

CANTERBURY GLASSWORKERS—AWARD

In the Court of Arbitration of New Zealand, Canterbury Industrial District—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of an industrial dispute between the Canterbury Glass Workers' Industrial Union of Workers (hereinafter called "the union") and the under-mentioned company (hereinafter called "the employers"):

Crown Crystal Glass Pty. Ltd., Hornby.

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 October 1960 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 22nd day of February 1960.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

1. The industry to which this award applies is glass manufacturing.

PART I—DAY WORKERS

Hours of Work

2. The hours of work shall be 40 per week, and shall not exceed eight in any one day, to be worked between the hours of 7 a.m. and 5 p.m. Monday to Friday inclusive. The hours of work for these workers shall not be broken other than for a normal meal break of half an hour in each day.

Wages

3. The minimum rate of wages for adult male workers shall be 5s. 1d. per hour.

Overtime

4. (a) All time worked outside of or in excess of the hours provided for in clause 2 hereof shall be considered overtime and shall be paid for at the rate of time and a half for the first three hours and double time thereafter and shall not be used in calculating the 40 hours per week. Overtime shall be calculated on a daily basis.

(b) A worker required to work overtime after 6 p.m. on any day Monday to Friday or after 1 p.m. on Saturday or Sunday or a holiday shall be provided with a meal or paid meal allowance of 5s. This allowance shall not be subject to the increase provided in clause 20.

PART II—SHIFT WORKERS

5. Shifts may be worked on such operations as may be required, and the following conditions shall apply to shift workers:

Hours of Work

6. (a) The ordinary hours of work shall be 40 per week and shall not exceed five eight hour shifts to be worked between 7 a.m. Monday to 7 a.m. Saturday.

(b) Shift workers may work eight hours continuously: Provided that by mutual agreement each worker shall have ample opportunity to partake of a meal during each shift without any cessation of work. Where workers are on continuous operation work they shall be paid an allowance of 2s. 6d. per shift.

(c) Shifts may be worked on such operations as required, and the following shall be the roster for automatic machine production:

7 a.m.-3 p.m. Wednesday to Sunday inclusive.

3 p.m.-11 p.m. Monday, Tuesday, Friday, Saturday, Sunday.

11 p.m.-7 a.m. Monday to Friday inclusive.

Swing shift:

7 a.m.-3 p.m. Monday and Tuesday.

3 p.m.-11 p.m. Wednesday and Thursday.

11 p.m.-7 a.m. Saturday and Sunday.

Roster for five day week production where three shifts are working shall be:

7 a.m.-3 p.m. Monday to Friday inclusive.

3 p.m.-11 p.m. Monday to Friday inclusive.

11 p.m.-7 a.m. Monday to Friday inclusive.

The company reserves the right to alter the above shift roster if at any time it is found necessary, in this event such alteration will be written into the following award, but altered roster will become effective as soon as determined.

Wages

7. The minimum rate of wages for adult male workers shall be 5s. per hour.

Overtime

8. (a) All time worked outside of or in excess of the hours provided for in clause 5 (a) hereof shall be considered overtime and shall be paid for at the rate of time and a half for the first three hours and at the rate of double time thereafter; time worked between 7 a.m. Sunday and 7 a.m. Monday shall be paid for at the rate of double time - except in each case when the time worked is:

(1) By arrangement between employees themselves,

(2) For the purpose of effecting the customary rotation of shifts, or

(3) Due to the fact that the relief man does not come on duty at the proper time.

This section of the subclause is for the purpose of allowing a tolerance in starting and finishing times - no tolerance shall exceed one hour - extra time worked by the first worker shall be made good to him on the next shift by the defaulting relief, otherwise for all time worked which exceeds the tolerance period, overtime shall be paid from the time when the worker was due to be relieved, and the defaulting worker forfeits the time lost.

(b) A worker required to work on his rostered day off shall be paid overtime rates.

(c) Overtime rates shall be calculated on the rates prescribed in clauses 7, 10, 13 and 14 hereof.

(d) Any worker who is transferred to a shift other than his own rostered shift or any day worker who is required to work shift owing to the usual shift worker being absent shall for the first such shift be paid the sum of 5s. in addition to the wage to which he is otherwise entitled for such work. A shift worker transferred to day work shall be paid a minimum of 40 hours per week ordinary time.

Provided that this subclause shall not apply to any shift for which overtime rates are paid.

(e) Where the worker is required to work a double shift he shall be allowed two meal allowances of 5s. each or meals to be provided. This allowance shall not be subject to the increase provided in clause 20.

