

NEW ZEALAND WATERFRONT CONTROL COMMISSION
CLERICAL EMPLOYEES.—AWARD

[Filed in the Office of the Clerk of Awards, Wellington.]

In the Court of Arbitration of New Zealand, Northern, Taranaki, Wellington, Marlborough, Nelson, Westland, Canterbury, and Otago and Southland Industrial Districts.—In the matter of the Industrial Conciliation and Arbitration Act, 1925, and its amendments; and in the matter of an industrial dispute between the New Zealand Shipping Officers' Industrial Union of Workers (hereinafter called "the union") and the Waterfront Control Commission, Dominion Building, Wellington (hereinafter called "the employers") :—

THE Court of Arbitration of New Zealand (hereinafter called "the Court"), having taken into consideration the matter of the above-mentioned dispute, and having heard the union by its representatives duly appointed, and having also heard such of the employers as were represented either in person or by

their representatives duly appointed, and having also heard the witnesses called and examined and cross-examined by and on behalf of the said parties respectively, 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 on the 25th day of September, 1944, and shall continue in force until the 31st day of March, 1946, and thereafter as provided by subsection (1) (d) of section 89 of the Industrial Conciliation and Arbitration Act, 1925.

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 21st day of September, 1944.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Salaries

1. The following shall be the minimum rates of salaries which shall be paid by the employers to the officers of the clerical staff employed by them respectively, the same to commence on officers attaining their sixteenth birthday (women being on date of employment), subject to provisions of the

Shops and Offices Act. All office experience after the sixteenth birthday shall count as length of service for the following scale:—

		Per Annum.		
		£	s.	d.
Men—				
First six months	..	60	0	0
Second six months	..	78	0	0
Third six months	..	90	0	0
Fourth six months	..	102	0	0
Fifth six months	..	114	0	0
Sixth six months	..	126	0	0
Fourth year	..	145	0	0
Fifth year	..	170	0	0
Sixth year	..	195	0	0
Seventh year	..	220	0	0
Eighth year	..	245	0	0
Ninth year	..	270	0	0
Tenth year	..	300	0	0
Eleventh year	..	310	0	0
Twelfth year	..	320	0	0
Women (including telephonists)—				
First six months	..	60	0	0
Second six months	..	72	0	0
Third six months	..	84	0	0
Fourth six months	..	96	0	0
Fifth six months	..	112	0	0
Sixth six months	..	126	0	0
Fourth year	..	132	0	0
Fifth year	..	155	0	0
Sixth year	..	175	0	0
Seventh year	..	195	0	0

Thereafter on merit: Provided—

- (i) That any employees receiving a salary in excess of that provided by the above scale shall not have their salary reduced:
- (ii) That on attaining the age of twenty-one years each employee shall be entitled to receive the basic wage and shall receive payment of the basic wage until such time as the salaries shown in the above scale show an increase over the basic wage, when the scale will be reverted to.

Payment of Salaries

2. Payment of salaries shall be made weekly.

Meal-money

3. Two shillings meal-money shall be paid to any employee, other than one engaged on shift duties, working before 8 a.m., after 6 p.m., or after 11 p.m. on any day, and before 8 a.m. or after 12.30 p.m. on a Saturday. Any employee other than one engaged on shift duties working on a Sunday or holiday as defined in this award who requires to obtain a meal shall be paid meal-money. Any employee working on duties normally involving a start between 7 a.m. and 8 a.m. shall not receive meal-money for such start unless he is required to work more than eight hours between 7 a.m. and 5 p.m. that day. If after completion of an eight-hour shift bureau clerks are called upon to work through or beyond any meal hour, they shall be paid a meal allowance of 2s.

Holidays

4. (a) The following days shall be observed as holidays: 1st January and next following day (excluding Sunday), Anniversary Day of province or any other day customarily observed in lieu thereof, Good Friday, Easter Saturday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day, and Boxing Day, and these shall not be counted as part of the annual leave.

(b) Every employee shall be entitled in every twelve months to fourteen days' leave on full salary during the first ten years of service and twenty-one days' leave on full salary in every twelve months after the completion of ten years' service. All office experience after the sixteenth birthday to count as service.

(c) If such leave is not given at the time it is due and if it is mutually agreed, such leave may accumulate for two years and then be given in one period.

(d) At least fourteen days' notice shall be given by the employer to any employee going on leave, and such leave when granted shall be continuous.

Hours of Work

5. (a) *Staff other than Bureau.*—Forty hours per week, to be worked between the hours of 8 a.m. and 5 p.m., Monday to Friday inclusive, and 8 a.m. to noon on Saturday.

(b) *Bureau Staff*—

(i) Where Shift operates—

Day Shift: Forty hours per week, to be worked between the hours of 7 a.m. and 4 p.m., Monday to Friday inclusive, and 7 a.m. to noon on Saturday:

- (i) Where Shift operates—*continued*.

Night Shift: Forty hours per week, to be worked between the hours of 2 p.m. and 11 p.m., Monday to Friday inclusive, and 11 a.m. to 5 p.m. on Saturday.

