

DUNEDIN CITY COUNCIL **CLERICAL AND OTHER EMPLOYEES.**
—AWARD

In the Court of Arbitration of New Zealand, Otago and Southland Industrial District.—In the matter of the Industrial Conciliation and Arbitration Act, 1925, and its amendments; and in the matter of an industrial dispute between the Dunedin Municipal Clerical and other Employees' (other than Inspectors) Industrial Union of Workers (hereinafter called "the union") and the undermentioned Council (hereinafter called "the employers") :—

Dunedin City Council, Dunedin.

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 3 of the Industrial Conciliation and Arbitration Amendment Act (No. 2), 1939, 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 March, 1947, 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 14th day of September, 1945.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to which Award applies

1. This award shall apply to clerical workers and other employees of the Dunedin City Council specifically mentioned herein.

Hours of Work

2. (a) Unless otherwise provided herein, the ordinary hours of work shall not exceed forty per week, to be worked on five days of the week, Monday to Friday, both days inclusive.

(b) The hours of work for gas salesman in the Princes Street Showroom shall be as prescribed in the Shop-assistants' award.

Salaries

3. (a) For the purpose of this clause, "service" shall mean service with the Dunedin City Council: Provided, however, that in the case of employees under the age of twenty-one years entering the service of the Council after the commencement of this award, previous service of a similar character in another local authority or commercial house shall count as service.

(b) All employees entering the service after the commencement of this award shall, if they enter the service during the months of April to September (both months inclusive), receive their first annual increment as from the 1st day of the first month of April following the month in which they enter the service, and shall, if they enter the service between October and March (both months inclusive), receive their first annual increment from the 1st day of the second month of April following the month in which they enter the service. All future annual increments to which they become entitled shall take effect from the 1st day of April next following.

(c) Any worker in the employ of the Council at the coming into operation of this award shall be allowed for past service in his or her present position in the computation of the salary to which he or she is entitled by the provisions contained herein.

(d) Where any employee is promoted or is transferred from one position to another and is thereby entitled to be transferred to a higher grade the commencing salary of which is below that being received by him when promoted or transferred, he shall be paid the salary in the higher grade which is immediately above that being paid to him at the time of promotion or transfer. Any subsequent annual increments to which the employee becomes entitled shall, if the promotion or transfer takes place during the months of April to September (both months inclusive), be paid from the 1st day of the first month of April following the month in which the promotion or transfer took place, and if the promotion or transfer takes place during the months of October to March (both months inclusive), be paid from the 1st day of the second month of April following the month in which the promotion or transfer took place.

(e) The following shall be the minimum salaries payable to employees specified:—

Male Clerical Workers (other than General Division):—

First year ..	£ 85	Seventh year ..	£ 278
Second year ..	115	Eighth year ..	303
Third year ..	145	Ninth year ..	313
Fourth year ..	177½	Tenth year ..	325
Fifth year ..	213	Eleventh year ..	338
Sixth year ..	248		

(f) Male workers occupying the following positions shall be paid not less than the following rates:—

	First Year.	Second Year.	Third Year.	Fourth Year.	Fifth Year.
<i>Municipal—</i>	£	£	£	£	£
Ledger clerk	378	388	403	413	428
Accounts clerk	378	388	403	413	428
Third clerk	338	348	363	378	..
Internal auditor	376	386	396	411	416
<i>Electricity Department—</i>					
First clerk	378	388	403	413	428
Second clerk	376	386	396	411	416
Third clerk	348	363	378	388	..
<i>Gas Department—</i>					
First clerk	376	386	396	406	..
Second clerk	356	366	378	388	..
Gasworks clerk	326	338	..	..	..
<i>Valuation Department—</i>					
Senior valuer	363	378	393	..	..
Valuers	346	356	366	378	388
Clerk, valuer's office	348	358	368	378	..
<i>City Engineer's Office—</i>					
Senior clerk	346	356	366	378	..
<i>Town Clerk's Office—</i>					
Correspondence clerk	348	363	378	388	403
Records clerk	348	358	368	378	388
<i>City Electrical Engineer's Office—</i>					
Records clerk and paymaster	338	348	366	..	..
Overhead office	312	326	338	..	..
Test-room senior clerk	338	348	366	..	..
<i>Non-clerical—</i>					
Chainmen	286	299	312	..	..
Tepid-baths custodian	356	366	376	..	..
Tepid-baths attendants	286	296	306	..	..
Gas salesman	306	316	326	..	..
Gas-meter readers	299	312	318½	..	..
Electric-meter readers	299	312	325	..	..
Messenger, Town Hall	312	322	..	..	..

