

Serial Number **1954/25**



**THE AGRICULTURAL WORKERS (ORCHARDISTS)
EXTENSION ORDER 1952, AMENDMENT NO. 1**

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 2nd day of
February 1954

Present:

THE RIGHT HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

PURSUANT to 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 vary the Agricultural Workers (Orchardists) Extension Order 1952* as hereinafter appears, and after approval in all material particulars by the said organizations of the provisions contained in this order, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

ORDER

1. This order may be cited as the Agricultural Workers (Orchardists) Extension Order 1952, Amendment No. 1, and shall be read together with and deemed part of the Agricultural Workers (Orchardists) Extension Order 1952* (hereinafter referred to as the principal order).

2. (1) Except as provided in subclause (2) of this clause, this order shall come into force on the day after the date of its notification in the *Gazette*.

(2) Clauses 3 and 7 of this order shall be deemed to have come into force on the 15th day of September 1953.

* Statutory Regulations 1952, Serial number 1952/204, page 944.

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

“(1) The minimum rate of wages for workers permanently employed shall be as follows:

	Weekly Wage		
	£	s.	d.
“Managers	11	0	0
“Other male workers of twenty-one years or over	9	12	6
“Female workers	6	12	0
“Youths—			
“Over fifteen to sixteen years	2	19	2
“Over sixteen to seventeen years	3	6	9
“Over seventeen to eighteen years	4	2	10
“Over eighteen to nineteen years	5	2	4
“Over nineteen to twenty years	5	19	0
“Over twenty to twenty-one years	7	9	7

“(2) If in charge of four or more workers, the foreman or leading hand doing grading or packing work shall be paid 4½d. per hour in excess of the ordinary rate. Further, any other worker, if in charge of four or more workers and taking control of grading or packing operations, shall be also paid 4½d. per hour in addition to his or her ordinary rate.”

(2) The said clause 2 is hereby further amended by revoking subclause (4), and substituting the following subclause:

“(4) Wages shall be paid weekly unless otherwise agreed between the employer and the worker.”

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

“5. All time worked by permanent employees outside or in excess of the hours prescribed in clause 1 of this Schedule and subject to the provisions thereof shall be overtime, and shall be paid for at the rate of time and a half for the first three hours and double time thereafter. All overtime shall be calculated and paid for on a daily basis. Any work done on Saturday after midday shall be paid for at overtime rates, subject to clause 1 (2), except in the case of frost-fighting, when ordinary rates shall be paid.”

5. Clause 8 of the Schedule to the principal order is hereby amended by adding the following subclause:

“(3) In this clause, the term ‘utensils’ shall be deemed to include crockery, cutlery, and cooking utensils.”

6. (1) Clause 11 of the Schedule to the principal order is hereby amended by revoking subclause (2), and substituting the following subclause:

“(2) *Protective Clothing*.—All workers engaged in spraying and mixing sprays shall be provided with protective clothing, gum boots, and, where necessary, respirators.”

(2) The said clause 11 is hereby further amended by adding to subclause (6) the words

“No female worker shall be required to handle ladders of more than 8 ft. in length”.

(3) The said clause 11 is hereby further amended by adding the following new subclause:

“(7) *Other Employment*.—Unless he voluntarily agrees to do so, no worker shall be required, outside his normal hours of work, to work for any other employer.”

7. Clause 14 of the Schedule to the principal order is hereby amended by revoking subclauses (2) and (3), and substituting the following subclauses:

	Per Hour
	s. d.
"(2) Rates of wages—	
"Adult male workers	4 8½
"Adult female workers	3 3½
"Youths—	
"Under sixteen years	2 1½
"Sixteen years and under eighteen years	2 6
"Eighteen years and under nineteen years	3 1
"Nineteen years and under twenty-one years	4 1½
"Girls—	
"Under sixteen years	1 10
"Sixteen years and under eighteen years	2 6
"Eighteen years and under nineteen years	2 9
"Nineteen years and under twenty-one years	3 0½

"(3) If in charge of four or more workers, the foreman or leading hand doing grading or packing work shall be paid 4½d. per hour in excess of the ordinary rate. Further, any worker, if in charge of four or more workers and taking control of grading or packing operations, shall be also paid 4½d. per hour in addition to his or her ordinary rate."

8. Clause 14 of the Schedule to the principal order is hereby further amended by omitting from subclause (4) the words

"except in circumstances caused by rain, mist, or dew".

9. Clause 14 of the Schedule to the principal order is hereby further amended by omitting from subclause (7) the expression "14s. 6d.", and substituting the expression "16s.".

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 brings the wages of agricultural workers employed in orchards into line, as from 15 September 1953, with those of workers directly affected by the general wage order made by the Court of Arbitration on 19 November 1953. It also increases from 14s. 6d. to 16s. per week the maximum deduction which may be made from the wages of youths and girls eighteen years of age and under who are employed as casuals and are provided with board and lodging. Agreement on the wage payment interval is no longer to include the necessity of agreement by the union representative. The overtime clause has been redrafted. A worker, except voluntarily, may not be required to work for another employer outside normal hours. The minimum "call-back" payment is not to be subject to the exception of circumstances caused by rain, mist, or dew. The order also makes amendments as to the provision of crockery, cutlery, and cooking utensils, and as to the inclusion of gum boots in the protective clothing to be supplied to workers engaged in spraying and mixing sprays.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 4 February 1954.

These regulations are administered in the Department of Labour and Employment.