

TARANAKI, WELLINGTON, MARLBOROUGH, NELSON, AND WESTLAND
HOSPITAL BOARDS' CLERICAL WORKERS—AWARD

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

In the Court of Arbitration of New Zealand, Taranaki, Wellington, Marlborough, Nelson, and Westland Industrial Districts—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of an industrial dispute between the Wellington, Marlborough, Westland, Nelson and Taranaki Local Bodies' Officers Industrial Union of Workers (hereinafter called "the union") and the under-mentioned union (hereinafter called "the employers"):

New Zealand Hospital Boards Industrial Union of Employers, D.I.C. Buildings,
Lambton Quay, 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 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 as hereinafter provided and shall continue in force until the 28th day of February 1963 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 29th day of August 1961.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Application

1. This award shall apply to all clerical officers described in clause 2 hereof, but such officers shall not include:

- (i) Chief or sole executive officer.
- (ii) Male officers in receipt of a salary of more than £1,450 per annum (exclusive of any payment under subclause (p) of clause 3).
- (iii) Female officers in receipt of a salary of more than £890 per annum (exclusive of any payment under subclause (p) of clause 3).

Definitions

2. "Clerical workers" are employees who are principally engaged in writing, typing, operating mechanical machines, or any other form of office work, including telephone annunciators, social welfare officers, storemen-clerks and linen-keepers; and includes house managers and house stewards.

"Typists" and employees who are engaged in typing, operating mechanical machines and/or shorthand, and who in addition perform any other form of office work.

"Substantially" means engaged at a particular job for more than 50 per cent of the time during any one week.

"Casual worker" means a worker employed for less than two weeks continuously.

"Part-time worker" means a worker who is employed for a longer period than two weeks continuously, but who by arrangement is not employed for more than 25 hours per week.

Rates and Conditions of Pay

3. (a) Except where otherwise specified, the minimum salaries payable to all male officers shall be in accordance with the following scale:

Grade I—	Per Annum £
First year	315
Second year	360
Third year	415
Fourth year	495
Fifth year	565
Sixth year	630
Seventh year	670
Eighth year	710
Ninth year	750
Tenth year	805
Eleventh year	850
Twelfth year	890
Thirteenth year	920
Fourteenth year	950

Males with School Certificate commence at third year of scale.

Males with University Entrance commence at fourth year of scale.

In the event of either of these qualifications being obtained after commencement of service the appropriate rate as prescribed above shall be paid.

For the purposes of the above scale, the difference between the respective amounts shall be deemed to be annual increments.

The employer may engage a worker at any stated scale amount being not less than the amount to which the worker is entitled, provided that such commencing rate shall be increased by the increments for subsequent service as set out herein.

(b) *Exceptions*—It is provided, however, that the salary of positions designated for male officers under the hospital boards enumerated below shall not proceed beyond that shown for the twelfth year of service, viz, £890 per annum unless the board otherwise determines.

Wellington Hospital Board—

Male telephone operators.

Clerk-storekeepers.

Any officer in receipt of a retiring allowance from any superannuation fund.

Palmerston North Hospital Board—

Male telephone clerks and attendants.

Clerk-storekeepers.

Any officer in receipt of a retiring allowance from any superannuation fund.

Wairarapa Hospital Board—

Male telephone attendants.

Inquiry office clerks.

Any officer in receipt of a retiring allowance from any superannuation fund.

Wanganui Hospital Board—

Male telephone attendants.

Hawke's Bay Hospital Board—

Male telephone operators.

Clerk-storekeeper (Hastings Memorial Hospital).

Nelson Hospital Board and Marlborough Hospital Board—

Male telephone attendants.

Inquiry office clerks.

Clerk-storekeepers.

Any officer in receipt of a retiring allowance from any superannuation fund.

(c) *Grade II (Male Officers)*—(i) An officer may be promoted to Grade II if in the opinion of the board some advancement beyond the specified steps of Grade I scale is justified on the basis of merit, proficiency, service, responsibility and the nature of the duties performed. The minimum salary shall be £30 above the salary for the fourteenth year of service. Each year the board shall review the salaries of all officers in this grade and in the event of the board granting an additional increment, it shall be not less than £30. It is expressly provided that no officer in this grade shall have his salary advanced beyond £1,350 per annum.

