

CHRISTCHURCH CITY COUNCIL OFFICERS (OTHER THAN CLERICAL).—AWARD

In the Court of Arbitration of New Zealand, Canterbury 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 Canterbury Local Bodies' Officers' (other than Clerical) Industrial Union of Workers (hereinafter called "the union") and the undermentioned Council (hereinafter called "the employers") :—

Christchurch City Council, Christchurch.

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 August, 1950, 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 31st day of August, 1948.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Application of Award

1. This award shall apply to all officers of the Council employed under the following classifications: Traffic Inspectors, Water Inspectors, Sanitary Inspectors, Building Inspectors, Dangerous-goods Inspectors, Overseers, Foremen, Supervisors, Cadets, Engineering, Architectural, Survey, and Town Planning Assistants, Draughtsmen, Registered Engineers, Registered Surveyors, Registered Architects, and any other officer in the employ of the Council not covered by an award or industrial agreement.

Hours of Work

2. (a) Except as hereinafter provided in subclauses (b), (c), and (d), 37½ hours shall constitute a week's work, to be worked on Monday to Friday, both days inclusive; but the Council may require officers to work up to 80 hours per fortnight when an occasion demands.

(b) The normal hours of Overseers, Foremen, and Supervisors shall be the same as those of the men over whom they exercise control.

(c) Traffic Inspectors shall be subject to the provisions of clause 13.

(d) Notwithstanding anything to the contrary, the ordinary hours of custodians at the Robert McDougall Art Gallery shall not exceed 40 per week: Provided they shall have one full day off each week and that, when conditions permit, the female custodian shall have alternate Saturdays off throughout the year and the male custodian alternate Saturdays off during summer months.

Conditions of Service

3. (a) For the purpose of this award "service" shall mean service with the Christchurch City Council or similar experience with another local body.

(b) Appointments shall be made with a probationary period not exceeding three months. At the expiration of the probationary period the officer shall either be appointed or discharged at the discretion of the Council, and the union shall be so notified.

(c) Vacant positions shall be filled, where practicable, by promotion of employees already on the staff and the appointment of juniors, and where any position is created or a vacancy occurs in the staff, applications to fill same shall first be called from members of the permanent staff of all departments to

ascertain whether, in the opinion of the Council, there is any person available in the Council's service suitable for the appointment.

(d) When applications for appointments are called for by way of public advertisement, any employees of the Council may apply for promotion or transfer to the appointment advertised, and full consideration shall be given to merit, ability, qualification, seniority, and length of service; but the Council's decision shall be final.

(e) The employment of permanent officers shall be monthly, unless agreements are made under seal on a different basis, and one month's notice of termination shall be given by either party, except in the case of dereliction of duty, insubordination, or misbehaviour, and in such case the officer shall be liable to instant dismissal.

(f) Officers shall be paid fortnightly, not later than Thursday.

(g) Officers appointed to positions specially classed shall be paid not less than the amount set against such classification.

(h) No officer shall be discharged as a consequence of this award in order that the work may be done at less than the prescribed rates.

(i) Officers receiving salaries in excess of that provided by this award shall not have their salaries reduced by reason of the coming into operation of this award.

Complaints

4. (a) Any charge laid against an officer by a member of the public shall be made in writing by the complainant within seventy-two hours after the subject-matter thereof came to the complainant's knowledge, and the officer concerned shall be notified thereof within twelve hours of its receipt. He shall be entitled to see and make a copy of such complaint before being called upon to answer the charge. In computing the above time, Saturdays, Sundays, and holidays shall be excluded.

(b) An officer may call evidence when an inquiry is held. If the complaint is made by another employee, he shall, when necessary, be required to be present: Provided that when the inquiry is held before a Standing Committee of the Council, such complainant shall be required to be present.

(c) He may be represented by the secretary of the union.

Remuneration and Salaries

5. (a) The increments shown in the various sections shall be considered as annual increments and shall be paid according to years of service in each particular section.

(b) All increases in salary shall be paid after twelve months' service with the Council dating from the commencement of such service.