Should a junior male clerk occupy any of the specified positions above, he shall be paid the rate provided in sub-clause (e) hereof, according to his years of experience.

(g) *General Clerical Division (Male)*—(i) Casual and temporary clerks, £5 15s. per week. If such workers are continuously employed in excess of twelve months, they shall be graded in General Clerical Division, Grade A.

(ii) Clerks employed in positions graded by the Council as General Clerical Division, Grade A, shall be paid not less than £312 per annum.

(iii) Clerks employed in positions graded by the Council as General Clerical Division, Grade B, shall be paid £326 per annum, rising to £366 per annum within ten years of his appointment to a B Grade position.

(iv) The present grading may be altered by agreement of the parties.

(h) Typists and female clerical staff shall be paid not less than the following salaries:—

<i>A Grade—</i>		£			£
First year ..	..	80	Fifth year ..	..	155
Second year ..	..	100	Sixth year ..	..	175
Third year ..	..	120	Seventh year ..	..	195
Fourth year ..	..	140	Eighth year ..	..	215

(i) No female employee in this grade shall proceed beyond the salary of £155 per annum unless she has obtained the Senior Government Examination in shorthand and typewriting.

(ii) No female typist or shorthand-typist entering the employment after this award commences shall proceed beyond £195 per annum unless she holds the Intermediate Government Examination in shorthand and typewriting.

<i>B Grade—</i>		£			£
First year ..	..	235	Third year ..	..	265
Second year ..	..	250			

Operators of book-keeping machines shall be paid 5s. per week extra.

Temporary book-keepers and general clerks (female), £3 15s. to £4 10s. per week.

	£	
Gas demonstrator	{ First year ..	234
Electric demonstrator	{ Second year ..	247
	{ Third year ..	260

Overtime

4. (a) All time worked in excess of the hours prescribed in clause 2 hereof shall be paid for at the rate of time and a half for the first three hours and thereafter at double time, with a minimum of 1s. 6d. per hour. This provision shall not apply to workers in receipt of a salary in excess of £428 per annum.

(b) No overtime for which overtime rates are payable shall be worked by any employee without the approval of the head of the department in which the employee is employed.

(c) Any employee who is required to work overtime after 6 p.m. and who has not been given notice the previous day or who cannot reasonably get home for a meal shall be paid a meal allowance of 2s.

Holidays

5. (a) Except as provided in subclause (b) hereof, all employees shall be entitled to the following public holidays without any deduction of pay—viz., New Year's Day, the day following New Year's Day, Anniversary Day, Good Friday, Easter Monday, the birthday of the reigning Sovereign, Labour Day, Christmas Day, and Boxing Day.

(b) When any employee is required to be on duty on any holiday or portion of a holiday above prescribed, he shall be allowed time off duty at the rate of one and a half hours for each hour worked, with a minimum of four hours. Such time off shall be taken at a later date to be agreed upon by the Council or the head of the department concerned, and such time off duty shall not be deducted from the annual recreational leave. In lieu of allowing time off as herein provided, an employee may be paid in cash for any time off to which he is entitled, and any decision to make such payment shall be made by the head of the department after conferring with the employee concerned.

(c) All employees after twelve months' continuous service shall be entitled to ten consecutive working-days' recreational leave on full pay, exclusive of any holidays mentioned in subclause (a) hereof. Should the employment of an employee be terminated for any reason other than wilful misconduct after having served not less than twelve months, such employee shall be paid a proportionate allowance for holidays.

(d) Annual leave may accumulate for, but not beyond, two years with the consent of the Council.

(e) At least fourteen days' notice of the commencement of the annual leave shall be given by the Council to the employee.

Clothing

6. (a) Any employee required by the Council to wear a uniform while on duty shall be provided with same at the expense of the employer.

(b) Workers whose duties necessitate their working outside shall be provided with raincoats and leggings as necessary.