(ii) A board may promote officers to Grade Special to which a maximum salary of £1,450 shall apply. Only those officers, who in the opinion of the board, possess exceptional personal qualifications and ability and who are already being paid the maximum salary for Grade II shall be eligible for promotion to Grade Special.

(iii) Positions classified in accordance with the provisions of subclause (d) of clause 3 of the 1955 award (Book of Awards 55, page 624) shall qualify the holders and subsequent holders thereof to be Grade II officers.

(iv) Male officers who on the coming into force of this award are graded Grade II or Grade Special shall be paid an additional sum being not less than £35 per annum on the rates being paid to them immediately prior to that date.

(d) *Salaries for Female Clerks, and Other Female Officers:*

<i>Grade I—</i>	<i>Per Annum</i>
	<i>£</i>
First year	310
Second year	345
Third year	400
Fourth year	460
Fifth year	510
Sixth year	565
Seventh year	625
Eighth year	675

Entrants with Junior Government Shorthand-typing Examination or School Certificate commence at third year of scale.

Entrants with Senior Government Shorthand-typing Examination or University Entrance Examination commence at fourth year of scale.

In the event of any of these qualifications being obtained after commencement of service the appropriate rate as prescribed above shall be paid.

For the purpose of the above scales, the difference between the respective amounts shall be deemed to be annual increments.

The employer may engage a worker at any stated scale amount being not less than the amount to which the worker is entitled, provided that such commencing rate shall be increased by the increments for subsequent service as set out herein.

(e) *Grade II (Female Officers)*—An officer may be promoted to Grade II if in the opinion of the board some advancement beyond the specified steps of Grade I scale is justified on the basis of merit, proficiency, service, responsibility and the nature of the duties performed. The minimum salary shall be £20 above the salary for the eighth year of service. Each year the board shall review the salaries of all officers in this grade and in the event of the board granting an additional increment, it shall be not less than £25. It is expressly provided that no officer in this grade shall have her salary advanced beyond £890 per annum.

Female officers who on the coming into force of this award are graded Grade II shall be paid an additional sum being not less than £30 per annum on the rates being paid to them immediately prior to that date.

(f) *Lodging Allowance*—Male and female officers living away from home shall be paid lodging allowance in accordance with the Public Service Schedule of lodging allowance.

(g) For the purpose of qualifications under the foregoing scales, for males and females experience in any employment of a similar character to that covered by this award shall be counted as if it were experience in employment covered by this award.

(h) All salaries shall be reviewed annually. An officer who is dissatisfied with the result of any annual review may appeal in writing to the board for reconsideration of the review as it affects that officer. The board shall consider the appeal within five weeks from date of receipt and shall communicate its decision to the officer.

(i) Should any question or dispute arise in connection with grading, the matter shall be dealt with in accordance with the provisions of clause 15.

(j) An officer who substantially acts as a cashier or pay clerk shall be paid 11s. 6d. per week as a cashier's risk allowance.

(k) An officer employed substantially on ledger posting machines or analysis machines (other than adding machines) shall be paid 11s. 6d. per week in addition to the rate to which he or she is entitled.

(l) Subject to clause 9, no deduction (other than for superannuation or other such contributions as may be agreed upon between the employer and the officer) shall be made from the wages of any officer, except for the time lost by the officer through sickness, accident, or default.

(m) No officer covered by this award now in receipt of a higher salary shall have his or her salary reduced by virtue of the coming into force of this award.

(n) Except by mutual agreement salaries, including overtime, shall be paid at not longer than fortnightly intervals and during working hours.

(o) Every casual employee shall be paid 10 per cent *pro rata* above the weekly rate.

(p) An officer who obtains a full pass in one of the examinations mentioned hereunder shall be entitled to payment of a bonus of £45 per annum.