(c) *Waterworks Inspectors*:—

Chief Inspector: £443, increased by £10 per annum for the second and third year and a final increment of £15 in the fourth year.

Inspectors and Waterworks Patrolmen—

First year: £384.

Second year: £396.

Third year: £407.

Fourth year: £418.

Fifth year and thereafter: £433.

(d) *Sanitary Inspectors and Dangerous-goods Inspector* ("Sanitary Inspector" shall mean and include any person who is qualified to carry out the duties of a Health or Sanitary Inspector in terms of section 25 of the Health Act, 1920):—

Assistant Chief Inspector: £526.

Inspectors—

First year: £455.

Second year: £478.

Third year: £502.

(e) *Building Inspectors*:—

Chief Inspector: £550 to £565.

Inspectors—

First year: £455.

Second year: £478.

Third year: £502.

Holders of a certificate in sanitary science covered by sub-clauses (d) and (e) of this clause shall be paid an additional £15 per annum.

(f) *Baths Supervisor*.—£406 to £432, at the discretion of the Council.

(g) *Robert McDougall Art Gallery*:—

Custodian: £375.

Lady Custodian: £234.

(h) *Central and Ward Overseers and Foremen:—*

Central Overseer and Waterworks Foreman: £494 to £541, at the discretion of the Council.

Overseers:—

St. Albans: £494.
 Linwood: £494.
 Sydenham: £494.
 Spreydon: £494.
 Woolston: £494.
 New Brighton: £494.

Foremen—

Dust and refuse: £494.
 Reserves: £478.
 Halswell Quarries: £464.
 Linwood Nursery: £422.
 Head Forester: £422 to £458 at the discretion of the Council.

(i) *Cadets (Engineering, Architectural, Survey, Town Planning Assistants, Draughtsmen).—*The minimum rates of pay per week shall be:—

| | Per Week. | | |
|----------------------------|-----------|----|----|
| | £ | s. | d. |
| First six months | 2 | 1 | 0 |
| Second six months | 2 | 6 | 3 |
| Third six months | 2 | 11 | 3 |
| Fourth six months | 2 | 19 | 3 |
| Fifth six months | 3 | 7 | 3 |
| Sixth six months | 3 | 15 | 0 |
| Seventh six months | 4 | 2 | 9 |
| Eighth six months | 4 | 10 | 9 |
| Fifth year | 5 | 4 | 9 |
| Sixth year | 5 | 17 | 5 |
| Seventh year | 6 | 7 | 11 |
| Eighth year | 6 | 18 | 5 |
| Ninth year | 7 | 3 | 9 |
| Tenth year | 7 | 6 | 9 |
| Eleventh year | 7 | 13 | 10 |

Provided that a youth of not less than nineteen years of age shall be considered a second-year employee and paid accordingly: Provided also that a cadet having obtained the School Certificate shall commence at the rate provided for the third six months, and a cadet having passed the University Entrance Examination shall commence at the rate payable for the fourth six months.

(j) *Licensed Surveyor, Qualified Architect, or Civil Engineer.*—£500 up to £525, with annual increments at the discretion of the Council.

Draughtsmen.—£422 to £436, at the discretion of the Council.

Waterworks Draughtsmen.—£422 to £436, at the discretion of the Council.

(NOTE.—All salaries are subject to the Minimum Wage Act, 1945.)

Holidays and Annual Leave

6. (a) The following days, subject to subclause (c) hereof, shall be observed as holidays and shall not count as part of the annual leave: New Year's Day and the day following, Good Friday to Easter Tuesday inclusive, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Show Day, Christmas Day, Boxing Day, and the day following.

(b) Should any of the above days, except Anzac Day, fall on a Sunday, the holiday shall be observed on the next immediate working-day, and subsequent holidays shall be moved forward one day.

(c) Overseers and Foremen shall not be entitled to any of the above holidays not granted to the majority of employees over whom they exercise control.

(d) Annual leave (Traffic Inspectors excepted) shall be granted in accordance with the Annual Holidays Act, 1944: Provided, however, that those officers who have had fifteen years' continuous service with the Council or whose rate of salary exceeds £475 per annum shall be granted annual leave of three weeks.

