

NORTHERN, WELLINGTON, CANTERBURY, AND OTAGO AND SOUTHLAND
DENTAL TECHNICIANS AND DENTAL ASSISTANTS—AWARD

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

In the Court of Arbitration of New Zealand, Northern, Wellington, 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 Dental Technicians and Assistants Industrial Association of Workers (hereinafter called “the union”) and the under-mentioned union, boards, persons, firms and companies (hereinafter called “the employers”):

New Zealand Dental Employers' Industrial Union of Employers, G. A. Turner, Secretary,
8 The Terrace, Wellington.

NORTHERN INDUSTRIAL DISTRICT

Auckland Hospital Board, Kitchener Street, Auckland C. 1.
Anderson, G., 347 Lake Road, Takapuna, Auckland C. 1.
Bartlett, S. Z., Handisides Building, Otahuhu.
De Berry, A., Vulcan Buildings, Vulcan Lane, Auckland C. 1.
Grayson, J. A., Coronation Buildings, Broadway, Newmarket, Auckland C. 1.
Geddes Dental Renovations, 492 Upper Queen Street, Auckland C. 1.
Liggins, C. D. and J. M., Coates Avenue, Auckland S.E. 2.
Littler, A. I., and Gallagher, K. A., Endean's Buildings, Auckland C. 1.
Mangos, J. F., Lister Buildings, Victoria Street, Auckland C. 1.

Prosthetic Processes Ltd., Professional Chambers, Auckland C. 1.
 Snelling, P. G., Venture Buildings, Browns Bay, Auckland.
 Tonkin, R., Lister Buildings, Victoria Street, Auckland C. 1.
 Walker, Howey, Ltd., 209 Queen Street, Auckland C. 1.
 Aitken and Shedden, Dargaville.
 Bradanovich, N. M., King Street, Pukekohe.
 Brook, C. S., Te Kuiti.
 Boyd, W. F., Theatre Buildings, Paeroa.
 Arkinstal, B. W., Heald's Buildings, Papatoetoe.
 Davies, J. C. W., 192 Victoria Street, Hamilton.
 Dixon, N. F., Security Buildings, Te Awamutu.
 Horne, E. H., Thames Street, Morrinsville.
 Harris, B. F., Commerce Buildings, Frankton Junction.
 Hodgson, D. W., Waiuku.
 Irwin, W. L., Gladstone Road, Gisborne.
 Lamb, K., 14 Bank Street, Whangarei.
 McNickle, G. C., P.O. Box 69, Kaikohe.
 Neville, J. H., 61 The Strand, Tauranga.
 Otley, J., P.O. Box 81, Whakatane.
 Redman, T., jun., Mt. Maunganui, Via Tauranga.
 Walker, J. L. P., Kawerau.
 Ward, D., Thompson's Buildings, Ward Street, Hamilton.

WELLINGTON INDUSTRIAL DISTRICT

Clarkson, A. H., 164 Queen Street, Masterton.
 Dickens, A., and Rout, O. E. L., M.L.C. Buildings, Wellington.
 Jacobs, F. J., Commercial Bank Buildings, 115 Victoria Avenue, Wanganui.
 Prosthetic Processes Ltd., Hannah's Buildings, Lambton Quay, Wellington.
 Remington Dental Laboratories Ltd., 322 Lambton Quay, Wellington.
 Ronberg, D. P., Emerson Street, Napier.
 Small, C. A., 24 Coleman Place, Palmerston North.
 Struthers, W. H., 262 Lambton Quay, Wellington.
 Wellington Hospital Board (Mr J. North, Superintendent in Chief), Riddiford Street,
 Wellington S. 1.
 Whyte, Fitzgerald, Wilson, 201 King Street, Hastings.

