

NEW ZEALAND AIRWAYS' CLERICAL EMPLOYEES—AWARD

[Filed in the Office of the Clerk of Awards, Dunedin]

In the Court or 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 1954; and in the matter of an industrial dispute between the New Zealand Federated Clerical and Office Staff Employees' Industrial Association of Workers (hereinafter called "the union") and the under-mentioned corporation and companies (hereinafter called "the employers"):

Airwork N.Z. Ltd., Harewood Aerodrome, Christchurch.

British Overseas Airways Corporation, Customs Street East, Auckland.

Canadian Pacific Air Lines Ltd., 32-34 Queen Street East, Auckland.

New Zealand National Airways Corporation, Customhouse Quay, Wellington.

Pan American World Airways, 58-60 Queen Street, Auckland.

Qantas Empire Airways Ltd., Customs Street East, Auckland.

South Island Airways, Harewood Aerodrome, Christchurch.

Straits Air Freight Express Co., Blenheim.

Tasman Empire Airways Ltd., Customs Street, Auckland.

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 130 of the Industrial Conciliation and Arbitration Act 1954, 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 day of the date hereof and shall continue in force until the 5th day of November 1961 and thereafter as provided by section 152 of the Industrial Conciliation and Arbitration Act 1954.

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 5th day of May 1960.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to Which Award Applies

1. This award shall apply to the airline clerical workers who are substantially engaged on the following classes of work: writing, typing, shorthand-typewriting, documentation of passengers and cargo, book-keepers, office machine operators, cashiers, telephone operators, record clerks, communication clerks, and all other workers employed in connection with the work of the office administration, including those performing the necessary clerical work incidental to the movement of aircraft; but shall not include workers who are in receipt of a wage or salary based on more than £961 per annum.

Hours of Work

2. (a) The ordinary hours of work shall not exceed eight hours in any one day or 40 in one week, to be worked between the hours of 8 a.m. and 6 p.m. Monday to Friday.

(b) Notwithstanding the provisions of subclause (a) of this clause, workers whose duties are connected with or are incidental to the movement of aircraft, passengers, or cargo, may be rostered for work on any five days of the week between the hours of 7 a.m. and 7 p.m. Workers whose daily stretch of working hours is broken at the requirement of the employer, other than for meal intervals, shall be paid an additional 10 per cent on the day's earnings.

Whilst working on Saturday, Sunday, or any of the holidays prescribed in this award the minimum period for any part of the broken day shall be not less than two hours.

(c) When under subclause (b) above a worker is required to work on Saturday or Sunday as part of his ordinary working hours he shall be paid in addition to his ordinary wage, the following extra payment:

- (i) In respect of time worked on a Saturday payment at one half of his ordinary rate.
- (ii) In respect of time worked on a Sunday payment at his ordinary rate.

(d) The hours of work of flight clerks shall not exceed 40 per week to be worked in accordance with the requirements of the industry, but flight clerks shall be paid 20 per cent additional to the rate prescribed in this award for the time so worked. The provisions of clause 4 of the award shall not apply to flight clerks mentioned herein except in the case of 40 hours being exceeded in any week.

(e) Two consecutive days off shall be allowed in each week to every worker covered by this award except when overtime is required to be worked or the needs of the service render it impracticable.

Shift-work

3. (a) Notwithstanding the provisions of clause 2 hereof, five shifts of eight hours each may be worked each week as follows:

Between midnight on Sunday and 8 a.m. on the following Saturday at ordinary rates; between 8 a.m. and midnight on Saturday at the rate of time and a half for the first three hours and double time rates thereafter; on Sunday at double time rates.

(b) A break of half an hour shall be allowed within each eight-hour shift.

(c) A worker shall be deemed to be a shift-worker if employed three or more consecutive shifts, but the intervention of a week-end shall not be deemed to break the consecutiveness of a shift week.

(d) Workers employed on shifts shall be paid a shift allowance of 3s. 8d. per shift in addition to the ordinary wage.