(e) Notwithstanding the foregoing, the Bath Supervisor shall be entitled to three weeks' annual leave after five years' service.

(f) At least two weeks' notice of the commencement of annual leave shall be given by the Council to the officer concerned.

(g) Annual leave shall be taken at a time to be mutually agreed upon.

Overtime

7. (a) This clause shall not apply to Traffic Inspectors or to officers whose rate of salary exceeds £475 per annum.

(b) All time worked in excess of the hours specified in clause 2 (a), (b), and (c) shall be considered as overtime and shall be paid for the first two hours at the rate of time and one-half and thereafter double time, or the employee, by mutual arrangement, shall be given equivalent time off.

(c) Any officer required to be on duty on a Saturday or any public holiday or portion of a holiday as set out in clause 6 (a) shall be paid for the first two hours at the rate of time and a

half, and thereafter double time, in addition to the weekly wage, or the employee, by mutual arrangement, shall be given equivalent time off.

(d) Any officer required to work on a Sunday shall be paid at double rates.

(e) Not less than four working-hours shall be paid for as overtime on any public holiday or Sunday.

(f) No overtime for which overtime rates are payable shall be worked by any officer without the approval of the head of the department concerned.

(g) All overtime shall be paid on the next following pay-day.

(h) Any officer whose duties demand attendance at the ordinary meetings of the Council and Committees shall not be entitled to overtime payments for attendance at such meetings.

(i) Notwithstanding the provisions of subclauses (a), (b), and (c) hereof, any work performed by the Nursery Foreman in attendance to forcing-stoves, greenhouses, frames, or bush houses on Sundays or holidays shall be paid for at ordinary rates.

Meal-allowance

8. Any officer (other than a Traffic Inspector) required to work overtime after 6 p.m. shall be paid 2s. 6d. tea-money.

Transport

9. (a) Officers who provide their own cars, approved by or at the request of the Council, for carrying out their official duties shall be paid such sum as may be mutually agreed upon between the Council and the officer concerned.

(b) A bicycle allowance at a scale ranging from £5 to £7 per year shall be paid to those officers who undertake their official duties by this means.

Uniforms

10. (a) All officers required by the Council to wear uniforms when on duty shall be provided with cap, jacket, and two pairs of trousers when necessary.

(b) Greateats, raincoats, and waterproof leggings shall be supplied to all uniformed officers, Overseers, and Foremen as required.

(c) All uniforms and clothing enumerated in the preceding subclauses shall be provided at the expense of the Council and shall remain the property of the Council.

Expenses

11. All authorized out-of-pocket expenses incurred by an officer in the execution of his duties shall be paid by the Council.

Officers Performing Higher-grade Duties

12. Any officer who is instructed to perform the duties of a higher-grade officer (other than for the purpose of holiday relief) shall, if he occupies the higher-grade position for more than four weeks continuously, be paid from the date upon which he commenced the higher-grade duty at a rate not less than the minimum salary paid for the higher position.

TRAFFIC DEPARTMENT: SPECIAL CLAUSES FOR TRAFFIC INSPECTORS

Hours of Work

13. (i) (a) The normal working-hours of Traffic Inspectors shall be forty per week and eight hours per day, Monday to Saturday inclusive.

(b) One hour shall be allowed for each meal.

(c) Ten hours shall elapse between signing off on one day and signing on the next day.

(d) On Saturdays, Traffic Inspectors may be required to continue their duties up to 1 a.m. on Sundays, but no Sunday work shall be required of an Inspector in such a case.

(e) All time worked on Saturdays shall be paid for at time and a half rates, with a minimum of two hours.

(f) Whenever possible three days' notice of the weekly roster shall be given.

Overtime

(ii) (a) All time worked in excess of forty hours in any one week or eight hours in any one day shall be paid for at the rate of time and a half for the first two hours and double time thereafter, except as provided in clause 13 (i) (e).

(b) Any officer required to work on Sunday shall be paid at double time rates, with a minimum of two hours.

(c) All overtime shall be paid on the next following pay-day.

