

**OTAGO AND SOUTHLAND PUBLIC ACCOUNTANTS'
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 Otago and Southland Public Accountants' Employees' Industrial Union of Workers (hereinafter called "the union") and the undermentioned persons, firms, and company (hereinafter called "the employers") :—

Adamson, Francis, and Harrington, The Crescent, Invercargill.

Barr, Burgess, and Stewart, 7 Bond Street, Dunedin.

Davies, W. J., 49 Thames Street, Oamaru.

Green, R. S., Mersey Street, Gore.

Reid, W. E. C., and Co., 29 Bond Street, Dunedin.

Reid and Jones, Don Street, Invercargill.

Smith, D. V. G., 101 Thames Street, Oamaru.

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 29th day of September, 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 29th day of September, 1945.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to which Award applies

1. This award shall apply to the calling of "public accountants" and to all assistants employed in the office of any public accountant save and except—

- (a) Persons employed as cleaners or caretakers or in any other analogous capacity.
- (b) All assistants who have had less than six years' accountancy experience and the conditions of whose employment are for the time being the subject of a special service agreement which is made in a form that has been approved by the union and which has not been cancelled, terminated, or rescinded pursuant to the provisions thereof or otherwise howsoever.
- (c) Workers in receipt of a salary of £350 or any greater sum per annum.

Interpretation

2. (a) "Office experience" shall mean the total period of employment as an office-assistant in any office.

(b) "Accountancy experience" of any male worker shall mean the total period of his employment as an assistant in the office of a public accountant.

Salaries

3. The following shall be the minimum salaries payable to workers:—

	Per Week.
	£ s. d.
(a) Males:—	
First six months of accountancy experience	1 7 6
Second six months of accountancy experience	1 12 6
Third six months of accountancy experience	2 0 0

(a) Males— <i>continued</i>	Per Week.
	£ s. d.
Fourth six months of accountancy experience	2 5 0
Fifth six months of accountancy experience	2 10 0
Sixth six months of accountancy experience	2 17 6
Fourth year of accountancy experience ..	3 12 6
Fifth year of accountancy experience ..	4 5 0
Sixth year of accountancy experience ..	4 10 0
Seventh year of accountancy experience ..	5 0 0
Eighth year of accountancy experience ..	5 10 0
Thereafter	5 15 0

Provided, however, that if any employee who has had five years' accountancy experience has been admitted by examination to the New Zealand Society of Accountants, then the rates of salary above mentioned for the sixth, seventh, and eighth years shall in each case be increased by the sum of 10s. per week, and in subsequent years by £1 per week: Provided, further, that previous "office experience" shall be reckoned and paid for as provided under the Shops and Offices Act, but should such office experience qualify the assistant in book-keeping and accountancy the value of such experience as an equivalent to time worked in the office of a public accountant shall be agreed upon by the employer and worker, and in default of agreement the Standing Committee set up under clause 14 shall determine the matter.

(b) Females:—	Per Week.
	£ s. d.
First six months of office experience ..	1 1 6
Second six months of office experience ..	1 5 6
Third six months of office experience ..	1 9 6
Fourth six months of office experience ..	1 13 6
Fifth six months of office experience ..	1 19 6
Sixth six months of office experience ..	2 3 6
Fourth year of office experience ..	2 8 6
Fifth year of office experience ..	2 16 0
Sixth year of office experience ..	3 2 6
Seventh year of office experience ..	3 7 6
Eighth and subsequent years ..	3 15 0

Provided always that the basic wage shall be paid at the requisite time.

Females engaged on the following machines shall be paid not less than 5s. per week in addition to the above rates:—

- (i) Accounting and book-keeping machines, posting and analysis machines, if fitted with vertical and cross adding registers.
- (ii) Calculating-machines used for calculating-work other than adding and subtracting.

(iii) Invoicing-machines fitted with adding registers, and where any part of the keyboard is electrically operated and controlled or fitted with vertical and cross adding registers.

(c) The above rates of remuneration shall be subject to the two general orders of the Court made under the Rates of Wages Emergency Regulations 1940, and dated the 9th August, 1940, and the 31st March, 1942, respectively.

(d) Salaries shall be paid at intervals of not more than one calendar month.

(e) No worker shall, by the operation of this award, suffer any reduction of salary or be paid less than the salary payable under the agreement dated the 31st March, 1937, and made between the union and C. S. D. Aitchison, of Dunedin, and other employers.

(f) During the currency of this award, employers shall give to workers the best training reasonably possible for the profession of public accountancy and shall encourage workers, as far as possible, to qualify for membership of the New Zealand Society of Accountants, and workers shall assist employers in every practicable way in the proper conduct of their offices and in the profession of accountancy.

Hours of Work

4. (a) Unless otherwise provided herein, the ordinary hours of work shall not exceed thirty-seven and a half per week, to be worked on five days of the week from Monday to Friday, both days inclusive.

(b) Where through special circumstances the aforesaid hours are not suitable, the working period may be varied in the case of yearly workers, subject to the conditions that any time worked in excess of 1,920 hours per annum (being the equivalent of forty-eight weeks of forty hours each) shall be paid for as overtime at the rate of time and a half. Work on Saturday mornings shall not exceed seventy-two hours per annum.

(c) Should the period of employment be less than one year, overtime shall be paid at time and a half rates on all time worked in excess of an average of forty hours per week for the period actually worked.

