

CANTERBURY AND OTAGO AND SOUTHLAND TANNERS—AWARD

[Filed in the Office of the Clerk of Awards, Christchurch]

In the Court of Arbitration of New Zealand, Canterbury and Otago and Southland Industrial Districts—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of an industrial dispute between the New Zealand Freezing Works and Related Trades Industrial Association of Workers (hereinafter called “the union”) and the undermentioned companies (hereinafter called “the employers”):

Bayley, Tomkins, Hedges, Ltd., Green Island, Dunedin.
Bowron, G. L., and Co. Ltd., 141 Hereford Street, Christchurch.
Glendermid Ltd., Sawyers Bay, P.O. Box 40, Dunedin.

THE Court of Arbitration of New Zealand (hereinafter called “the Court”), having taken into consideration the terms of settlement arrived at in the above-mentioned dispute and forwarded directly to the Court pursuant to the provisions of section 130 of the Industrial Conciliation and Arbitration Act 1954, doth hereby order and award:

That, as between the union and the members thereof and the employers and each and every of them, the terms, conditions, and provisions set out in the Schedule hereto and of this award shall be binding upon the union and upon every member thereof and upon the employers and upon each and every of them, and that the said terms, conditions, and provisions shall be deemed to be and they are hereby incorporated in and declared to form part of this award; and, further, that the union and every member thereof and the employers and each and every of them shall respectively do, observe, and perform every matter and thing by this award and by the said terms, conditions, and provisions respectively required to be done, observed, and performed, and shall not do anything in contravention of this award or of the said terms, conditions, and provisions, but shall in all respects abide by and perform the same. And the Court doth hereby further award, order, and declare that any breach of the said terms, conditions, and provisions set out in the Schedule hereto shall constitute a breach of this award, and that a penalty as by law provided shall be payable by any party or person in respect thereof. And the Court doth further order that this award shall take effect as hereinafter provided and shall continue in force until the 31st day of August 1967 and thereafter as provided by section 152 of the Industrial Conciliation and Arbitration Act 1954.

In witness whereof the seal of the Court of Arbitration hath hereto been affixed, and the Judge of the Court hath hereunto set his hand, this 27th day of September 1965.

[L.S.]

A. P. BLAIR, Judge.

SCHEDULE

Industry to Which Award Applies

1. This award shall apply to the tanning industry.

Hours of Work

2. (a) The ordinary hours of work shall not exceed 40 per week or eight per day, to be regulated by the employer according to the special requirements and circumstances of his business, but so that the ordinary hours of work shall be made to fall between 7 a.m. and 5 p.m. on five days of the week (Monday to Friday, both days inclusive).

(b) Two or three shifts of eight hours each may be worked, if necessary, on five days of the week (Monday to Friday, both days inclusive). Workers employed on shift work between the hours of 5.30 p.m. and 7 a.m. shall during each shift be allowed 30 minutes for a meal without deduction from wages. No worker under the age of 18 years shall be employed on the morning or evening shifts. Any shift, other than one worked between the hours of 7 a.m. and 5.30 p.m., shall consist of eight consecutive hours, inclusive of crib time.

(c) A worker employed on shift work between the hours of 5.30 p.m. and 7 a.m. shall be paid 5s. 3d. per shift in addition to the wage specified in clause 3 of this award.

(d) Except in the case of shift workers employed between 5.30 p.m. and 7 a.m. (who shall be allowed 30 minutes' crib time in each shift), no worker shall be employed for more than four and a quarter hours without an interval of not less than three-quarters of an hour for a meal, unless otherwise mutually arranged between the employer and the workers.

(e) Notwithstanding the foregoing, (by mutual arrangement) five hours may be worked continuously without an interval for a meal in order to complete the day's work.