Shift Allowance

9. (a) A worker employed on an afternoon or night shift shall be paid a shift allowance of 3s. a shift in addition to his ordinary wages.

(b) An afternoon shift means a shift commencing after 12 noon and finishing at or before 12 midnight, and

(c) A night shift means any shift starting subsequent to midnight and finishing at or before 7 a.m.

PART III—APPLIES TO ALL WORKERS

Special Payments

10. (a) In addition to the wages prescribed in clause 11 hereof a worker shall be entitled to extra payment in accordance with the following scale for the time worked on the class of work stated:

	Per Hour d.
(1) Operators:	
First year	2
Thereafter if proficient	3
(2) Bottle and pressedware sorters:	
First year	2
Thereafter if proficient	3
(3) Firemen	3
(4) Batch mixers	8
(5) Raw material store hands in batch house	3
(6) Employees unloading soda ash—for the time so employed	3
(7) Cullet washing	2

(b) A worker required to clean the crown of glass furnaces shall be paid in addition to his ordinary wage the sum for each furnace as follows:

5s. per crown for furnaces from 10–20 tons.

10s. per crown for furnaces 20 tons or over.

(c) The extra payments prescribed in this clause are flat payments and may not be increased when the time worked is overtime or on a holiday, Saturday or Sunday.

Bonus Rates for Machine Operators

11. (a) Bonus rates for bottle machine operators only shall be as follows:

L.A. Machines

- (1) Up to 6 oz weight, 2d. per gross over 40 gross per shift.
 Over 6 oz and up to 11 oz weight, 1½d. per gross over 20 per shift.
 Over 11 oz and up to 15 oz weight, 2d. per gross over 20 gross per shift.
 Over 15 oz and up to 20 oz weight, 2d. per gross over 15 gross per shift.
 Over 20 oz and up to 27 oz weight, 2½d. per gross from commencement of shift.
 Over 27 oz weight, 3d. per gross from commencement of shift.
- (2) Model "B" or "Baby" machines:
 Up to 2 oz weight—2d. per gross over 50 gross per shift.
 Over 2 oz and up to 4 oz weight—2d. per gross over 40 gross per shift.
 Over 4 oz weight—2d. per gross over 30 gross per shift.
- (3) 1 oz essence, plain and screw top, and 1 oz "inks", 2d. per gross over 70 gross per shift.

(b) All rates prescribed in subclause (a) of this clause shall be increased by 20 per cent.

Bonus Rates for Press Operators

12. (a) Bonus rates for press operators shall be as follows:

(1) The following rates calculated so much per gross (according to speed of job) over a minimum quantity will be paid for good packed ware.

Rate per Gross Over Minimum	Speed per Minute	Minimum Quantity
s. d. 0 6	31-36	Over 76 gross
0 6	28-30	Over 64 gross
0 7	25-27	Over 58 gross
0 8	20-24	Over 50 gross
0 10	15-19	Over 38 gross
1 3	10-14	Over 26 gross

(b) Bonus rates shall be paid only on good ware after completed sorting. The bonus for takers out on automatic press shall continue as at present but with a minimum of 2s. 4d. per shift.

Females

13. Adult female workers may be employed in any section and shall be paid a minimum wage of £6 16s. 8d.

	Per Week
	£ s. d.
16-17 years	3 2 6
17-18 years	3 12 6
18-19 years	4 15 0
19-20 years	5 10 0
20-21 years	6 0 6
Thereafter at minimum rates.	

Youths

14. Subject to the provisions of the Factories Act, youths may be employed in any department at the following minimum rates of wages:

	Per Week
	£ s. d.
Under 16 years	3 2 6
16-17 years:	
First six months	4 19 2
Second six months	5 8 2
17-18 years:	
First six months	5 17 0
Second six months	6 9 0
18-19 years	6 18 0
19-20 years	7 6 0
20-21 years	7 15 4
Thereafter the minimum rates as fixed in clause 3.	

Holidays

15. (a) The following are the recognised holidays under this agreement: New Year's Day, 2 January, Show Day, Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day and Boxing Day.

(b) The attention of the parties is drawn to the provision of the Public Holidays Act and amendments, which provides for the transference of certain holidays which fall on Saturdays or Sundays.

(c) Payment of wages for the said holidays shall be made to all persons who perform work under this award or at any time during the fortnight ending on the day on which the holidays occur.

(d) Where any worker has been employed by more than one employer during the fortnight ending on the day on which any of the above holidays occur he shall be entitled to receive payment for the holiday from such one or more employers, and if more than one, in such proportions as the Inspector of Awards determines.

(e) For work done on Sundays or any of the holidays specified in subclause (a) hereof double rates shall be paid in addition to any payment to which the worker is entitled under subclause (c) hereof.