Morning Tea

7. An interval not exceeding ten minutes shall be allowed to the female staff for morning tea, provided, however, that there is no interference with ordinary duties or inconvenience to the public.

Expenses

8. (a) All authorized out-of-pocket expenses incurred by any employee in the execution of his duties shall be paid by the Council.

(b) When any employee is required to be on duty before or after ordinary public means of conveyance, other than specially hired conveyance, are available, he shall either be supplied with transport or have his fares paid by the Council to enable him to proceed to or from his home.

Higher-grade Duties

9. Any employee who, with the approval of the head of the department, performs the major portion of the duties of a higher-grade employee shall, if he occupies the higher-grade position for more than eight weeks continuously, be paid from the date upon which he commenced the higher-grade position at a rate not less than the minimum salary paid for the higher position.

Payment of Salaries

10. All salaries shall be paid fortnightly. For the purpose of calculating the amount payable fortnightly in respect of annual salaries, the amount of the annual salary shall be divided by twenty-six.

Application

11. Except in the case of a worker performing higher-grade duties pursuant to clause 9 hereof, no person in the employment of the Council who, at the date of this award, is in receipt of a higher rate of pay or other remuneration, or more holidays, or whose hours of duty are less than herein provided, or who has been carrying out any of the duties covered by this award for a period of twelve months or over prior to the date of this award shall have his or her pay, remuneration, or holidays reduced, or hours increased, or suffer any reduction in status on account of this award.

Terms of Employment

12. (a) Vacant positions shall be filled where practicable by promotions of employees already on the staff of the Council: Provided that the decision of the Council as to fitness or otherwise of any employee for promotion shall be final.

(b) It shall be a condition of every permanent appointment that the appointee shall join the employer's superannuation fund.

(c) In the absence of special written agreement between the Council and any employee, one month's notice of resignation or dismissal shall be given in the case of permanent staff, fourteen days' notice in the case of other employees except casual and temporary clerks, in whose case the notice shall be one week: Provided that in the case of wilful misconduct, dishonesty, or serious dereliction of duty the employment may be summarily terminated.

(d) Where an employer dismisses a worker on less notice than is provided in subclause (c) hereof without there being wilful misconduct, dishonesty, or serious dereliction of duty, the employer shall pay to the work an amount equal to the amount such worker would have earned had the full notice been given. Such payment shall be additional to any holiday pay due for services rendered.

Part-time Employment

13. Rates of remuneration or wages for part-time employees whose services do not necessitate his or her employment for substantially the number of hours specified in clause 2 hereof shall be decided by negotiations between the president and secretary of the union and the Council.

Matters not provided for

14. Any dispute in connection with any matter not provided for in this award shall be settled between the employer concerned and the secretary or president of the union, and in default of any agreement being arrived at, then such dispute shall be referred to the Conciliation Commissioner, who shall either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Commissioner, may appeal to the Court upon giving written notice of such appeal within fourteen days after such decision shall have been communicated to the party desiring to appeal.

Right of Entry

15. The secretary or other authorized officer of the union shall be entitled to enter at all reasonable times upon the premises or offices of the Council for the purpose of interviewing any employee in connection with the operation of this award, but so as not to interfere unreasonably with the Council's business.

Workers to be Members of Union

16. It shall not be lawful for the Council to employ or to continue to employ in any position subject to this award any person who for the time being is not a member of the Dunedin Municipal Clerical and other Employees' Industrial Union of Workers.

Increase in Rates of Remuneration

17. 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.

Complaints

18. An officer called upon to answer any charge arising out of a complaint against him shall be entitled to have the assistance of the secretary or other officer of the union appointed in that behalf at any inquiry, and he shall be entitled to call evidence.

Term of Award

19. This award, in so far as it relates to wages, shall be deemed to have come into force on the 1st day of April, 1945, and so far as all the other conditions of this 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 March, 1947.

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 14th day of September, 1945.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

In making the award, which embodies the terms of settlement arrived at either in Conciliation Council or by the representatives of the parties, the Court has had regard to the provisions of the Economic Stabilization Emergency Regulations 1942.

Wages have been made payable retrospectively, in accordance with the agreement of the parties.

A. TYNDALL, Judge.