(e) Workers may be employed on broken shifts in which case the shift allowance shall be 6s. per shift in addition to the ordinary wage.

Broken shifts shall be worked within a span of 12 consecutive hours.

(f) Shift workers who are required to work shifts during week-ends shall receive one days additional annual leave for every five week-ends worked, with a maximum of five additional days in one year, and further, with a maximum of three weeks annual leave in each year.

(g) After completion of a shift a shift-worker shall not be brought back to work until an interval of at least eight hours has expired.

(h) Workers shall not be required to work for more than four and a half hours without an interval of at least half an hour for a meal.

Overtime

4. (a) All time worked in excess of eight hours in any one day or outside the normal working hours, or shift, as the case may be, or in excess of 40 in any one week, shall be deemed to be overtime and shall be paid for at the rate of time and a half for the first three hours and double time thereafter. Provided that any worker other than a shift-worker required to work overtime after 10 p.m. shall be paid double time rates. Provided further that the maximum rate of overtime payable shall not exceed 16s. 9d. per hour. Overtime shall be computed on a daily basis.

(b) Overtime worked on Saturdays, not being part of the ordinary working hours, shall be paid for at time and a half rates for the first three hours and double time thereafter, and time worked after noon on Saturday shall be paid for at double ordinary rates.

(c) Overtime worked on Sundays shall be paid for at double time rates.

(d) For the purpose of computing the worker's hourly rate, the weekly rate shall be divided by 40, and in the case of workers on annual salary it shall be divided by 2,080.

(e) Workers who are directed to remain on call shall be paid the following retaining fee:

1s. 6d. per hour with a minimum of two hours; but for Saturday, Sunday and award holidays, 2s. 3d. per hour with a minimum of four hours.

(f) In the case of a worker being called back to work after ordinary working hours, a minimum of two hours at the applicable overtime rate shall be paid in respect of each occasion. A worker employed under this clause on Sundays and holidays shall be paid actual travelling time for one way only up to a maximum of one hour.

(g) Any worker having worked all day and having continued to work until midnight shall be given eight hours off, excluding travelling time one way up to a maximum of one hour, or be paid double rates for all time worked on the second day. No worker shall lose pay for time his services are not required on the second day under this subclause.

(h) Where a worker is required to work overtime in the terms of subclause (a) of this clause after the ordinary hour of ceasing work for the day and where such period is broken, except for meal intervals, after at least four hours' overtime has been worked, no worker shall be called upon to resume work until a period of eight hours (excluding travelling time one way up to a maximum of one hour) has elapsed unless double rates are paid for all time worked following such resumption of work.

Rates of Pay

5. (a) The minimum rates of pay shall be as follows:

Males—	Per Annum £
First year	305
Second year	350 (1)
Third year	405 (2)
Fourth year	460 (3)
Fifth year	520
Sixth year	585
Seventh year	630
Eighth year	680
Ninth year	720
Tenth year	780

Male clerks who with required examinations and if warranted by virtue of responsibility, qualifications, and ability, may proceed beyond the tenth year as follows:

Eleventh year	825
Twelfth year	870
Thirteenth year	910
Females—	
First year	305
Second year	350 (1)
Third year	405 (2)
Fourth year	460 (3)
Fifth year	520
Sixth year	585

The rate for females with Junior Government Examination or equivalent shall be:

Seventh year	630
--------------------	-----

The rate for females with Senior Government Examination or equivalent shall be:

Eighth year	680
-------------------	-----

NOTE—(1) Commencing salary of those with three years secondary education.

(2) Commencing salary for those with School Certificate or Junior Government Shorthand-typists Examination. (Those with Endorsed School Certificate proceed to next step at six months' service.)

(3) Commencing salary for those with University Entrance or Senior Government Shorthand-typists Examination. (Those with Higher Leaving Certificate go to next step at six months' service.)

(b) A worker who obtains a full pass in any of the examinations listed below shall, on completion of the salary year in which the pass is obtained, be credited with one year's extra service.