On passing three or more subjects in one of the examinations set out hereunder, an officer shall be entitled to payment of a bonus of £15 per annum.

On passing six or more subjects in one of the examinations mentioned hereunder, an officer shall be entitled to payment of a bonus of £30 per annum: Provided that the maximum payment under this clause shall not exceed £30 per annum until such time as the complete qualification is obtained when he shall become entitled to the full allowance as prescribed in this clause.

Payment of bonuses under this clause shall be made from the first day of the month following the month in which he sat and passed the last paper for the examination.

An officer who, at the date of this award, has already obtained a full or partial pass in one of the undermentioned examinations and has not received extra payment shall become entitled to the benefit of this clause as from the date upon which the award is made.

The credit or payment referred to in this clause shall apply or continue only while the officer concerned is engaged in duties to which the examination is appropriate.

The examinations are as follows:

B.Com.

Accountancy Professional.

Law Professional.

LL.B.

Chartered Institute of Secretaries.

Professional Examination of the New Zealand Hospital Officers Association (Incorporated).

An officer who passes one or more subjects in one of the above examinations shall receive a grant equivalent to the entrance fees paid.

The payment of the foregoing bonuses shall apply in respect of one examination only.

(q) *Part-time Workers*—(i) Where the employer does not regularly require the services of a worker for the full period of 40 hours per week, he shall pay such worker *pro rata* the appropriate scale salary plus 10 per cent.

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

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

Requirements of Economic Stabilisation Regulations

4. No worker bound by this award shall in any week be paid a lesser amount by his employer than the worker would have been entitled to be paid under this award if it had specifically applied the general order of the Court dated the 18th day of September 1959, otherwise than by incorporation pursuant to the pronouncement of the Court dated the 18th day of September 1959.

Conditions of Employment

5. (a) Applicants before joining the staff shall pass a medical examination by an approved doctor, if required to do so.

(b) In offices in which three or more females are employed reasonable accommodation shall be provided for their exclusive use. Where satisfactory arrangements do not already exist, there shall also be provided, where practicable, a room with suitable couch accommodation to be used in cases of temporary indisposition, but where it is impracticable to set a room apart for that purpose it will be sufficient for a couch or couches to be provided in a portion of the cloak-room, screened off for privacy.

(c) Adequate lighting, heating, and ventilation shall be provided in all offices.

(d) For the purpose of qualification under this award, experience in any employment of a similar character to that covered by this award shall be counted as if it were experience in employment covered by this award.

(e) Where the board is satisfied that the circumstances warrant it the board may, on the death of an employee's husband, wife, child, father, mother, brother, or sister, or in any other case where the employee is responsible for making funeral arrangements, grant the employee leave on full pay for a period not exceeding three days, and, if satisfied that the circumstances warrant it, for a further period not exceeding two days occupied in travelling.

Hours of Work

6. (a) The ordinary hours of work shall not exceed 40 per week or eight per day, to be worked consecutively. Such hours shall be worked on not more than five days in any one week, Monday to Friday inclusive. A meal break of not less than one hour shall be allowed but this period may be reduced by mutual agreement to not less than half an hour.

(b) Where prior to the date of this award any board has been customarily observing shorter daily or weekly hours than those hereinbefore specified, that board shall continue to observe such shorter hours, but in such circumstances that the board shall have the right to call upon its staff, whenever necessary to cope with the work on hand, to work up to 40 hours per week without payment of overtime.

(c) (i) Telephone attendants or annunciators, inquiry clerks, admission clerks, ward clerks and medical record clerks may be employed during any period of each 24 hours; the weekly hours to be made up of five consecutive shifts each not exceeding eight hours per day on any of the seven days, provided that the total hours do not exceed 40 without payment of overtime.

(ii) Notwithstanding the provisions of clause 7, all time worked by such workers on Saturdays shall be paid for at not less than half ordinary time rates and all time worked by such workers on Sundays shall be paid for at not less than ordinary time rates. Such payments shall be in addition to the usual salary.

(iii) Broken shifts may be worked but must be completed within 12 hours computed from starting to finishing time, including meal hours. Workers employed on broken shifts shall be paid 5s. 9d. per week in excess of their usual salary.

