

**NEW ZEALAND SHIPPING COMPANIES' 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 undermentioned association, firms, and companies (hereinafter called "the employers") :—

NORTHERN INDUSTRIAL DISTRICT

Aspen Shipping Co., Ltd., Western Viaduct, Auckland.
 Canadian Pacific Railways, Quay Street, Auckland.
 Cook, Thos., and Son, Ltd., Queen Street, Auckland.
 Farmers' Co-operative Auctioneering Co., Ltd., Customs Street, Auckland.
 Frankham, A. G., Ltd., 20 Fanshawe Street, Auckland.
 Gisborne Lightering Co., Ltd., Childers Road, Gisborne.
 Gisborne Sheep-farmers' Frozen Meat and Mercantile Co., Ltd., Customhouse Street, Gisborne.
 Henderson and Macfarlane, Ltd., Quay Street, Auckland.
 Nathan, L. D., and Co., Ltd., Fort Street, Auckland.
 Northern Steamship Co., Ltd., Quay Street, Auckland.
 Port of Auckland Shipping and Stevedores' Association, Quay Street, Auckland.
 Paterson, A. S., and Co., Ltd., Quay Street, Auckland.
 Russell and Somers, Ltd., 83 Customs Street, Auckland.
 Tasman Empire Airways, Ltd., Breakwater Road, Auckland.
 Parry Bros., Ltd., Princes Wharf, Auckland.
 Watkin and Wallis, Huddart Parker Building, Quay Street, Auckland.

TARANAKI INDUSTRIAL DISTRICT

Newton King, Ltd., New Plymouth.
 South Taranaki Shipping Co., Ltd., Patea.

WELLINGTON INDUSTRIAL DISTRICT

Blue Star Line (N.Z.), Ltd., 22 Customhouse Quay, Wellington.
 Burgess, A. S., and Co., Ltd., Wanganui.
 Burns, Philp, and Co., Ltd., Prudential Buildings, Lambton Quay, Wellington.
 Canadian Pacific Railways, 11 Johnston Street, Wellington.
 Dalgety and Co., Ltd., 119-123 Featherston Street, Wellington.
 Federal Steam Navigation Co., Ltd., Maritime Building, Customhouse Quay, Wellington.
 Holm and Co., Ltd., Featherston Street, Wellington.
 Johnson and Co., Ltd., 116 Featherston Street, Wellington.
 Johnston and Co., Ltd., Wanganui.
 Levin and Co., Ltd., Customhouse Quay, Wellington.

- Millward, C. F., and Co., Wanganui.
 Murray, Roberts, and Co., Ltd., Featherston Street, Wellington.
 Montreal, Australia, New Zealand Line, Ltd., Maritime Building, Wellington.
 New Zealand Shipping Co., Ltd., Maritime Building, Customhouse Quay, Wellington.
 New Zealand Waterside Employers' Association Industrial Association of Employers, Maritime Building, Customhouse Quay, Wellington.
 Overseas Shipowners' Allotment Committee, corner of Featherston and Brandon Streets, Wellington.
 Port Line, Ltd., Maritime Building, Customhouse Quay, Wellington.
 Richardson and Co., Ltd., 21 Bridge Street, Port Ahuriri.
 Scales, Geo. H., Ltd., 22 Customhouse Quay, Wellington.
 Shaw, Savill, and Albion Co., Ltd., corner of Customhouse Quay and Brandon Street, Wellington.
 Smith, Beauchamp, and Co., Ltd., 126 Ridgway Street, Wanganui.
 Turnbull, A. H., and Co., Ltd., Maritime Building, Customhouse Quay, Wellington.
 Union Airways, Ltd., Customhouse Quay, Wellington.
 Union Steam Ship Co. of New Zealand, Ltd., Customhouse Quay, Wellington.
 Wellington Patent Slip, Co., Ltd., Wellington.
 Young, T. and W., Ltd., 77-85 Customhouse Quay, Wellington.

NELSON INDUSTRIAL DISTRICT

- Anchor Shipping and Foundry Co., Ltd., 5 Bridge Street, Nelson.
 Buxtons Ltd., Nelson.

WESTLAND INDUSTRIAL DISTRICT

- Westland Shipping Co., Mackay Street, Greymouth.
 Wild and Robertson, Ltd., Mackay Street, Greymouth.