Wages

3. (a) The following shall be the minimum rates of wages:	Per Hour
	s. d.
Machine splitter (operator in charge of machine)	7 6 $\frac{1}{2}$
Colour leather dyer (if responsible for formulae and mixing dyes)	7 6 $\frac{1}{2}$
Bend sorter or classer	7 4 $\frac{3}{4}$
Machine flesher	7 4 $\frac{3}{4}$
Shaving machine operator	7 4 $\frac{3}{4}$
Machine unhairers	7 4 $\frac{3}{4}$
Machine scudders	7 4 $\frac{3}{4}$
Tanyard, limeyard, calfskin painter, drum hands, and dolleymen	7 4 $\frac{3}{4}$
Machine splitter's assistants	7 1 $\frac{3}{4}$
Hair washer	7 1 $\frac{3}{4}$
Chrome tanner's assistants	7 1 $\frac{3}{4}$
Hand slickers and pasting unit workers	7 1 $\frac{3}{4}$
Staking machinist	7 1 $\frac{1}{4}$
Pelt flesher	7 1 $\frac{1}{4}$
Rollerman	7 1 $\frac{1}{4}$
Shearing machine operator	7 1 $\frac{1}{4}$
Striker or setting-out machinist	7 0 $\frac{1}{2}$
Sprayers and lacquer mixer	7 0 $\frac{1}{2}$
Buffing and fluffing machinists	7 0 $\frac{1}{2}$
Oil and chamois tanner	7 0 $\frac{1}{2}$
Table hands setting out chrome	7 0 $\frac{1}{2}$
Sammying machinist	7 0 $\frac{1}{2}$
Hydro extractor operator	7 0 $\frac{1}{2}$
Glazing machinists	6 10 $\frac{3}{4}$
Boarding machinists	6 10 $\frac{3}{4}$
Ironing and embossing machinist	6 10 $\frac{3}{4}$
Seasoning machinists and assistants	6 10 $\frac{3}{4}$
Workers handling green or salted hides	6 10 $\frac{3}{4}$
Shedmen applying dressing to sole leather and offal	6 10 $\frac{3}{4}$
All other workers	6 9 $\frac{1}{2}$

Provided that where new operators are being trained, they shall be paid at the "All other workers" rate for a period of up to three weeks.

Operators or assistants on any power-driven machine with motive power in excess of 1 h.p. used in the industry not otherwise provided for in this award shall be paid 1¼d. per hour in addition to the minimum rate for adult workers.

(b) When workers are required to enter flues or back-end smoke-boxes for the purpose of cleaning them or to chip or clean the interior of boilers while such boilers are laid off for inspection or overhaul, they shall be paid 5s. 6d. extra per day or part of a day while so employed.

Employment of Youths

4. (a) Youths may be employed at the following minimum rates of pay:

	Per Week		
	£	s.	d.
Under 17 years of age	6	8	4
17 to 17½ years of age	7	0	0
17½ to 18 years of age	7	15	0
18 to 18½ years of age	8	5	0
18½ to 19 years of age	9	0	0
19 to 20 years of age	10	0	0
20 to 21 years of age	11	5	0

(b) The number of youths employed shall not exceed one youth to every three or fraction of three workers over 21 years of age employed.

(c) No deduction shall be made from the weekly wages mentioned in this clause except for time lost by the worker through his own default, sickness, accident, or on account of the temporary closing of the factory.

(d) Youths substantially employed as beam-shed, tanyard, or drum hands shall be paid 15 per cent above the scale set out in subclause (a) of this clause.

(e) No youth under 21 years shall work the following machines unless paid the adult rates for the time so employed: Machine splitters, machine splitter's assistant on limed hides or limed hide sides, shaving machine on hides or hide sides, machine fletcher on hides or hide sides, machine unhairer, hydro extractor, and scudding machine on hides or hide sides.

Overtime

5. (a) Time worked in any day outside or in excess of the hours specified in clause 2 of this award shall be paid for at the rate of time and a half for the first three hours and double time thereafter: Provided that on Saturdays four hours may be worked before noon at time and a half rates.

(b) In the case of shift workers, overtime at the above-mentioned rates shall be paid in excess of the specified shift hours.

(c) When a worker is required to work overtime after 6.30 p.m. he shall receive an allowance of 5s. 6d. for meal money, provided, however, that this allowance will not be payable where a worker goes home for a meal.

(d) Workers required to work on Saturdays shall be paid a minimum of three hours' pay.

Holidays

6. (a) All workers shall receive the following holidays in each year: New Year's Day, the day following New Year's Day, Anniversary Day or a day in lieu thereof, Good Friday, Easter Monday, Anzac Day, Labour Day, Christmas Day, Boxing Day, and the birthday of the reigning Sovereign.

(b) Each of the holidays mentioned in subclause (a) of this clause shall be subject to the provisions of the Factories Act and shall be paid for in accordance therewith as an ordinary working day. Pieceworkers shall in such cases be paid the rates specified herein for time workers.