(iv) Workers referred to in paragraph (i) of this subclause employed on night shift shall be paid 7s. 6d. per week in excess of their usual salary. Workers employed on night shift for less than five nights in any one week shall be paid an additional 1s. 6d. per night. A night shift worker for the purpose of this award is an employee required to work after 11.30 p.m. or before 6 a.m.

Overtime

7. (a) Any time worked outside or in excess of the hours specified in clause 6 shall be considered as overtime and shall be paid for at the rate of time and a half for the first three hours and double time thereafter. A minimum of two hours at overtime rates shall be paid for each call-back on any non-working day, Sunday, Saturday, or holiday. Double rates shall be paid for work performed on Sundays.

(b) No overtime for which overtime rates are payable shall be worked by any officer without the approval of the head of the department.

(c) Overtime shall be shown on the time sheet, and overtime pay shall be included with the payment for that period.

(d) Any officer called upon to work overtime after the usual time of ceasing work on any day of the week shall be paid 5s. meal money or be provided with a meal, if the worker cannot reasonably journey to and from his home for a meal.

(e) An officer shall not be required to work for more than five hours continuously without a reasonable interval for a meal.

(f) For the purpose of calculating overtime, the hourly rate shall be 1/2080 of the annual salary.

(g) The payment of overtime shall not in any case exceed an amount which together with the basic or grade or classified annual salary equal the sum of £1,400 per annum.

Holidays

8. (a) Each worker who has 12 months' continuous service with the same employer shall be entitled to an annual holiday of 15 working days.

(b) The undermentioned shall be paid holidays and shall not be considered as part of the annual holidays: New Year's Day and the next following day, Good Friday, Easter Monday, Anzac Day, the birthday of the reigning Sovereign, Labour Day, Christmas Day, Boxing Day, and Anniversary Day or a day in lieu thereof.

(c) The provisions of the Public Holidays Act 1955 shall be deemed to be incorporated in this award.

(d) Where practicable, the annual holidays shall be given in proximity to the Christmas or Easter holidays, and the board shall give as much notice as practicable to employees of the date of the annual holiday.

(e) When a holiday falls on a non-working day, a worker shall not be entitled to receive more than his ordinary salary or to receive any payment in respect of that holiday unless work is done on such day.

(f) This award shall not operate so as to reduce the aggregate number of days holiday previously enjoyed by any worker during his present employment.

(g) Work performed on holidays shall be paid for at double time rates in addition to payment for the holiday.

(h) Shift workers whose ordinary day off falls on one of the specified holidays, shall be allowed another working day as a holiday in lieu thereof at a time to be mutually arranged, such leave to be given and taken within one month of the date of the holiday.

Sick Leave

9. (a) Where an officer is granted leave of absence on account of sickness or injury not arising out of and in the course of his employment he shall be entitled to full pay according to the scale set out in the Schedule hereunder.

(b) The length of service for the purpose of the Schedule means the aggregate period of service whether continuous or intermittent in the employ of any hospital board or the Crown.

(c) The total period of sick leave with pay set out in the Schedule may consist of one or more periods.

(d) In addition to sick leave with pay as provided for in the foregoing provisions, an officer may, at the discretion of a board, be granted sick leave with pay for not more than eight days in any year where on account of minor illness it is deemed inadvisable for the officer, in his own interests or those of the hospital board, to be on duty.

(e) Where an officer is incapacitated by sickness or injury arising out of and in the course of his employment, the board shall continue to pay his full salary during incapacity.

(f) Sick leave with full pay for each period allowed shall be reckoned in consecutive days inclusive of Saturdays, Sundays, and statutory holidays.

SCHEDULE

Length of Service	Total Period of Sick Leave with Full Pay During Whole Length of Service
Up to three months	7 days.
Over three months and up to six months	14 days, inclusive of days previously allowed.
Over six months and up to nine months	31 days, inclusive of days previously allowed.
Over nine months and up to five years	46 days, inclusive of days previously allowed.
Over five years and up to ten years	92 days, inclusive of days previously allowed.
Over ten years and up to twenty years	183 days, inclusive of days previously allowed.
Over twenty years and up to thirty years	275 days, inclusive of days previously allowed.
Over thirty years	365 days, inclusive of days previously allowed.