B. Com.

Accountancy Professional.

Chartered Institute of Secretaries.

Meal-money

6. (a) Any worker, other than a shift-worker, who is required to work at or before 6 a.m. on any day, or any worker who is required to work for one hour or more after the usual time of ceasing work on the days Monday to Friday inclusive or who works overtime after 12.30 p.m. or 6 p.m. on Saturday, Sunday, or recognised holidays as specified in clause 8 (a) hereof, shall be provided with a

meal by the employer or shall be paid 5s. meal money and after every four hours during the continuance of overtime until an eight hour break for rest is allowed, the employer shall provide a meal and allow a break of half an hour which shall be paid for, or he shall allow, in addition to the break of half an hour, if a meal has not been provided, a meal allowance of 5s.

When a meal surcharge increases the cost of the meal above 5s., the employer shall reimburse the worker accordingly.

(b) Shift workers required to commence working overtime two hours or more before the normal hour of commencement of the shift, or who are required to continue working on into overtime for an hour or more after the normal hour of completion of the shift, shall be provided with a meal or paid a meal allowance of 5s., and after every four hours during the continuance of such overtime until an eight hour break for rest is allowed the employer shall provide a meal and allow a break of half an hour which shall be paid for, or he shall allow, in addition to the break of half an hour, if a meal has not been provided, a meal allowance of 5s. after each such four hours. When a meal surcharge increases the cost of the meal above 5s. the employer shall reimburse the worker accordingly.

Travelling Allowances

7. (a) Travelling allowances, travelling expenses and costs of transfers shall be granted in accordance with scales determined from time to time by the employers.

(b) Where a worker is required to commence duty before the commencement of public transport or ceases duty after the cessation of such transport, the employers shall defray reasonable and necessary expenses incurred by such worker if and when it is necessary for him to engage other than ordinary means of transport, always providing that this provision shall only apply to those special transport costs unavoidably incurred by a worker whose residence is within a reasonable distance of his place of employment and from which residence ordinary means of transport are normally available at times covering his usual hours of duty.

(c) Any worker transferred except at his own request away from his home during the first three years of his employment shall have his wages increased to not less than £405 per year.

Annual Leave and Holidays

8. (a) The following shall be observed as holidays without deduction from pay: Christmas Day, Boxing Day, New Year's Day, and the day following or a day in lieu thereof, the anniversary day of the province or such other day observed in lieu thereof as mutually agreed upon between the union and the employers, Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, and Labour Day.

(b) Holidays falling on Saturday or Sunday shall be transferred in accordance with the provisions of the Public Holidays Act 1955.

(c) Workers who are required to work on any of the days set out in subclause (a) and (b) hereof shall be paid at the rate of double time for time worked, such payment to be in addition to the ordinary wage.

(d) Annual leave shall be granted in accordance with the provisions of the Annual Holidays Act 1944, provided, however, that after 10 years' service in the employment of the same employer, an employee shall be granted three weeks' annual leave. For a lesser period than one year a proportionate holiday shall be given and paid for.

Sick Leave

9. Sick leave shall continue to be given in accordance with the scheme laid down from time to time by the employer.

Proportion

10. (a) The proportion of juniors shall not exceed two to each senior.

(b) A senior, in the case of males, shall be an employee who is receiving not less than the wage fixed in this award for the sixth year, and in the case of females shall be an employee who is receiving not less than the wage rate fixed in this award for the fifth year.

Terms of Employment

11. (a) Except in the case of casual workers, employment shall be a weekly one, and at least one week's notice of the termination thereof shall be given by either party. This shall not prevent an employer from summarily dismissing a worker for misconduct. Where the employment is terminated by either party without notice and without good cause, one week's wages shall be paid or forfeited in lieu of notice.

(b) All wages shall be paid within working hours weekly or fortnightly. Where a pay-day falls on a holiday, payment of wages shall be made on the working day immediately preceding the holiday.

(c) Subject to the provisions of clause 9 hereof the employer shall be entitled to make a rateable deduction from the wages of employees for time lost through sickness or default.