CANTERBURY INDUSTRIAL DISTRICT

- Canterbury Steam Shipping Co., Ltd., Manchester Street, Christchurch.
 Ferrier, G., and Co., Ltd., Box 21, Lyttelton.
 Kinsey and Co., Ltd., 154 Hereford Street, Christchurch.
 National Mortgage and Agency Co., Ltd., 147 Hereford Street, Christchurch.
 Turnbull, D. C., and Co., Ltd., Strathallan Street, Timaru.
 Turnbull, A. H., and Co., Ltd., Christchurch.

OTAGO AND SOUTHLAND INDUSTRIAL DISTRICT

- Ramsay, K., and Co., Ltd., 49 Vogel Street, Dunedin.
 Swift, J. W., and Co., Ltd., 110 Bond Street, Dunedin.
 Tapley, H. L., and Co., Ltd., 49 Bond Street, Dunedin.
 Westport Coal Co., Ltd., 31 Water Street, Dunedin.
 Mill, J., and Co., Ltd., 11 Crawford Street, Dunedin.

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 day of the date hereof, 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

PART I.—GENERAL CLERICAL STAFF

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 to count as length of service for the following scale:—

		Per Annum.		
		£	s.	d.
Males:—				
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
Thirteenth year	.. ..	330	0	0
Fourteenth year	.. ..	340	0	0
Fifteenth year	.. ..	350	0	0
Sixteenth year	.. ..	360	0	0
Thereafter on merit.				

Females:—

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
Eighth year ..	.. ..	205	0	0
Ninth year	.. ..	220	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 of £3 16s. per week for males and £1 16s.

per week for females, 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 for male employees shall be made monthly or twice monthly as the officer concerned may elect, and any such election shall be for a reasonable and fixed period.

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.

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 shipping-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.

Compensating Provisions for Work performed on Saturday Afternoons, Sundays, Holidays, and Extended Hours

5. (a) When an employeé is required to work after 12.30 p.m. on Saturday afternoon, Sunday, or any of the holidays defined in clause 4, subclause (a), he shall be compensated by receiving time off at the rate of one and a half hours for each hour worked on such days, with a minimum of three hours' time off for any time worked on Sundays and holidays, this time off to be given not later than four weeks following the Saturday afternoon, Sunday, or holidays on which the employee worked; or in lieu thereof such time off may be added to the annual holiday on the basis of a full day for work done on the holidays defined covering Easter, Christmas, and New Year, Anniversary Day of province, Anzac Day, birthday of the reigning Sovereign, and Labour Day, and time and a half for work done on Saturday afternoons and Sundays. Failing these provisions being complied with, payment shall be made on the following basis:—

For work performed on Saturday after 12.30 p.m.,
4s. per hour:

For work performed on Sundays and holidays, 4s. per
hour, with a minimum payment of 8s.

Provided that this clause shall not apply to workers employed on shift-work who customarily work on Saturday afternoons, Sundays, and holidays.

Except as may be agreed with the union, this clause, so far as optional time off is concerned, shall not apply to those companies which at the date of this award customarily make payment for such work.

(b) *Hours.*—For hours worked in excess of forty-four per week compensation shall be made by way of time off at the rate of one and a half hours for each excess hour of overtime, to be given during the four-weekly period following the four-weekly period in which excess hours are worked, or in lieu thereof—

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

(2) The actual excess hours worked may be paid for at the rate of 2s. 6d. per hour for employees receiving less than £250 per annum and 4s. per hour for employees receiving £250 or over per annum.

Transport

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

Travelling-expenses

7. *Officers on Transfer.*—An officer on transfer will be reimbursed reasonable expenses for removal of furniture and effects, also actual reasonable expenses whilst on transit, and terminal expenses for board as under:—

Married Officers: Two weeks' board for self and family, not to exceed £15.

Single Officers: Two weeks' board, not to exceed £4 10s. per week.

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.

PART II.—PURSERS

Salaries

1. On transfer to the sea staff as an assistant purser or purser the scale appearing in clause 1 of Part I, General Clerical Staff, shall be reduced by £50 per annum: Provided that after such deduction the following shall be the minimum rates payable for the first four years at sea:—

	£	s.	d.
First year	72	0	0
Second year	84	0	0
Third year	96	0	0
Fourth year	108	0	0

Service both ashore and at sea shall count for the purposes of ascertaining the scale rate.

Annual Leave

2. Every assistant purser and purser shall be entitled in every twelve months to twenty-one days' leave during the first ten years of service and twenty-eight days' leave in every twelve months after the completion of ten years' service at sea-pay rates.

(NOTE.—The additional week's leave allowed under the clause is to compensate for Sundays and holidays at sea.)

