

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.
Challiner and Co., Victoria Street, Hamilton.
Cook, Thos., and Sons, 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.
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.
 Johnston 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,
 Customhouse Quay, Wellington.
 New Zealand Shipping Co., Ltd., Maritime Building, Customhouse
 Quay, Wellington.
 New Zealand Waterside Employers' Association Industrial Associa-
 tion of Employers, Maritime Building, Customhouse Quay,
 Wellington.
 Overseas Shipowners' Allotment Committee, Maritime Building,
 Customhouse Quay, 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 Steam Ship Co. of New Zealand, Ltd., Customhouse Quay,
 Wellington.
 Wellington Patent Slip Co., 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.
 Eckford, T., and Co., Ltd., Blenheim.

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

Mill, J., and Co., Ltd., 11 Crawford Street, Dunedin.
 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.

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 as 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 8 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 October, 1948.

[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 the 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.
Males—		
First six months	140	0 0
Second six months	160	0 0
Third six months	175	0 0
Fourth six months	190	0 0
Fifth six months	205	0 0
Sixth six months	220	0 0
Fourth year	245	0 0
Fifth year	265	0 0
Sixth year	300	0 0
Seventh year	320	0 0
Eighth year	345	0 0
Ninth year	370	0 0
Tenth year	405	0 0
Eleventh year	415	0 0
Twelfth year	430	0 0
Thirteenth year	440	0 0
Fourteenth year	450	0 0
Thereafter, on merit.		
Females—		
First six months	140	0 0
Second six months	155	0 0
Third six months	165	0 0
Fourth six months	175	0 0
Fifth six months	185	0 0
Sixth six months	195	0 0
Fourth year	210	0 0
Fifth year	230	0 0
Sixth year	255	0 0
Seventh year	280	0 0
Eighth year	290	0 0
Ninth year	305	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 male employee shall receive not less than the salary prescribed for the sixth year of service for "Males," and females not less than the salary prescribed for the sixth six months of service for "Females," and such employees shall thereafter advance as if males commenced their sixth year and females their sixth six months of service respectively on attaining the age of twenty-one years.

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 and threepence 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.

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) The ordinary hours of work per week shall not exceed forty, to be worked between 8 a.m. Monday and 12.30 p.m. Saturday.

(b) All work done in excess of the hours stated in sub-clause (a) above shall count as overtime and shall be paid for at the following rates—

	Per Hour.
	s. d.
(i) For all employees up to and including the fifth year of salary scale	3 0
(ii) For all male employees from the sixth year to the tenth year inclusive of salary scale and for all females from the sixth year of salary scale onwards	5 0
(iii) For all male employees from the eleventh year of salary scale onwards	6 3

(c) The following rates shall be paid for all time worked after 12.30 p.m. on Saturdays and on Sundays and the holidays named herein—

	Per Hour.
	s. d.
(i) For all employees up to and including the fifth year of salary scale	4 0
(ii) For all male employees from the sixth year to the tenth year inclusive of salary scale and for all females from the sixth year of salary scale onwards	6 8
(iii) For all male employees from the eleventh year of salary scale onwards	8 4

(d) Any employee called back to work on a Saturday after 1 p.m. or on a Sunday or a holiday named herein shall receive a minimum of two hours' overtime.

Transport

6. Any officer required to be on duty before 7 a.m. or after 11 p.m. shall be provided with transport. This shall also apply on Sundays or holidays when the usual means of transport are not available.

Travelling-expenses

7. *Officers on Transfer.*—An officer on transfer shall 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 15s.

Single Officers: Two weeks' board, not to exceed £4 14s. 6d. 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	42	0	0
During fourth year of service	31	10	0
During fifth year of service	21	0	0

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

PART II.—PURSERS

Salaries

1. (a) 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	75	12	0
Second year	88	4	0
Third year	100	16	0
Fourth year	113	8	0

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

(b) *Sea-going Allowance.*—In addition to the salaries prescribed herein there shall be paid a sea-going allowance at the rate of £6 per calendar month. This payment shall be made only while on articles and shall not be regarded or taken into account as salary, nor shall it be taken into account in the assessment of any payments provided for by this award which may be based on salaries.

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 weeks' leave allowed under the clause is to compensate for Sundays and holidays at sea.)

Overtime

3. As compensation for hours which may be worked in excess of eight per day or forty per week (or for work on Sundays or holidays), in addition to the extra week's leave provided in clause 2 hereof, the following payments and conditions shall apply while on articles:—

- (a) Pursers of inter-colonial and overseas passenger vessels and Wellington-Lyttelton passenger vessels, also Deputy Pursers of Canadian-Australasian Line, Ltd., vessels shall be paid the sum of £7 5s. per calendar month.
- (b) All other pursers, deputy pursers, and assistant pursers shall be paid the sum of £5 per calendar month.
- (c) Each purser, deputy purser, and assistant purser shall be granted one day's time off per month, which, if not granted, may be added to the annual leave or paid for at ordinary sea pay rate. This time off shall be given on a week-day—*i.e.*, Monday to Saturday inclusive.

