

DUNEDIN CITY CORPORATION **TRANSPORT OFFICIALS—**
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 Corporation Transport Officials' Industrial Union of Workers (hereinafter called "the union") and the undermentioned Corporation (hereinafter called "the employers") :—

Dunedin City Corporation, 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, 1951, 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 24th day of November, 1949.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Scope of Award

1. This award shall apply to the clerical workers, Inspectors, foremen, leading hands, gangers, and storekeeper employed by the Transport Department of the Dunedin City Corporation.

Hours of Work

2. The ordinary hours of work for all workers (other than Inspectors) shall not exceed forty per week, to be worked not more than eight per day on the five days of the week, Monday to Friday. Revenue Clerks shall also be exempt from this clause until such time as the automatic system is introduced.

Sunday Work

3. A worker required to work on Sunday shall be paid double rates for a minimum of eight hours.

Overtime

4. (a) All time worked in excess or outside of the hours specified in clause 2 hereof shall be overtime and shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

Meal-money at the rate of 2s. per meal shall be paid to workers working overtime or working after midnight beyond the time of rostered shifts as at present.

(b) Workers required to work on rostered days off shall be paid for a minimum of eight hours' work.

Roster

5. Inspectors shall, when possible, alternate day and night shifts weekly, duties to be shown on a roster posted in the Inspectors' room.

Wages

6. (a) The following shall be the minimum rates of wages per annum :—

	First Year £	Second Year £	Third Year £
Depot Superintendent	569	..	..
Night shift superintendent	527	..	..
Body shop foreman	521	..	..
Fitting shop foreman	492	..	..
Electrical foreman	492	..	..
Garage foreman	537	..	..
Permanent-way foremen	492	..	..
Overhead foremen	492	..	..
Paint shop foreman	492	..	..
Chief Inspector	553	..	..
Traffic Inspectors	527	..	..
Ticket Inspectors	516	..	..
Traffic clerk	527	..	..
Revenue clerks	455	466	485
Assistant traffic clerk	500	..	..
Roster clerks	455	466	485
Storekeeper	485	..	..
Permanent-way ganger	458	..	..

(b) Junior male clerical workers shall be paid according to the scale provided for in the Dunedin City Council Clerical and Other Employees' industrial agreement in force.

Holidays

7. (a) A whole holiday shall be allowed without deduction from pay on New Year's Day, the day following New Year's Day, Anniversary Day, Anzac Day, Good Friday, Easter Monday, Labour Day, Boxing Day, Christmas Day, and the birthday of the reigning Sovereign.

(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 two hours for each hour worked with a minimum of four hours. Such time off shall be taken at a date to be agreed upon between the employee and the manager of the department.

(c) An annual holiday of two weeks on full pay shall be allowed to each worker. Annual leave must be taken each year and must not be allowed to accumulate. At least one month's notice of the commencement of the annual leave shall be given to the employee.

(d) Subclauses (a), (b), and (c) of this clause shall not apply to Inspectors. Inspectors shall be allowed three weeks' leave every nine months.

Uniforms and Promotions

8. (a) Uniforms shall be provided by the employer to those workers who are required to wear same. Two pairs of overalls shall be provided annually for foremen and gangers.

(b) 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 the fitness or otherwise of any employee for promotion shall be final.

Reports

9. (a) *Reports.*—No charge laid by an Inspector or other officer shall be acted upon unless the intention to lay such charge has been made known to the worker concerned at the time of the alleged offence or as soon after as practicable. An Inspector or other officer riding on a vehicle who intends to report a worker for an offence shall advise the worker of such intention before leaving the vehicle. The report shall be lodged in writing at the office of the employer within twenty-four hours after the incident, Saturdays, Sundays, and holidays excepted.

(b) *Complaints.*—(i) No complaint from any person who is not an officer of the employing authority shall be acted upon unless:—

- (1) The complaint is in writing and signed by the complainant.
- (2) The complaint is received at the employer's office within seventy-two hours of the incident, Saturdays, Sundays, and statutory holidays excepted, or unless it can be established that delay in making the complaint was due to injury to the complainant.
- (3) The complaint is submitted to the worker or workers concerned not later than ninety-six hours after such incident, days off and holidays excepted.

(ii) Complaints emanating from minors shall be laid by the parent or guardian.

(iii) Any complaint by a worker against an officer of the employing authority shall be delivered to the employer's office within seventy-two hours of the incident complained of.

(c) *Inquiries.*—(i) No report or complaint shall be made the subject of a charge unless it has been lodged within the times specified in paragraphs (a) and (b) hereof, excepting where such time has been extended owing to injury to the complainant as provided in paragraph (b) (i), and the worker has been notified in writing of the report or complaint within twenty-four hours of the expiry of those times (Saturdays, Sundays, holidays, and days-off excepted).

(ii) The worker shall make an explanation in regard to any complaint, report, or charge within twenty-four hours after the delivery of written notification to him. A worker shall have the right to make a copy of complaints made against him. The management, after considering the worker's explanation, shall advise the worker if, in the management's opinion, the case is one involving disciplinary action by way of dismissal, loss of standing, or suspension, in which case the worker shall have the right to require that an inquiry be held, at which he may, if he so desires, have present a duly authorized officer of the union to defend him, and shall also have the right to call witnesses.

(iii) Any worker who is suspended pending an inquiry and who is later exonerated shall be paid for the time he would have worked at the appropriate rate of pay.

(iv) The union secretary shall be allowed, on application to the General Manager, to inspect records of any employee charged with an offence.

(v) Workers concerned shall initial any entry recorded on their departmental record of any offence and may, if they so desire, take a copy of such entry.

(vi) Any worker who has given notice of intention to exercise the right of appeal conferred by section 6 of the Tramways Amendment Act, 1910, shall be entitled to obtain a copy of all the evidence taken before any departmental inquiry in connection with the matters upon which the said appeal is being lodged, and shall, upon application, be supplied with a copy of such evidence not less than one week before the date set down for the hearing of such appeal.

Disputes

10. The essence of this award is that the work of the employer shall proceed in the customary manner and shall not on any account whatsoever be impeded. If any dispute or difference shall arise between the parties bound by this award and be not settled by mutual agreement, every such dispute or difference shall be referred to a committee to be composed of three representatives of each side,

together with an independent chairman to be mutually agreed upon or, in default of agreement, to be the Conciliation Commissioner for the district or a person appointed by him. In the event of the committee failing to reach an agreement the chairman shall either decide the issue or refer the dispute to the Court for decision within fourteen days of the date of the committee meeting. Either side shall have the right of appeal to the Court against a decision of any such committee, or of the chairman of any such committee, upon giving the other side written notice of such appeal within fourteen days after such decision has been made known to the party desirous of appealing.

Right of Entry

11. 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 employer for the purposes of interviewing any employee in connection with the operation of the award, but not so as to interfere unreasonably with the employer's business.

Workers to be Members of Union

12. 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 is not for the time being a financial member of the Dunedin City Corporation Transport Officials' Industrial Union of Workers.

Term of Award

13. This award, in so far as it relates to wages, shall be deemed to have come into force on the first day of June, 1949, and so far as all the other conditions of the 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, 1951.

In witness whereof the seal of the Court of Arbitration hath heretofore been put and affixed, and the Judge of the Court hath hereunto set his hand, this 24th day of November, 1949.

[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.

A. TYNDALL, Judge.