Shore Sustenance

3. Officers while travelling on transfer or standing by shall be paid sustenance at the rate of 15s. per day, with a maximum of £4 10s. per week for the first two weeks; thereafter they shall be paid at the rate of 12s. 6d. per day, with a maximum of £3 15s. per week.

Scope

4. This Part of this award shall apply only to ships for which articles are taken out in New Zealand.

PART III.—AUCKLAND TOLL CLERKS

Salaries

1. Toll clerks employed at Auckland shall be paid on the basis of £312 per annum.

Meal-money

2. Two shillings meal-money shall be paid to any toll clerk working before 8 a.m. or after 6 p.m. on any week-day and before 8 a.m. or after 12.30 p.m. on a Saturday. Any toll clerks working through any meal-hour on a Sunday or holiday as defined in clause 3 (a) of this Part of this award shall be paid meal-money.

Holidays

3. (a) The following days shall be observed as holidays: 1st January, Good Friday, Easter Monday, Anniversary Day of province, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day, and Boxing Day, and these shall not be counted as part of annual leave.

(b) Waterside picnic day when held shall be observed as a holiday.

(c) Each toll clerk shall receive fourteen days' leave on full salary for each twelve months' service.

PART IV.—MESSENGERS AND INQUIRY CLERKS

Salaries

1. Employees doing the work of messengers and inquiry clerks shall be paid a minimum rate of £208 per annum for each year of service, rising in minimum annual increments of £13 per annum to £260 per annum.

Holidays

2. The provisions of clause 4, Part I, General Clerical Staff, shall apply to messengers and inquiry clerks: Provided that the maximum annual leave shall be fourteen days.

Meal-money

3. The provisions of clause 3, Part I, General Clerical Staff, shall apply to messengers and inquiry clerks.

Hours of Work

4. The provisions of clause 5, Part I, General Clerical Staff, shall apply to messengers and inquiry clerks.

PART V.—CHIEF CARGO TALLY CLERKS

This Part of this award shall apply to chief cargo tally clerks employed throughout New Zealand, with the exception of the Northern Industrial District.

Salaries

1. Chief cargo tally clerks shall be paid at the rate of £6 10s. per week. This salary shall be payable fortnightly, and payment shall include overtime earned in the current fortnight.

Hours of Work

2. The ordinary hours of work shall be forty-four, to be worked between 8 a.m. and 5 p.m., Monday to Friday inclusive, and between 8 a.m. and noon on Saturdays.

Overtime

3. Work performed outside the ordinary hours named in clause 2 hereof or on Sundays or the holidays named in clause 5 hereof shall be classed as overtime and shall be paid for at the rate of 4s. 5½d. per hour, except that such clerks employed on night shift from 11 p.m. to 7 a.m. shall, in lieu of overtime, receive the sum of 5s. for each period so worked.

Meal-money

4. Chief cargo tally clerks required to commence work before 7 a.m. or to continue work after 6 p.m., Monday to Friday, or to commence work before 7 a.m. or continue work after 1 p.m. on Saturdays, shall be allowed meal-money at the rate of 2s. per meal.

Holidays

5. (a) Statutory holidays shall be: New Year's Day, Anniversary Day (in province concerned), Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day, and Boxing Day. At Lyttelton the 2nd January shall be a holiday, but Anniversary Day shall not be a holiday.

(b) Waterside picnic day when held shall be observed as a holiday.

(c) After the date of this award coming into force each chief cargo tally clerk shall receive two weeks' leave on full salary in each twelve months of service, to be given at a time convenient to the employer.

PART VI.—GENERAL PROVISIONS APPLICABLE TO ALL WORKERS

Workers to be Members of Union

1. (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

2. 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

3. (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 2 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 so 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

4. 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

5. 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

6. This award shall apply to all members of the clerical staff of shipping companies, firms, or agencies who are in receipt of a salary of £400 per annum or less, exclusive of cost-of-living bonuses, and who are engaged either wholly or for the greater part of their time in shipping work.

Special Clause re Tallying

7. Nothing in this award shall prevent the employment of ships' pursers, ships' officers, or of members of the general clerical staffs employed by the parties hereto in tallying duties or receiving or delivering of cargo, goods, mails, luggage, &c., in or about the ships or wharves.

Scope of Award

8. This award, except as regards permanent tally clerks in the Northern Industrial District, shall operate throughout the Northern, Taranaki, Wellington, Marlborough, Nelson, Westland, Canterbury, and Otago and Southland Industrial Districts.

Term of Award

9. This award shall come into force on the day of the date hereof, 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.