Shore Sustenance

4. Officers while travelling on transfer or standing by shall be paid sustenance at the rate of 15s 9d. per day, with a maximum of £4 14s. 6d. per week for the first two weeks; thereafter they shall be paid at the rate of 13s. per day, with a maximum of £3 18s. 9d. per week.

Scope

5. 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 £400 per annum, and while the forty-four-hour week remains in operation toll clerks shall receive the additional sum of 10s. per week.

Meal-money

2. Two shillings and threepence 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 two weeks' annual holiday during his first ten years' service as a toll clerk, and thereafter he shall receive three weeks' annual holidays.

Hours of Work

4. The ordinary hours of work shall be forty-four per week.

PART IV.—MESSENGERS AND INQUIRY CLERKS

Salaries

1. Employees doing work of messengers and inquiry clerks shall be paid the minimum rate of £300 per annum for each year of service, rising in minimum annual increments of £13 to £353 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 £7 12s. per week. This salary shall be payable fortnightly and such payment shall include overtime earned in the current fortnight.

Hours of Work

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

Overtime

3. (a) Work performed in excess of the ordinary hours named in clause 2 hereof shall be classed as overtime and shall be paid for at the rate of time and a half, except that work performed on Saturday afternoon, Sundays, and holidays named hereunder shall be paid for at the rate of double time.

(b) Chief cargo tally clerks called back to work on Saturday after 1 p.m. or on Sundays or holidays shall receive a minimum of two hours' overtime.

(c) A chief cargo tally clerk shall not be relieved from duty for Saturday morning for the purpose of replacing him with a casual tally clerk.

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. 3d. 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 pay in each twelve months of service during his first ten years of service as a chief tally clerk, and thereafter he shall receive three weeks' leave on full salary in each twelve months of service. This annual leave to be given at a time convenient to the employer.

PART VI.—GENERAL PROVISIONS APPLICABLE TO ALL WORKERS

Matters Not Provided For

1. 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.

Workers to be Members of Union

2. (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.)

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 1 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.

Application of Award

5. This award shall apply to all members of the clerical staff of shipping companies, firms, or agencies engaged either wholly or for the greater part of their time in shipping work who are in receipt of a salary of £500 or less per annum in the case of males, and in the case of females £360 or less per annum.

Special Clause re Tallying

6. 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

7. 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

8. This award, in so far as it relates to salaries, overtime, and to the additions to salaries referred to in clause 1 of Part III, shall be deemed to have come into force on the 1st day of September, 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 21st day of October, 1948.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

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

An objection to the inclusion of Tasman Empire Airways, Ltd., as an original party to the award was received from the New Zealand Clerical and Office Staff Employees' Industrial Association of Workers. The objection is based on the grounds that the membership rule of the New Zealand Shipping Officers' Industrial Union of Workers does not entitle that union to cover clerks employed in airways undertakings. The Court decided that the interested parties should be heard on the issue, and the hearing took place at Auckland on 20th October, 1948.

The membership rule of the New Zealand Shipping Officers' Union reads:—

Any person of good character and sober habits employed or intending to be employed, as a temporary clerk other than a casual tally clerk or as a permanent salaried employee of a Shipping Company or Shipping Firm doing business in the Dominion of New Zealand (including those permanent salaried officers employed by Shipping Agencies either wholly or for the greater part of their time on shipping work), shall become a member of the Union, without ballot or other election, on making written application to the General Secretary and paying an entrance fee as provided for in paragraph (b) of this rule. "Permanent salaried employee" shall mean a permanent salaried employee whose work is primarily of a clerical nature.

Clause 5 of Part VI of the settlement reached in Conciliation Council reads:—

This award shall apply to all members of the clerical staff of shipping companies, firms, or agencies engaged either wholly or for the greater part of their time in shipping work who are in receipt of a salary of £500 or less per annum in the case of males and in the case of females £360 or less per annum.

The Court has received an intimation from the representative of the shipping companies cited as respondent employers that they had no objection to the deletion of Tasman Empire Airways, Ltd., from the list of parties.

Having regard to the above matters, the Court has decided that the objection of the New Zealand Clerical and Office Staff Employees' Industrial Association of Workers must be upheld, and Tasman Empire Airways, Ltd., has been struck out accordingly.

A. TYNDALL, Judge.