(c) In the event of a holiday, other than Anzac Day, falling on Saturday or Sunday, such holiday shall be observed on the succeeding Monday or Tuesday, and in the event of any other holiday falling on such Monday, such holiday shall be observed on the succeeding Tuesday.

(d) All work done on any of the holidays mentioned in subclause (a) of this clause shall be paid for at double rates, in addition to the ordinary rates payable under subclause (b) of this clause.

(e) All work done on Sunday shall be paid for at double rates.

Annual Holidays

7. (a) The provisions of the Annual Holidays Act 1944 shall apply to all workers covered by this award, provided, however, that upon completion of ten years' continuous service with the same employer, each worker shall for the tenth and subsequent years be allowed an annual holiday of three weeks in lieu of two weeks under the Annual Holidays Act. The third week's holiday may be taken in conjunction with or separately from the first two weeks as the employer may decide or in lieu of the third week's holiday one week's wages at ordinary rates of pay may be paid by mutual agreement between the employer and the worker concerned.

(b) The employer shall, where practicable, give at least two months' notice of the commencing date of annual holidays.

Payment of Wages

8. Wages shall be paid weekly not later than Thursday in the employer's time.

Termination of Employment

9. Where the employment extends beyond six months one day's notice of the termination of the employment shall be given by the employer or worker as the case may be; but this shall not prevent the employer from summarily dismissing a worker for misconduct: Provided that if the appropriate notice is not given by either party, one day's wages shall be paid or forfeited, as the case may be, in lieu thereof.

Tools and Equipment

10. The employer shall provide suitable types of tools, aprons, clogs, leggings, gloves, vamps, gumboots, respirators, and other equipment necessary to carry on the work. Workers who are supplied with boots or paid a boot allowance as provided for in clause 13 of this award shall not be entitled to gumboots or clogs under this clause.

Piecework

11. Piecework may be introduced by the employer. In such event the piecework rates shall be mutually agreed upon between the employer and the workers directly concerned, but a duly authorised representative of the workers' union shall be present at the negotiations.

Matters Not Provided For

12. The essence of this award being that the work shall continue without interruption, any dispute in connection with any matter not provided for in this award shall be settled between the employer or his representative and the president or

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secretary of the union, and in default of any agreement being arrived at, the matter shall be referred to the Conciliation Commissioner for the district, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Conciliation Commissioner, may appeal to the Court upon giving written notice of such appeal to the other party within 14 days after such decision shall have been communicated to the party desiring to appeal.

General Conditions

13. (a) Standing-by time shall be paid for at the appropriate rate.
- (b) Suitable accommodation shall be provided for workers' bicycles.
- (c) As required by the Factories Act 1946, provision shall be made for washing, dining, and dressing accommodation, and for drying wet clothes. The dressing accommodation shall include the provision of a separate locker for each worker. The union shall appoint delegates whose duty it shall be to see that the workers do everything in their power to keep the accommodation in a clean and tidy condition.
- (d) A supply of boiling water shall be made available at mealtimes and smoko. Suitable provisions for heating food shall be provided.
- (e) Men required to enter drains and filters for the purpose of cleaning them shall be paid 1s. 3d. per hour extra whilst so employed.
- (f) A first aid outfit, suitably equipped, shall be kept in a convenient place, and a suitable person appointed in charge.
- (g) Any worker, not having been informed before leaving work that there will be no work on the following ordinary working day, who presents himself at the works, shall, in the event of there being no work, receive not less than four hours' pay.
- (h) One pair of heavy boots yearly shall be supplied to tanyards, limeyards, drum hands, fleshers, scudders, pasting machinists, and unhairers, and to workers employed in usually wet places, or in lieu thereof a boot allowance of 2s. 6d. per week shall be paid to such workers.
- (i) A worker covered by this award shall not be required to work at night unless some other person is within sight or call.
- (j) An interval of 10 minutes for smoko shall be allowed each morning and afternoon without deduction from pay.
- (k) Workers shall be supplied with details of wages earned and deductions therefrom whenever there is any variation in their normal weekly earnings.
- (l) During repairs necessitated by breakdowns, etc., other work shall be found for the employees wherever possible.