(f) For the purpose of this award a holiday shall be deemed to commence at 6 a.m. on the morning of the holiday and terminate at 6 a.m. the following morning, except in the case of shift workers when a holiday shall commence at 7 a.m. on the morning of the holiday and terminate at 7 a.m. the following morning.

(g) Shift workers whose rostered day off falls on one of the holidays specified in this clause shall be paid for such day at ordinary rates in addition to the ordinary weekly wage.

Blowers and Skilled Glass Workers

16. (a) Glass blowers and/or glass makers shall in each case work either day or shift work as required, and in accordance with such times as are necessary according to the method of working on either day or shift work as may be required.

(b) The actual starting time of work shall be the time of gathering glass to blow or make the first pieces for the day or shift.

(c) Glass blowers or glass makers shall work in shops as constituted and where necessary the constitution of the shop shall be changed in accordance with such rearrangements as required or necessary.

(d) A weekly work sheet showing each day's earnings shall be given to each shop leader.

(e) Blow pipes blocks, etc., shall be supplied to each shop and no shop shall be compelled to use another's pipes.

(f) The following basic rates of pay shall apply:

	Per Hour
	s. d.
(a) Mould blow shops:	
(i) Senior maker or cast on journeyman or senior blower while working as such	7 11
(ii) Senior blower	7 3
(iii) Junior blower or gatherer	5 9
(iv) Ball boy	5 2
(v) Trainee ball boy	4 0
(b) Press shops:	
(i) Finisher or presser	7 3
(ii) Gatherer	5 9

(g) *Holiday Pay*—The basic rate at present being paid shall be the basis of payment to cover public holidays specified and annual leave. Basic rates shall also be the basis of payment where working conditions are such the piece work cannot be worked or where it is necessary for the glass blowers or glass makers to work on jobs on which a piece work rate has not been fixed.

(h) *Piece Work*—When and wherever possible the glass blowers or glass makers shall work under piece rate conditions and in accordance with the rates fixed and shall be paid such rates for good production as follows:

(i) In the case of blown ware after the pieces have been cut off.

(ii) In the case of hand made or hand pressed ware after the piece has been sorted at the end of the Lehr.

Glass blowers or glass makers shall immediately report bad glass to the foreman in charge or works manager or his nominee otherwise payment for production in such glass will not be made.

If glass is unworkable glass blowers and glass makers will, wherever possible, be employed on other work in the factory if the company so desires until such time as glass is again available. Should the period be longer than three days the company will endeavour to provide alternative work and payment will be made at the industry rates applicable to the work so undertaken.

Annual Holidays

17. (a) Annual holidays shall be granted in accordance with the provisions of the Annual Holidays Act 1944.

(b) (i) In addition to the holidays to which he is entitled under subclause (a) of this clause, a worker who has worked on shift work for a complete year shall be allowed an additional week's holiday on the same terms of payment as are provided for in the Annual Holidays Act 1944.

(ii) In addition to the holiday to which he is entitled under subclause (a) of this clause, a worker who has not worked on shift during the whole of the year but for a portion of the year only shall be allowed such proportionate part of such additional week's holiday as is commensurate with the time he has worked as shift worker.

(c) Consideration shall be given to workers who request annual holidays to coincide with school holidays and workers shall have at least two weeks' notice of the date of commencing annual leave.

(d) All workers shall be paid holiday pay before the commencement of the holiday.

General Conditions

18. (a) Any worker who works overtime or a double shift shall be allowed eight hours off from the time he finishes such overtime or double shift, as the case may be, or he shall be paid double ordinary time rates as provided under clause 7 hereof for all the time worked thereafter until he has an interval of eight hours off work.

(b) If a worker is required to work in any other department than his usual department, he shall be paid for the time so employed at the rate prevailing in such department if the rate is higher than his usual pay.

(c) Workers who report for work but are sent home before starting to come back on another shift shall be paid a minimum of two hours.

Workers who commence work and are later sent home, to come back on another shift shall be paid overtime rates for the time so served.

(d) Female workers shall not be required to lift any package exceeding 40 lb in weight.

Youths under the age of 18 years shall not be required to lift any weight exceeding 70 lb.

(e) An interval of 10 minutes shall be allowed for morning and afternoon tea without loss of pay.

(f) Adequate washing facilities shall be provided.

(g) Boiling water for meals shall be provided.

(h) A modern first aid room, fully equipped shall be maintained.

(i) Lockers shall be provided for all workers.

