

CANTERBURY LOCAL BODIES' LIBRARIANS.—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 Body Officers' (other than Clerical) Industrial Union of Workers (hereinafter called "the union") and the undermentioned Councils (hereinafter called "the employers") :—

Ashburton Borough Council, Ashburton.

Kaiapoi Borough Council, Kaiapoi.

Mackenzie County Council, Fairlie.

Rangiora Borough Council, Rangiora.

Waimate Borough Council, Waimate.

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 3rd day of May, 1948, and shall continue in force until the 3rd day of May, 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 30th day of April, 1948.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to which Award applies

1. This award shall apply to librarians and library assistants employed in libraries controlled by local authorities in the Industrial District of Canterbury, with the exception of the Christchurch City Council and the Timaru Borough Council.

Conditions of Service

2. (a) Librarians and library assistants 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.

(b) The employment of workers covered by this award shall be monthly, and one month's notice of termination shall be given by either party, except in the case of serious misconduct, when the employee shall be liable to instant dismissal.

(c) All salaries shall be paid at not longer than fortnightly intervals on a day not later than Thursday, except as otherwise mutually arranged, but in no case at longer than monthly intervals.

Hours of Work

3. (a) The hours of work shall not exceed forty per week nor eight in any one day, to be worked on five days of the week, Monday to Saturday, both days inclusive.

(b) The union shall be supplied, upon request, with a copy of the schedule of hours of work.

Salaries

4. *Females*.—The minimum salary rates shall be—

(a) Librarian—

	Per Annum.
	£ s. d.
First year's experience in libraries, eligible for membership of the New Zealand Library Association ..	185 14 0
Second year's experience in libraries, eligible for membership of the New Zealand Library Association ..	209 19 0
Third year's experience in libraries, eligible for membership of the New Zealand Library Association ..	223 12 0
Thereafter	237 5 0

(b) Library assistants—

First six months	79 4 0
Second six months	90 13 0
Third six months'	101 13 0
Fourth six months	112 11 6
Fifth six months	134 3 0
Sixth six months	145 1 6
Fourth year	158 15 0
Fifth year	185 14 0
Sixth year	209 19 0
Seventh year	223 12 0
Eighth year and thereafter	237 5 0

Provided that a library assistant over the age of nineteen years at the date of her commencing work covered by this award shall be deemed to be a second-year worker and shall be paid accordingly.

(NOTE.—The above salary scale is subject to the provisions of the Minimum Wage Act, 1945.)

(c) In the event of a person not residing in the town being appointed to a position covered by this award, an additional payment of £26 per annum as a cost of living subsidy shall be made so long as it is necessary for her to live away from home.

(d) Librarians or library assistants gaining the General Certificate of the New Zealand Library Association shall receive an addition of £15 per annum to the appropriate salary prescribed by this clause.

(e) Part-time Librarians: The basis of salary shall be the proportion of forty hours, plus 20 per cent., in accordance with the scale in subclause (a) hereof.

(f) Part-time Library Assistants: The basis of salary shall be the proportion of forty hours, plus 20 per cent., in accordance with the scale rate in subclause (b) hereof.

(g) Part-time librarians or part-time library assistants are those whose hours do not exceed thirty per week.

Overtime

5. (a) All time worked in excess of the daily or weekly hours specified in subclause (a) of clause 3 hereof, or on a sixth day in any week, shall be considered as overtime, and shall be paid for at the rate of time and a half for the first two hours and thereafter double time, with a minimum of 1s. 6d. per hour.

(b) All time worked on the holidays as set out in subclause (a) of clause 6 hereof shall be paid for at double rates in addition to the ordinary salary.

(c) Sunday duties shall be paid at double rates in addition to the ordinary salary.

(d) Not less than three working-hours shall be paid for as overtime on any holiday as set out in subclause (a) of clause 6 hereof, or on a Sunday.

(e) When overtime is required to be worked, reasonable notice shall be given to the worker, and whenever possible the period of notice of overtime shall not be less than five hours.

(f) When overtime is required after 6 p.m., 2s. tea-money shall be paid.

Holidays and Annual Leave

6. (a) The following days shall be observed as holidays, and shall not count as part of the annual leave: New Year's Day, Good Friday to Easter Monday inclusive, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day, Boxing Day, Anniversary Day or a day in lieu thereof, and any other day or days usually observed or granted by the local body.

(b) Should any of the above holidays, except Anzac Day, fall on a Sunday, the holidays shall be observed on the next following working day or days.

(c) Annual holidays shall be allowed in accordance with the provisions of the Annual Holidays Act, 1944, and its amendments: Provided, however, that after fifteen years' service with the same employer the period of annual leave shall be three weeks.

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

Right of Entry

7. (a) The secretary or other authorized officer of the union shall be entitled to enter at all reasonable times upon the premises of the local body for the purpose of interviewing any employee in connection with the operation of this award, but not so as to interfere unreasonably with the business of the local body.

(b) The local body shall, upon written request of the secretary of the union, supply him with a list of workers in their employ covered by this award.

Workers to be Members of Union

8. (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) Every person who, being obliged to become a member of any union by the operation of the foregoing provisions, fails to become a member of that union when requested so to by his employer or any officer or representative of the union, commits a breach of this award, and shall be liable accordingly.

(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

9. (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.

Disputes

10. The essence of this award being that the work of the employers shall not on any account whatsoever be impeded but shall always proceed as if no dispute had arisen, it is 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 and not dealt with in this award, every such dispute or difference shall be referred to a committee to be composed of two representatives on each side, 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. 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.

Application of Award

11. This award shall apply to the original parties named herein, and shall extend to and bind as subsequent party hereto every local authority 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

12. This award shall operate throughout the Canterbury Industrial District.

Term of Award

13. This award shall come into force on the 3rd day of May, 1948, and shall continue in force until the 3rd day of May, 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 30th day of April, 1948.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The only matters settled by the Court were annual holidays and term of award. In other respects the award embodies the recommendations arrived at by the assessors in Conciliation Council.

The rates of remuneration prescribed in the 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.