Right of Entry Upon Premises

14. The secretary or other authorised officer of the union of workers shall, with the consent of the employer (which consent shall not be unreasonably withheld), be entitled to enter at all reasonable times upon the premises or works and there interview any worker but not so as to interfere unreasonably with the employer's business.

Unqualified Preference

15. (a) Any adult person engaged or employed in any position or employment subject to this award by any employer bound by this award shall, if he is not already a member of a union of workers bound by this award, become a member of such union within 14 days after his engagement, or after this clause comes into force, as the case may require.

(b) Subject to subclause (a) hereof, every adult person so engaged or employed shall remain a member of a union of workers bound by this award so long as he continues in any position or employment subject to this award.

(c) Every worker obliged under subclause (a) hereof to become a member of a union who fails to become a member, as required by that subclause, after being requested to do so by an officer or authorised representative of the union, and every worker who fails to remain a member of a union in accordance with subclause (b) hereof commits a breach of this award.

(d) Every employer bound by this award commits a breach of this award if he continues to employ any worker to whom subclauses (a) and (b) apply, after having been notified by any officer or authorised representative of the union that the worker has been requested to become a member of the union and has failed to do so, or that the worker having become a member of the union has failed to remain a member.

(e) For the purposes of this clause "adult person" means a person of the age of 18 years or upwards, or a person who for the time being is in receipt of not less than the minimum rate of wages prescribed for adult workers by this award.

(NOTE—Attention is drawn to section 174H of the Industrial Conciliation and Arbitration Act 1954 which gives to workers the right to join the union.)

Under-rate Workers

16. (a) Any worker who considers himself incapable of earning the minimum wage fixed by this award may be paid such lower wage as may from time to time be fixed, on the application of the worker after due notice to the union, by the local Inspector of Awards or such other person as the Court may from time to time appoint for that purpose; and such inspector or other person in so fixing such wage shall have regard to the worker's capability, his past earnings, and such other circumstances as such inspector or other person shall think fit to consider after hearing such evidence and argument as the union and such worker shall offer.

(b) Such permit shall be for such period, not exceeding six months, as such inspector or other person shall determine, and after the expiration of such period shall continue in force until 14 days' notice shall have been given to such worker by the secretary of the union requiring him to have his wage again fixed in manner prescribed by this clause: Provided that in the case of any person whose wage is so fixed by reason of old age or permanent disability it may be fixed for such longer period as such inspector or other person shall think fit.

(c) Notwithstanding the foregoing, it shall be competent for a worker to agree in writing with the president or secretary of the union upon such wage without having the same so fixed.

(d) It shall be the duty of the union to give notice to the Inspector of Awards of every agreement made with a worker pursuant hereto.

(e) It shall be the duty of an employer, before employing a worker at such lower wage, to examine the permit or agreement by which such wage is fixed.

Application of Award

17. This award shall apply to the original parties named herein, and shall extend to and bind as subsequent party hereto every industrial union, industrial association, or employer who, not being an original party hereto, is, when this award comes into force or at any time whilst this award is in force, connected with or engaged in the industry to which this award applies within the industrial districts to which this award relates.

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Scope of Award

18. This award shall operate throughout the Canterbury and Otago and Southland Industrial Districts.

Term of Award

19. This award, in so far as the provisions relating to the rates of wages to be paid are concerned, shall be deemed to have come into force on the first day of the pay period in each establishment commencing on or after the 6th day of September 1965, and so far as all other provisions of the award are concerned, it shall come into force on the day of the date hereof; and this award shall continue in force until the 31st day of August 1967.

In witness whereof the seal of the Court of Arbitration hath hereto been affixed, and the Judge of the Court hath hereunto set his hand, this 27th day of September 1965.

[L.S.]

A. P. BLAIR, Judge.

MEMORANDUM

The award, including the operative date of provisions relating to wages, incorporates the terms of settlement arrived at by the parties in the course of an inquiry held before a Council of Conciliation.

Upon being satisfied by supporting documentary evidence that an unqualified preference provision has been agreed to by all the assessors in accordance with section 174B of the Industrial Conciliation and Arbitration Act 1954 (as enacted by the Industrial Conciliation and Arbitration Amendment Act 1961), the Court has inserted clause 15 in the award in the form in which it was agreed upon in the Council of Conciliation.

A. P. BLAIR, Judge.