(j) A special footwear allowance of 1s. 9d. per week shall be paid to the following workers, namely: batchmixers, cullet washers, workers employed in sand washing departments, for time so employed, and takers out on automatic press.

Operators, floor boys and leading operators shall be paid 2s. 3d. per week as a footwear and clothing allowance.

(k) Workers employed in emptying sand sumps by hand shall be paid 1½d. per hour for time so employed.

Terms of Employment

19. (a) No deduction shall be made from the weekly wages mentioned in this award except for time lost by the worker through sickness, accident or default.

(b) The working week shall end at 11 p.m. Sunday and wages shall be paid on the Wednesday following.

(c) One week's notice of termination of engagement shall be given on either side for all workers of more than two consecutive weeks' employment, provided that in the event of accident to plant no notice of the termination of engagement shall be necessary. Nothing in this subclause shall prevent the employer from dismissing a worker without notice for wilful misconduct.

(d) Workers shall record the time of their arrival at and departure from work on the apparatus provided for such purpose. The time occupied by the workers in filling in any books or cards, or in making any record shall be treated as time of duty, except that occupied in checking in or out at the beginning or end of duty which checking shall be done in the worker's own time.

(e) Where a worker is discharged except for wilful misconduct he shall be paid all wages due at the time of his dismissal; except that where a worker is dismissed at a time when the pay office is normally closed all wages shall be available within eight hours of the office reopening. All waiting time in excess of the prescribed period of eight hours shall be paid for at the worker's ordinary rate of pay.

Increase in Rates of Remuneration

20. The rates of remuneration determined by this award shall be increased to the extent and in the manner prescribed by the general order of the Court made under the Economic Stabilisation Regulations 1953, and dated the 18th day of September 1959.

(EXPLANATORY NOTE—The general order of 18 September 1959 increased rates of remuneration determined by awards and industrial agreements by an amount equal to 24 per cent thereof; but excluded from the scope of the increase:

- (1) Such portion of the remuneration of each worker in each week as exceeded the amount of £13 in the case of adult male workers, the amount of £9 15s. in the case of adult female workers, and the amount of £7 10s. in the case of male and female workers under the age of 21 years; and
- (2) All allowances in respect of tools, bicycles, motor vehicles, protective or special clothing, or special footwear.

The term "remuneration" means salary or wages, and includes time and piece wages and overtime and bonus and other special payments; and also includes allowances, fees, commission, and other emolument, whether in one sum or several sums; and also includes travelling expenses.)

Workers to be Members of Union

21. (a) Subject to the provisions of sections 174 (5) and 175 of the Industrial Conciliation and Arbitration Act 1954, it shall not be lawful for any employer bound by this award to employ or to continue to employ in any position or employment subject to this award any adult person who is not for the time being a member of an industrial union of workers bound by this award.

(b) For the purposes of subclause (a) of this clause a person of the age of 18 years or upwards, and every other person who for the time being is in receipt of not less than the minimum rate of wages prescribed by this award for workers of the age of 21 years and upwards, shall be deemed to be an adult.

(c) Every person who, being obliged to become a member of any union by the operation of the foregoing provisions, fails to become a member of that union when requested so to do by his employer or any officer or representative of the union, commits a breach of this award, and shall be liable accordingly.

(NOTE—Attention is drawn to section 174 (3) of the Industrial Conciliation and Arbitration Act 1954, which gives to workers the right to join the union.)

Disputes and Matters Not Provided For

22. The essence of this award being that the work of the employer shall not on any account whatsoever be impeded but shall always proceed as if no dispute had arisen, it is provided that if any dispute or difference shall arise between the parties bound by this award, or any of them as to any matter whatsoever arising out of or connected therewith and not specifically dealt with in this award every such dispute or difference shall be referred to the secretary and/or president of the union and in default of any agreement being arrived at, then to a committee to be composed of three representatives of each side, together with an independent chairman to be mutually agreed upon or, in default of agreement, to be appointed by the Conciliation Commissioner for the district. Either side shall have the right to appeal to the Court against a decision of any such committee upon giving to the other side written notice of such appeal within 14 days after such decision has been made known to the party desirous of appealing.

Under-rate Workers

23. (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, and such inspector in so fixing such wage shall have regard to the worker's capability, his past earnings, and such other circumstances as such inspector 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 shall determine, and after the expiration of such period shall continue to be 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 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 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.

Scope of Award

24. This award shall apply only to the parties named herein.

Term of Award

25. 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 12th day of October 1959, 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 October 1960.

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 22nd day of February 1960.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The award, including the operative date of provisions relating to wages, embodies the terms of settlement arrived at by the assessors in Conciliation Council.

A. TYNDALL, Judge.