Transport and Travelling Expenses

10. (a) Officers who are required to travel in connection with their employment, or who provide their own cars approved by and at the request of the employers for carrying out their official duties, shall be paid a reasonable sum for that service. Any question arising from this clause shall be dealt with in accordance with clause 15.

(b) *Bicycle Allowance*—Officers shall be paid an allowance of 3s. 6d. for each week during which they are required to use their own bicycles in the performance of their duties.

(c) Workers who are required to work at a place other than their usual place of employment shall travel to and fro in the employer's time, or shall be paid for time occupied in travelling where such is done in their own time. Such workers shall also be reimbursed all moneys actually expended in fares travelling to and from such place of work.

(d) Any worker required to commence work after the cessation of public wheeled traffic or before the ordinary time of starting such traffic, and any worker who may work continuously until after the cessation of public wheeled traffic and cease work before the ordinary time of starting such traffic shall be conveyed to or from his home at the expense of the employer or shall be paid for time reasonably occupied in travelling at ordinary rates of pay. For the purpose of this award "public wheeled traffic" shall mean trams, buses, trains, or ferries ordinarily used by the worker travelling to or from his work.

Rest Period

11. An interval not exceeding 10 minutes shall be allowed each morning and afternoon.

Uniform

12. Where an employee is required to wear a uniform it shall be provided and laundered by and shall remain the property of the board.

Officers Performing Higher-Grade Duties

13. Any officer who is instructed to perform the duties of a higher-grade officer under this award shall, if he occupies the higher-grade position for more than four weeks continuously, be paid from the date upon which he commenced the higher-grade duty, and while engaged in performing such higher-grade duty, at a rate not less than the minimum salary paid for the higher position.

Termination of Employment

14. Except in the case of casuals, in the absence of special written agreement between the employer and the officer, two weeks' notice of resignation or dismissal shall be given by the officer or the employer, except in case of misconduct, where an officer shall be subject to instant dismissal; but this shall not be deemed to restrict or in any way impair the statutory powers as to appointment or dismissal of officers vested in local authorities.

Where the required notice is not given, the party improperly terminating the service shall pay or forfeit, as the case may be, a sum equivalent to the wages for the unexpired period of notice.

Matters Not Provided For

15. 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 hereby 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 composed of two representatives of the New Zealand Hospital Boards Industrial Union of Employers and two representatives of the union together with, if required by either party, an independent chairman to be mutually agreed upon, or, in default of agreement, to be appointed by the Conciliation Commissioner for the district: Provided that all disputes shall be considered by the committee within one month of the date of notification to the parties concerned of such dispute. 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 14 days after such decision has been made known to the party desirous of appealing.

Workers to be Members of Union

16. (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 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 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

17. (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 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.

Effective Operation of Award

18. (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 the office or works and there interview any workers, but not so as to impede the work.

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

- (i) The name of the officer, together with his age if under 21 years.
- (ii) The kind of work on which he is usually employed.
- (iii) The hours worked 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 request by the union, supply a list of the officers (18 years of age and over) covered by this award, and the date of commencement of new employees: Provided, however, that this request shall not be made more often than once every three months.

(d) The employer shall allow any officer or one elected representative of the union leave of absence on full pay to attend union business providing such leave does not exceed 12 hours in any period of three calendar months.

Scope of Award

19. This award shall operate throughout the Taranaki, Wellington, Marlborough, Nelson, and Westland Industrial Districts.

Term of Award

20. This award, in so far as the provisions relating to the rates of wages to be paid are concerned, shall be deemed to have come into force on the 17th day of August 1961, 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 28th day of February 1963.

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 29th day of August 1961.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The award, including the operative date of provisions relating to wages, embodies the terms of settlement arrived at by the assessors in Conciliation Council.

A. TYNDALL, Judge.