

WELLINGTON CITY COUNCIL TRANSPORT DEPARTMENT INSPECTORS, DESPATCHERS,  
AND DEPOT OFFICERS—AWARD

In the Court of Arbitration of New Zealand, Wellington 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 Wellington Tramway Inspectors, Despatchers, and Depot Officers Industrial Union of Workers (hereinafter called “the union”) and the undermentioned Corporation (hereinafter called “the employers”):—

Wellington City Corporation, Wellington.

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 1953, 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 10th day of July 1952.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

*Application of Award*

1. This award shall apply to those workers appointed by the Wellington City Corporation to any position in the Corporation's Transport Department as Inspectors, Despatchers, Depot Officers, or any combination of such positions but shall not apply to the Chief Inspector.

*Hours of Work*

2. The normal hours of work shall be forty per week, to be worked eight hours per day on five days of each week, Sunday to Saturday, both days inclusive.

*Salaries*

3. The minimum salary payable to workers coming within the scope of this award shall be £655 per annum.

*Overtime*

4. (a) For the purpose of calculating overtime, the hourly rate of ordinary pay shall be the annual salary divided by 2080.

(b) All work performed on Sundays shall be paid for at time and a half rates of pay.

(c) Should a worker be required to work on his rostered day off, he shall be paid at double ordinary hourly rates of pay calculated in accordance with the provisions of subclause (a) hereof.

*Holidays*

5. (a) For all work performed on the following days—viz., New Year's Day, Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Anniversary Day, Christmas Day, and Boxing Day, or any other day or days usually observed or granted by the Wellington City Council—workers shall receive an extra day's pay or receive a day off in lieu thereof.

(b) Workers who are on annual holidays, or whose rostered day off falls on any of the days mentioned in subclause (a) hereof, shall receive an extra day off in lieu thereof.

*Meal Allowance*

6. In the event of the exigencies of the service precluding a worker taking his usual meal hour, an allowance of 3s. shall be paid.

*General Conditions*

7. All other conditions of employment not specifically provided for therein shall be governed by the Staff Regulations of the Wellington City Council as amended by the Council from time to time.

*Disputes*

8. 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 provided that if any dispute or difference shall arise between the parties bound by this award, or any of them, as to any matter arising out of the award (not being a question affecting rates of pay or hours of work) or if any dispute or difference shall arise between the parties, or any of them, in connection with any matter relevant to but not dealt with in the award, every such dispute or difference shall be referred to a committee to be composed of not more than two representatives of each side together with an independent chairman to be mutually agreed upon. Either side shall have the right to 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.

*Workers to be Members of Union*

9. (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 do 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.)

*Term of Award*

10. This award, in so far as it relates to rates of wages, shall be deemed to have come into force on the 1st day of April 1952, and so far as all other provisions 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 1953.

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 10th day of July 1952.

[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.