

NORTHERN, WELLINGTON (TWENTY-FIVE-MILE RADIUS),  
WESTLAND, AND OTAGO AND SOUTHLAND **CLERICAL  
WORKERS.**—ENFORCEMENT.

In the Court of Arbitration of New Zealand, Northern Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925, and its amendments; and in the matter of the Northern, Wellington (Twenty-five-mile Radius), Westland, and Otago and Southland Clerical Workers' award, dated the 14th day of July, 1938, and recorded in Book of Awards, Vol. XXXVIII, p. 1585; and in the matter of an action between Gordon Brown, as and being an Inspector of Awards, Auckland, plaintiff, and the New Zealand Co-operative Dairy Co., Ltd., Dairy-produce Merchants, Tasman Building, Anzac Avenue, Auckland, defendant.

*Wages, Rate of—Clerical Workers—“Ledger-posting or Book-keeping Machines,” Meaning of.*

STATEMENT OF CLAIM.

THE plaintiff claims to recover from the defendant the sum of £10 (ten pounds) as a penalty for a breach of the Northern, Wellington (Twenty-five-mile Radius), Westland, and Otago and Southland Clerical Workers' award, dated the 14th day of July, 1938, and recorded in Book of Awards, Vol. XXXVIII, p. 1585.

The following are particulars of the said breach:—

That the defendant did during the period from the 27th day of November, 1939, to the 20th day of March, 1940, employ Nancy Barton at work coming within the scope of the said award and on a book-keeping machine, and did fail to pay the said worker the minimum rate of wages prescribed by clause 2 of the said award.

JUDGMENT OF THE COURT, DELIVERED BY TYNDALL, J.

This is a claim by the Inspector of Awards in respect of an alleged breach of the Northern, Wellington (Twenty-five-mile Radius), Westland, and Otago and Southland Clerical Workers' award, dated the 14th day of July, 1938, and recorded in Book of Awards, Vol. XXXVIII, p. 1585. Particulars of the alleged breach are set out in the foregoing statement of claim.

Clause 2 of the award provides a scale of wage-rates for female workers based on age and experience. The clause contains the following further provision:—

Females engaged on ledger-posting machines or book-keeping machines shall be paid not less than 5s. per week in addition to the above rates.

The point at issue in the present case is whether Miss Barton was engaged for the period mentioned in the claim on a book-keeping machine. The Court was greatly assisted at the hearing by a statement of certain facts which had previously been agreed upon by the parties.

The following information is taken from that statement:—

During the period mentioned in the statement of claim Miss Barton was substantially employed in operating a machine termed by Burroughs Ltd., who supplied the same to the company, a Burroughs Duplex adding-machine. The said machine is hereinafter referred to as “the Duplex.”

The Duplex is operated by means of an arithmetical keyboard and the following control levers: “Non-add,” “Transfertotal,” “Sub-total,” “Total,” “Error,” and “Repeat.” It is capable of making additions of figures and imprinting the result of addition on paper inserted in the roller, or of simply imprinting figures not involving any

addition, such as, for example, the serial number of a milk-delivery docket. It cannot, however, make any calculation in the nature of subtraction. Further, it cannot imprint or record any letter or letters of the alphabet, and it is not designed for any such purpose.

The work done by Miss Barton by means of the Duplex consisted of building up invoices recording the daily sales of milk and/or cream by the company to retail vendors. The following is a specimen of such invoice:—

*Bought of*

THE NEW ZEALAND CO-OPERATIVE DAIRY CO., LTD.  
Tasman Building, Anzac Avenue, Auckland.

1	2	3	4	5	6	7	8
Docket No.		Milk (Gallons).	Bottled (Pints).	Cream (Pints).	Per Gallon.		
2674 5811	Friday	84 6·10	111·10	1 2·10			
2712 5890 1174	Saturday	84 10·10	111·10	14 6 2			
2741 5923 1370	Sunday	84 8·10 2	111·10	1 8			
2766 5942 1219	Monday	84 4·10 1	108·10	3			
2606 3919 1249	Tuesday	84 8·10 2	111·10	3·10			
2809 5967 1515	Wednesday	84 7·10 1	111·10	2·10			
2843 2289 1395 "x"	Thursday	84 4·10 2	111·10	1 3			
		646·10	97·5	47·10	1/6 1/6 12/6	48 9 9 7 5 10 3 14 2	£59 9 9

Fractions : ·5 =  $\frac{1}{4}$ ; ·10 =  $\frac{1}{2}$ ; ·15 =  $\frac{3}{4}$ .

