean a period of four months commencing from the date of the worker's engagement by the first employer. If a worker is employed in the season for more than four months he or she shall pay an additional fee at the proportionate rate. The employer shall, on behalf of the workers employed by him, forward to the union office within seven days of the engagement the respective fees for each of the workers employed by him under this Order who is not already a member of the said union.

NOTE.—The addresses of the union offices are as follows:—

Wanganui : 34 Patapu Street, Wanganui.
 Manawatu : Trades Hall, Cuba Street, Palmerston North.
 Wairarapa - Hawke's Bay : 12 Wrigley Street, Masterton.
 Wellington and Lower Hutt : Box 67, Te Aro, Wellington, C. 2.
 Nelson : 92 Collingwood Street, Nelson.

BOARD.

8. Where an employer supplies a worker with board or partial board the value of such shall be assessed by agreement between the official representative of the union and the employer. In the case of any dispute the matter shall be referred to the Inspector, whose decision shall be final.

APPLICATION OF PROVISIONS OF EXTENSION ORDER.

9. Except as regards clauses 8, 9, and 10 (relating to time and wages-book, accommodation, and first-aid), the provisions of the Agricultural Workers Extension Order (No. 2) 1938 shall not apply in respect of the workers covered by this Order.

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

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette* : 21st day of December, 1938.
These regulations are administered by the Department of Labour.