(d) For the purpose of reckoning the yearly working period of 1,920 hours, holidays shall not count as time worked.

Time off for Examinations

5. (a) Employers shall grant time off without loss of pay to any worker on any half-day on which such worker is sitting any examination for the New Zealand Society of Accountants or for the Degree of Bachelor of Commerce or Master of Commerce. All time off so granted shall be deemed to be time worked for the purposes of clause 4 (b) hereof, but not for the purposes of clause 4 (c) hereof. In addition, the employer may grant time off for the purpose of study for any such examination.

(b) No worker who proposes to sit any such examination shall be required to work after 6 p.m. on any day in the period commencing two weeks prior to his first examination towards the end of any year and expiring on the date of his last examination in that year.

Travelling-time

6. Travelling-time outside the usual daily working-hours from Mondays to Fridays inclusive (unless statutory or other holidays) and travelling-time before 8 a.m. on Saturdays and after 5 p.m. on Sundays shall not be deemed to be time worked, but travelling-time on statutory holidays or after 8 a.m. on Saturdays or before 5 p.m. on Sundays shall be deemed to be time worked for the purpose of clause 4 (b) and clause 4 (c) hereof.

Holidays

7. (a) All workers shall in each year receive a fortnight's holiday on full pay exclusive of and in addition to the days mentioned in subclause (b) hereof.

(b) The following days shall be observed as paid holidays: Christmas Day, Boxing Day and the day after, New Year's Day and the day after, Good Friday, Easter Monday and the day after, Anniversary Day, Anzac Day, Labour Day, the birthday of the reigning Sovereign, and Cup Day (half-day from noon). If any such day (other than Anzac Day) shall fall on a holiday, another day (not being a holiday hereinbefore in this subclause mentioned) shall be observed as a holiday in lieu thereof.

(c) Anniversary Day may be observed in conjunction with the Easter holidays.

Sick-leave

8. Upon production of a medical certificate, if required by the employer, a worker with less than four years' service shall be allowed, where necessary, sick-leave on full pay for a

period not exceeding seven days in any one year, and workers with not less than four years' service shall be allowed, where necessary, sick-leave on full pay for a period not exceeding fourteen days in any one year.

Tea-money

9. Any worker who is employed until after 6 p.m. on any day shall, in respect of every such day, be paid, not later than the next regular pay-day, 2s. tea-money.

Terms of Employment

10. The employment shall be a fortnightly employment and two weeks' notice of termination of employment shall be given by either party; but this shall not affect the right of an employer to dismiss an employee for good cause.

Casual Workers

11. Any worker to whom this award applies who is employed for less than a complete week of five normal days shall be entitled to be paid at the rate of the appropriate weekly salary plus 20 per cent. for a week of forty working-hours and shall receive a proportionate part of such weekly sum computed upon an hourly basis.

Under-rate Workers

12. (a) Any worker who considers himself 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 after due notice to the union, by the local Inspector of Awards or such other person as the Court may from time to time appoint for that purpose; and such Inspector or other person in so fixing such wage shall have regard to the worker's capability, his past earnings, and such other circumstances as such Inspector or other person shall think fit to consider after hearing such evidence and argument as the union and such worker shall offer.

(b) Such permit shall be for such period, not exceeding six months, as such Inspector or other person 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 by this clause: Provided that in the case of any person whose wage is so fixed by reason of old age or permanent disability it may be fixed for such longer period as such Inspector or other person shall think fit.

(c) Notwithstanding the foregoing, it shall be competent for a worker to agree in writing with the president or secretary of the union upon such wage without having the same so fixed.

(d) It shall be the duty of the union to give notice to the Inspector of Awards of every agreement made with a worker pursuant hereto.

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

Workers to be Members of Union

13. (a) Subject to the provisions of subsection (5) of section 18 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 purposes 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.

(c) Upon request by the union at intervals of not less than three months, employers shall supply to the secretary of the union a list of workers subject to this award.

(d) Employers, wherever practicable, shall endeavour to give preference to members of the union who are for the time being unemployed.

(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.)

Disputes

14. If any dispute or difference shall arise as to the accountancy experience of any worker or as to any other matter whatsoever arising out of or connected with this award and not dealt with in this award, every such dispute or difference shall be referred to the Standing Committee, whose decision shall be final. The Standing Committee shall be comprised of three representatives appointed by the union and three representatives appointed by the Otago Public Accountants' Association. In the event of the Standing Committee being equally divided upon any matter, such matter

shall be referred for decision to an arbitrator who shall be appointed by the said six representatives, or a majority of them, or, in default of any such appointment, shall be appointed by the Conciliation Commissioner for the district. The Standing Committee may make its own rules for the hearing of disputes and other matters referred to it.

Application of Award

15. This award shall apply to the original parties named herein, and shall extend to and bind as subsequent party hereto every trade-union, industrial union, industrial association, or employer who, not being an original party hereto, is, when this award comes into force or at any time whilst this award is in force, connected with or engaged in the industry to which this award applies within the industrial district to which this award relates.

Scope of Award

16. This award shall operate throughout the Otago and Southland Industrial District.

Term of Award

17. This award, in so far as it relates to wages, shall be deemed to have come into force on the 1st day of June, 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 29th day of September, 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 29th day of September, 1945.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

In making the award, which embodies the terms of settlement arrived at by the assessors in Conciliation Council, 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.