The system involved in the work referred to in the last preceding paragraph was as follows:—

- (i) The drivers of the company's cartage contractor were supplied with bound delivery docket-books, each folio of which was numbered serially and had a detachable counterfoil bearing the same number as the bound folio. On delivering a customer's supply, the driver detached the counterfoil which, like the corresponding bound folio, showed particulars of the milk and/or cream delivered, and handed the counterfoil to the customer. On completing his various deliveries the docket-book was returned to the company's office, the bound folio thus providing a record of the deliveries for the day.
- (ii) At the commencement of each week of seven days starting on a Friday Miss Barton was provided with a supply of invoices, each invoice being in duplicate and the top copy and duplicate copy forming a set. Each set bore the name and address of a customer, these particulars being typed in by another member of the staff before the supply of invoices reached Miss Barton. The sets were then arranged by Miss Barton in loose folders, arranged alphabetically, and the folders kept in a tray on her desk alongside the Duplex.
- (iii) As the delivery docket-books came in each day they were sent to Miss Barton, and from them she entered on each invoice set the appropriate figures in columns 1, 3, 4, and 5 thereof, repeating this process daily (except on Sunday) down to and including Thursday. On Thursday (the last day of the week) Miss Barton also entered the figures in columns 3, 4, and 5 below the line, which, for convenience, is marked "x" on the specimen invoice set out above. These last-mentioned figures represent the total quantities supplied for the week, and such totals were added and imprinted by means of the Duplex. At the same time Miss Barton entered in column 6, in manuscript, the company's selling-price per gallon. It was then necessary, by applying the selling-price in column 6 to the total quantity supplied as per columns 3, 4, and 5, to ascertain the total value of, respectively, loose milk, bottled milk, and cream for insertion in column 7. The Duplex cannot perform this calculation, and this was done by Miss Barton with the aid of pencil, paper, and a ready-reckoner table, the result then being imprinted by the Duplex in column 7. Finally, the total of the aggregate values was entered in column 8; this was done either by the Duplex making an addition of the figures in column 7, and imprinting the total, or by it merely imprinting the result of Miss Barton's mental addition of those figures.

On completion of the work done by Miss Barton as detailed in the last preceding paragraph the various sets of invoices went on to the next floor and were handed to another female employee who operated a Remington machine known as a book-keeping machine or ledger-posting machine, which machine is hereinafter referred to as "the Remington." The Remington is designed like a typewriter, but has an electric carriage return and is fitted with a complex system of adding, subtracting, and cross-footing registers: so that in addition to accumulating debits and credits posted to each account (thus providing proof of posting accuracy) it also calculates new balances in the account as entries are made.

The company keeps each customer's account in the form of a loose-ledger sheet. All the details shown in such account are entered on to the loose-ledger sheet by means of the Remington, and included in such details are the various weekly debits for milk and/or cream supplied, taken from the invoice. In posting the loose-ledger sheet a form of statement of account is placed in the Remington on top of the loose-ledger sheet, with a carbon sheet between the two. The one operation on the Remington provides a statement for the customer and a ledger record for the company. The statement and the original copy of the invoice are sent to the customer, and the duplicate copy of the invoice is filed away by the company for record purposes. The system detailed above obtained during the period of Miss Barton's employment."

The Court, after hearing the evidence and argument, is satisfied that the Burroughs Duplex adding-machine used by Miss Barton is not a book-keeping machine and that, therefore, she was not entitled to be paid an additional rate of not less than 5s. per week while engaged in the use of the said machine.

Judgment for the defendant.

Dated this 19th day of May, 1941.

[L.S.]

A. TYNDALL, Judge.

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