Conditions as to Offices

12. (a) The employers shall permit the employees to have lunch on the premises. Where practicable dining-room and cloak-room accommodation shall be provided.

(b) Adequate lighting, heating, and ventilation, and ablution facilities shall be provided in all offices. Attention is drawn to the provisions of the Shops and Offices Act 1955 and its regulations in respect of staff amenities and safety, health, and welfare generally.

(c) An interval of 10 minutes shall be allowed each morning and afternoon to every worker, during which intervals they may partake of refreshments on the premises.

Clothing

13. (a) Where uniforms or other special clothing are required by the employer to be worn, these shall be supplied and laundered at the employer's expense and shall remain the property of the employer.

(b) Where smocks are required by the employer to be worn, these shall be supplied and laundered at the employer's expense and shall remain the property of the employer.

(c) When the nature of the duties required of the worker are likely to result in damage or soiled clothing, the employer shall supply a smock or protective clothing on request and shall renew same as reasonably required.

Casual Workers

14. A worker engaged for less than one week shall be termed a casual and such worker shall be paid *pro rata* for time worked at a rate of 20 per cent more than the appropriate rate set out in clause 5. The *pro rata* rate payable shall be calculated on an hourly basis computed from the number of hours fixed in clause 2 as the maximum weekly number of hours which may be worked by clerical workers in the establishment concerned.

Part-time Workers

15. (a) Where the employer does not regularly require the services of a worker for the full period of 40 hours per week or such other number of ordinary hours as is normally worked by clerical workers in the particular establishment, he shall pay such workers *pro rata* the appropriate scale of salary plus 10 per cent.

(b) Where a worker is unable to accept full time employment the employer shall pay *pro rata* the appropriate scale salary.

(c) These provisions shall not be used for the purposes of reducing the hours of work or the earnings of any worker.

Record of Service

16. Each employee on leaving or being discharged from his employment shall, on request, be given within 24 hours thereafter, a certificate in writing signed by the employer and stating the position held and the length of service.

No Reduction in Wages

17. No employee coming within the scope of the award shall have his or her wages or salary reduced by reason of the operation of this award.

Disputes

18. 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 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 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 14 days after such decision has been made known to the party desirous of appealing.

Effective Operation of Award

19. (a) The secretary or other authorised officer of the union of workers shall, with the consent of the employer (such consent not to be unreasonably withheld), be entitled to enter at all reasonable times upon the office or works and there interview any workers, but so as not to interfere unduly with the work of the office.

(b) In every establishment the occupier shall at all times keep a time and wages record showing in the case of each employee:

- (i) The name of the worker, together with his age if under 21 years of age;
- (ii) The kind of work on which he is usually employed;
- (iii) The hours during which he has actually been employed on each day;
- (iv) The wages paid on each pay-day, and the date thereof; and
- (v) Such other particulars as are prescribed by regulations.

(c) Employers bound by this award shall, upon written request by the union, which request shall not be made more often than once in every three months, supply to the union a list of their employees.

Workers to be Members of Union

20. (a) Subject to the provisions of sections 174 (5) and 175 of the Industrial Conciliation and Arbitration Act 1954, 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 18 year 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 21 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 section 174 (3) of the Industrial Conciliation and Arbitration Act 1954, which gives to workers the right to join the union.)

Under-rate Workers

21. (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 such other person in so fixing such wage shall have regard to the worker's capacity, 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 14 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.

Scope of Award

22. This award shall operate throughout the Northern, Taranaki, Wellington, Marlborough, Nelson, Westland, Canterbury, and Otago and Southland Industrial Districts.

Application of Award

23. This award shall apply to the original parties named herein, and shall extend to and bind as subsequent party hereto every industrial union, industrial association, 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 districts to which this award relates.

Term of Award

24. This award shall come into force on the day of the date hereof and shall continue in force until the 5th day of November 1961.

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 5th day of May 1960.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

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

A. TYNDALL, Judge.