(d) No overtime shall be worked without the authority of the Chief Traffic Inspector, and shall rotate on a fair and even basis.

(NOTE.—The overtime exemption salary rate of £475 per annum does not apply to Traffic Inspectors.)

Holidays and Annual Leave

(iii) (a) After twelve months' continuous service, Traffic Inspectors shall be entitled to three weeks' annual leave.

(b) At least two weeks' notice of the commencement of his annual leave shall be given by the Council to the officer concerned.

(c) Upon termination of service, any Inspector not completing the full qualifying period in any year of service shall be granted pay in lieu of holidays in the same proportion according to the length of service.

(d) Traffic Inspectors shall not be entitled to any additional leave in lieu of public or statutory holidays upon which they are required to work, but when required to work on Christmas Day, Good Friday, Anzac Day, the birthday of the reigning Sovereign, and Labour Day, Traffic Inspectors shall receive an additional day's pay or equivalent day or days shall be added to the annual leave by mutual arrangement.

Remuneration and Salaries

(iv) (a) All increments shown shall be considered as annual increments and shall be paid according to years of service.

(b) All increases in salary shall be paid after twelve months' service with the Council dated from the commencement of such service.

(c) Subject to the provisions of clause 12, when an Inspector is required to supervise other Inspectors he shall be classified as a Senior Patrol Inspector and shall receive the salary provided as from the date of commencing such duties:—

Senior Patrol Inspectors: £490 to £505 per annum.

Traffic Inspectors—

On appointment: £390 per annum.

Second year: £400 per annum.

Third year: £410 per annum.

Fourth year: £420 per annum.

Fifth year: £435 per annum.

Sixth year and thereafter: £455 per annum.

Uniforms

(v) The provisions of subclauses (a) and (b) of clause 10 shall apply to the Traffic Inspectors, and mounted Traffic Inspectors shall, in addition, be provided with brown boots, leather leggings, breeches, and gloves, together with any other necessary equipment, such special uniforms and equipment to be provided at the expense of the Council, and to be kept in reasonable condition and repair by the Inspectors, and to remain the property of the Council.

General Application of Award to Traffic Inspectors

(vi) All the provisions of clauses 3, 4, 9, 11, 14, 15, 16, 17, and 18, being applicable, shall apply to Traffic Inspectors.

Under-rate Workers

14. (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

15. From and after the date when this award comes into operation, all officers covered by this award, and officers subsequently appointed to positions covered by this award, shall become members of the Canterbury Local Bodies' Officers (other than Clerical) Industrial Union of Workers.

Right of Entry upon Premises

16. 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 not so as to interfere unreasonably with the Council's business.

Matters Not Provided For and Appeals

17. The essence of this award being that the work of the employer shall not on any account whatsoever be impeded but shall always proceed as if no dispute had arisen, it is hereby provided that if any dispute or difference shall arise between the parties bound by this award, or any of them, as to any matter whatsoever arising out of or connected therewith, including any difference or dispute as to the decision of the Council respecting the dismissal or disrating of any employee, and not dealt with in this award, every such dispute or difference shall be referred to a committee to be composed of two representatives of the Council and two representatives of the union, none of whom shall be members of the legal profession, together with an independent chairman to be mutually agreed upon or, in default of agreement, to be appointed by the Conciliation Commissioner for the district: Provided that all disputes shall be considered by the committee within one month of the date of notification to the Council or the union of such dispute. Either side shall have the right of appeal to the Court against a decision of any such committee upon giving to the other side written notice of such appeal within fourteen days after such decision has been made known to the party desirous of appealing.

Term of Award

18. This award, in so far as it relates to salaries, shall be deemed to have come into force on the 1st day of April, 1948, 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 August, 1950.

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 31st day of August, 1948.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The award embodies the terms of settlement arrived at by the assessors in Conciliation Council. Wages have been made payable retrospectively, in accordance with the agreement of the parties.

The rates of remuneration prescribed in this award are *not* to be increased by the application of the provisions of the Court's general orders of 9th August, 1940, and 31st March, 1942.

A. TYNDALL, Judge.