- (ii) Where Shifts not worked: Forty-four hours per week, to be worked between the hours of 8 a.m. and 5 p.m., Monday to Friday inclusive, and 8 a.m. to noon on Saturday.

Overtime

6. (a) At the ports of Auckland, Wellington, Lyttelton, Dunedin, and Port Chalmers time worked in excess of forty hours per week or time worked outside the hours prescribed above shall be deemed to be overtime and shall be paid for at the rate of time and a half: Provided that bureau staff at ports where shifts are not worked shall be paid for overtime at the rate of time and a half for time worked in excess of forty-four hours per week.

(b) At ports other than Auckland, Wellington, Lyttelton, Dunedin, and Port Chalmers the Commission shall allow time off to the extent of one and a half hours for each hour of overtime worked, to be given during the four-weekly period following the four-weekly period in which excess hours are worked, or, in lieu thereof,—

(i) May be added to the employee's annual leave:

(ii) Overtime paid at rates prescribed herein.

(c) At all ports time worked on Christmas Day, Anzac Day, Good Friday, and Sundays shall be paid for at double the ordinary time, in addition to the salary prescribed in clause 1. Time worked on other holidays prescribed in clause 4 (a) shall be paid for at time and a half, in addition to salary.

(d) A minimum payment of four hours shall be paid for all time worked on Sundays and holidays.

(e) Where overtime is paid, the rate shall not be less than 1s. 6d. per hour.

(f) For the purposes of computation of overtime rates of pay, ordinary hourly time shall be calculated by dividing the annual salary by 2,080 (*i.e.*, fifty-two weeks of forty hours per week) for staff employed on a forty-hour week, and 2,288 (*i.e.*, fifty-two weeks of forty-four hours per week) for staff employed on a forty-four hour week.

Transport

7. Any officer required to be on duty before 7 a.m. or after 11 p.m. shall be supplied with transport.

Board Allowance to Junior Officers transferred

8. Junior officers transferred by their employers in the third, fourth, and fifth years of service, counting from the sixteenth birthday, shall be paid a boarding-allowance in addition to their salary as follows:—

	£	s.	d.
During third year of service ..	40	0	0
During fourth year of service ..	30	0	0
During fifth year of service ..	20	0	0

This clause shall not apply to junior officers transferring at their own request.

Workers to be Members of Union

9. (a) Subject to the provisions of section 18 (5) of the Industrial Conciliation and Arbitration Amendment Act, 1936, 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 purpose of subclause (a) of this clause a person of the age of eighteen 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 twenty-one years and upwards, shall be deemed to be an adult.

(NOTE.—Attention is drawn to subsection (4) of section 18 of the Industrial Conciliation and Arbitration Amendment Act, 1936, which gives to workers the right to join the union.)

Matters not provided for

10. If a dispute shall arise between the parties to this award upon any matters arising out of or in connection with the award and not specifically dealt with therein, it shall be referred to a committee comprised of two representatives of the union and two representatives of the employers, who shall appoint an independent chairman, for decision. The decision of a majority of this committee shall be binding, except that any party adversely affected thereby shall have the right, within fourteen days after the decision is given, to appeal against the decision to the Court of Arbitration, which may amend the decision in any way, after hearing the parties, it may consider necessary or desirable.

Under-rate Workers

11. (a) Any worker who through old age or permanent disability is 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 to the secretary of the union, who shall forward such application to the committee set up under clause 10 hereof.

(b) Such permit shall be for such period, not exceeding six months, as the committee shall determine, and after the expiration of such period shall continue in force until fourteen 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 in this clause.

(c) It shall be the duty of the union to give notice to the Inspector of Awards of every permit issued to a worker pursuant hereto.

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

Union Officials' Right of Entry on Employers' Premises

12. The secretary and/or president of the union shall have power at all reasonable times, but not so as to interfere unreasonably with the employer's business, to enter upon the premises of any employer bound by this award for the following purposes:—

- (a) To interview any worker in connection with the operation of this award:
- (b) To make any inquiries necessary for the effective operation of this award.

General Orders under Rates of Wages Emergency Regulations 1940

13. The two general orders made under the Rates of Wages Emergency Regulations 1940, and dated 9th August, 1940, and 31st March, 1942, respectively, shall be deemed to be incorporated in this award, and shall have effect according to their tenor.

Application of Award

14. This award shall apply to all members of the clerical staff of the Waterfront Control Commission who are in receipt of a salary of £400 per annum or less (excluding cost-of-living bonuses).

Scope of Award

15. This award shall operate throughout the Northern, Taranaki, Wellington, Marlborough, Nelson, Westland, Canterbury, and Otago and Southland Industrial Districts.

Term of Award

16. This award shall come into force on the 25th day of September, 1944, and shall continue in force until the 31st day of March, 1946.

In witness whereof the seal of the Court of Arbitration hath hereto been put and affixed, and the Judge of the Court hath hereunto set his hand, this 21st day of September, 1944.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The award embodies the terms of settlement arrived at by the assessors in Conciliation Council.

In making the award the Court has had regard to the provisions of the Economic Stabilization Emergency Regulations 1942.

A. TYNDALL, Judge.
