

1963/68

**THE AGRICULTURAL WORKERS (MARKET GARDENS)
EXTENSION ORDER 1960, AMENDMENT NO. 1**

—
BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 15th day of May 1963

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Agricultural Workers Act 1936, and after submission by the Minister of Labour to the organisation of the workers of the class affected and to the organisation of their employers of the proposal to vary the Agricultural Workers (Market Gardens) Extension Order 1960 as hereinafter appears, and after approval in all material particulars by the said organisations of the provisions herein contained, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

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ORDER

1. (1) This order may be cited as the Agricultural Workers (Market Gardens) Extension Order 1960, Amendment No. 1, and shall be read together with and deemed part of the Agricultural Workers (Market Gardens) Extension Order 1960* (hereinafter referred to as the principal order).

(2) This order shall come into force on the day after the date of its notification in the *Gazette*.

2. Clause 1 of the First Schedule to the principal order is hereby amended by omitting from subclause (4) the words "allowance of 4s. 4d.," and substituting the words "allowance of 5s."

3. Clause 2 of the First Schedule to the principal order is hereby amended by revoking subclause (1), and substituting the following subclause:

"(1) Time worked in excess of 44 hours in any one week or eight hours in any one day shall be overtime and shall be paid for at the rate of time and a quarter for the first four hours and thereafter at the rate of time and a half."

4. Clause 4 of the First Schedule to the principal order is hereby amended by revoking subclause (1), and substituting the following subclause:

“(1) The minimum rates of wages shall be as follows:

	Per Week			Per Hour	
	£	s.	d.	s.	d.
(a) Males: Youths—					
Under 16 years of age	4	5	2	2	2
16 years and under 17 years	5	6	5	2	7 $\frac{1}{2}$
17 years and under 18 years	6	7	8	3	3 $\frac{3}{4}$
18 years and under 19 years	8	5	1	4	0
19 years and under 20 years	9	11	7	4	10
20 years and under 21 years	10	17	11	5	4
(b) Adult Males	12	9	6	5	10
(c) Females—					
Adults	8	6	4	3	10 $\frac{1}{2}$
Under 17 years of age	4	11	11		
17 years and under 18 years	5	11	6		
18 years and under 21 years	6	11	1		

5. Clause 6 of the First Schedule to the principal order is hereby amended by omitting from subclause (3) the words “forty-eight hours’ notice”, and substituting the words “one week’s notice”.

6. The First Schedule to the principal order is hereby amended by revoking clause 8, and substituting the following clause:

“8. (1) The employer shall provide suitable washing facilities and sanitary accommodation and also a suitable room for workers to keep their clothes and take their meals. Boiling water shall be made available for workers at morning and afternoon breaks and at meal times.

“(2) Where more than three female workers are employed in addition to male workers, separate sanitary accommodation for each sex shall be provided.

“(3) No tools, implements, manure, fertilisers, or other materials shall be stored in the accommodation provided for workers.”

7. The First Schedule to the principal order is hereby further amended by revoking clause 11, and substituting the following clause:

“11. (1) Every worker employed within the scope of this order shall immediately become and remain a financial member of a union affiliated to the New Zealand Federated Labourers and Related Trades Industrial Association of Workers, and it shall be the duty of the employer, on representations being made to him, to see that the worker complies with the requirements of this subclause.

“(2) Subject to subclause (3) of this clause, each employer shall recognise and act on authorities signed by employees for the deduction of the appropriate union membership fees.

“(3) Wage authorities for the deduction of union membership fees shall be presented to and acted upon by the employer only once in respect of each worker during the union’s financial year:

“Provided that where a worker transfers from employment to which the Second Schedule hereto applies to employment to which the First Schedule hereto applies a further wage authority shall be recognised and acted on by the employer.

“(4) The employer shall, on request from the union, supply the names and where possible, the addresses of workers to whom this order applies and who are employed on the date of receipt of the request:

“Provided that such requests shall not be made more frequently than once in every six months.”

8. The Second Schedule to the principal order is hereby amended by revoking clause 3, and substituting the following clause:

	Per Hour s. d.
“3. Adult males	5 10
Males—	
18 years of age and under 21 years of age	4 3 $\frac{3}{4}$
15 years of age and under 18 years of age	3 2 $\frac{1}{4}$
Adult females	3 10 $\frac{1}{2}$
Females—	
18 years of age and under 21 years of age	3 3 $\frac{3}{4}$
15 years of age and under 18 years of age	2 8 $\frac{3}{4}$
Males and females under 15 years of age	2 2”.

9. The Second Schedule to the principal order is hereby further amended by revoking clause 5, and substituting the following clause:

“5. (1) Engagement shall be on an hourly basis. Workers shall be paid weekly in the employer’s time on a regular payday which shall be not later than Thursday. All waiting time shall be paid for.

“(2) Where the worker terminates the engagement all wages due shall be paid within 24 hours of ceasing work. Where the worker is dismissed all wages due shall be paid immediately.

“(3) Subject to the provisions of subclause (2) of this clause, all time that workers are kept waiting for wages shall be paid for at ordinary rates of pay.”

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the order, but is intended to indicate its general effect.

This order makes several amendments to the Agricultural Workers (Market Gardens) Extension Order 1960.

Clause 2 increases the meal allowance from 4s. 4d. to 5s.

Clause 3 provides that overtime is to be determined and paid for on a different basis.

Clause 4 increases the minimum rates of wages payable to workers to whom the First Schedule to the order applies.

Clause 5 provides that notice of termination of employment to workers to whom the First Schedule to the order applies is to be one week instead of 48 hours.

Clause 6 makes it necessary for employers to provide certain facilities for workers.

Clause 7 changes the provisions relating to the deduction of union membership fees from the wages of workers to whom the First Schedule to the order applies.

Clause 8 increases the wages payable to workers to whom the Second Schedule to the order applies.

Clause 9 makes certain changes in the terms of employment of workers to whom the Second Schedule to the order applies.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 16 May 1963.

These regulations are administered in the Department of Labour.