

**AUCKLAND HOSPITAL BOARD CLERICAL AND OTHER OFFICERS.—MEMORANDUM OF THE COURT OF ARBITRATION REFUSING APPROVAL UNDER THE ECONOMIC STABILIZATION EMERGENCY REGULATIONS 1942 OF INDUSTRIAL AGREEMENT**

In the Court of Arbitration of New Zealand.—In the matter of the Economic Stabilization Emergency Regulations 1942; and in the matter of an application for approval of an industrial agreement, made on the 7th day of May, 1943, between the Auckland Hospital Board and the Auckland Provincial District Local Authorities Officers' Industrial Union of Workers.

MEMORANDUM OF THE COURT, DELIVERED BY TYNDALL, J.

THIS industrial agreement has been submitted to the Court for approval pursuant to Regulation 43A of the Economic Stabilization Emergency Regulations.

The Court is satisfied that negotiations between the parties had been commenced before the 15th day of December, 1942, consequently the agreement falls within the scope of clause 3 (b) of Regulation 43A.

In approving such an agreement the Court is directed in clause 7 of the same regulation to have regard to the general purpose of the regulations. Regulation 2 states that the general purpose of the regulations is to promote the economic stability of New Zealand.

Up to the date of the making of the agreement the Auckland Hospital Board, in regard to the employment of clerical workers, was bound by the Northern Industrial District Hospital Boards' Clerical Workers' award (39 Book of Awards 995). Sixteen other Hospital Boards are parties to the same award. The industrial agreement is designed to supersede the award, but only so far as the Auckland Hospital Board is concerned. Presumably the other sixteen Hospital Boards will continue, in the meantime, to be bound by the award.

The agreement, amongst other things, makes provision for increases in the minimum rates of remuneration of many classes of workers and, in a number of cases, provides for increases in the actual rates at present being paid. The proposed rates

are in most cases in excess of the rates prescribed in any other award or industrial agreement in the Dominion covering male and female clerical workers employed by Hospital Boards.

The reasons given to the Court in justification of the new agreement are that there have been many recent important changes in the scope and internal organization of the institutions controlled by the Board, and that the Board has had considerable difficulty in procuring the necessary staff, due, it is alleged, to the fact that higher rates of wages are paid elsewhere for similar services. In support of this statement attention was drawn to the general scales for junior males and females which are prescribed in the Auckland City Council Clerical and other Officers' Industrial Agreement (40 Book of Awards 1697). It was pointed out that the proposed scales for the employees of the Hospital Board correspond fairly closely with the City Council scales.

We are satisfied that if the agreement were approved it would give rise to many claims that anomalies had been created, which alleged anomalies the Court would no doubt be requested to adjust.

The Court was recently asked to approve of an industrial agreement providing for increased rates of remuneration for another class of hospital workers in Canterbury on the grounds that the same class of workers received higher rates when employed by the Auckland and Wellington Hospital Boards. Now we have an application before us for approval of an agreement providing that clerical workers under the Auckland Hospital Board shall receive rates greater than those paid by any other of the numerous Hospital Boards in the Dominion, on the grounds that the Auckland City Council is required to pay higher rates for similar services.

It should be pointed out that the City Council rates were originally fixed in an industrial agreement made in 1937 (37 Book of Awards 1775) and consequently they were in operation almost two years before the Northern Industrial District Hospital Boards' Clerical Workers' award was made.

It is obvious that if the Court were to approve of the agreement now before it on the grounds submitted the results are likely to be quite out of harmony with the objects of the Economic Stabilization Emergency Regulations. Having regard to the general purpose of the said regulations, we decline to approve the agreement in its present form.

Dated this 14th day of June, 1943. •

[L.S.]

A. TYNDALL Judge.