CANTERBURY INDUSTRIAL DISTRICT

Anderson, K. L., 75 Burnett Street, Ashburton.
 Bell, R. R., "Harley", 137 Cambridge Terrace, Christchurch.
 Brebner, F. R., 77 Hereford Street, Christchurch.
 Courtis, B. B., 305 Manchester Street, Christchurch C. 1.
 Forbes, J. P., 59 Cathedral Square, Christchurch.
 Halliwell, S., 220 High Street, Christchurch.
 McBrearty, J. N., High Street, Rangiora.
 Mathewson, N. E., 107 Cashel Street, Christchurch.
 North Canterbury Hospital Board, Christchurch.
 Parr, N., 53 Cathedral Square, Christchurch.
 Pickerrill, E. P., Oxford Buildings, George Street, Timaru.
 Sawera, J. W., 15 Sefton Street, Timaru.
 Shield, C. L., 593B Colombo Street, Christchurch.
 Williamson, G., 96 Oxford Terrace, Christchurch.

OTAGO AND SOUTHLAND INDUSTRIAL DISTRICT

Butler, J. P., 38 Don Street, Invercargill.
 Kirkland, J. C. P., P.O. Box 844, Invercargill.
 Otago University, Union Street, Dunedin.
 Wilson, I. V., 62 Dee Street, Invercargill.
 Ballard, P. G., 406 George Street, Dunedin.
 Benson, J. R., 276 Princes Street, Dunedin.
 Domigan, H. R., 207A Thames Street, Oamaru.
 Dunedin Dental Laboratory Ltd., Stafford Street, Dunedin.
 Greenslade, D. A., P.O. Box 799, Invercargill.
 McLellan, A. W., Main Street, Gore.
 Ryan, W. J. M., P.O. Box 85, Oamaru.
 Tait, C. H., 211 High Street, 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 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 19th day of June 1962 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 7th day of February 1961.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to Which Award Applies

1. This award shall apply to the dental industry and to the workers employed therein.

PART I

This part of this award shall apply to mechanical dentistry.

Wages

2. (a) The following shall be the minimum rates of wages for the respective classes of worker:

	Per Week		
	£	s.	d.
Dental technicians	14	13	4
Dental process workers (as defined below)	12	17	0

A "dental process worker" is a worker who is employed solely on non-precious metal alloys.

(b) Female technicians who have not served an apprenticeship of five years or who have not been employed substantially as a "dental technician" for a period of six years may be employed at two-thirds of the rate prescribed for technicians.

(c) Female technicians who have not served an apprenticeship shall, after six years' employment as a technician, be paid not less than £12 17s. per week.

(d) Female process workers shall be paid not less than the following rates of pay:

	Per Week		
	£	s.	d.
First year of employment	8	0	0
Second year of employment	8	16	8
Third year of employment	10	0	0
Fourth year of employment	11	3	4
Fifth year of employment	12	6	8
Thereafter	12	17	0

Uniforms

3. The employer shall supply to the workers coats or other reasonable protective clothing which shall be laundered by the employer.

PART II

This part of this award shall apply to female dental receptionists, attendants, and assistants.

Wages

4. The following shall be the minimum rates of wages:

	Per Week		
	£	s.	d.
16 years of age and under	4	7	0
Between 16½ and 17 years	4	15	0
Between 17 and 17½ years	5	3	0
Between 17½ and 18 years	5	11	0
Between 18 and 18½ years	5	19	0
Between 18½ and 19 years	6	7	0
Between 19 and 19½ years	6	15	0
Between 19½ and 20 years	7	3	0
Between 20 and 21 years	7	11	0
21 years and over	8	6	8

After completion of three years of service the worker shall then be classed as a senior, and shall be paid not less than £8 6s. 8d. per week. A worker commencing under the age of 16 years shall be paid in accordance with the wage scale as if she had commenced employment at the age of 16 years.

(b) The worker responsible for posting from the day-book to the ledger, making up of accounts, and/or employed up to one and a half hours per day in the workroom at polishing and plaster work, other than investing, shall be paid not less than 10s. 6d. per week extra.

(c) Female workers shall not be required to do charring or major laundry work in connection with their employment under this award.

Uniforms

5. (a) Uniforms shall be supplied to all females employed under Part II of this award, or in lieu thereof an allowance of £2 5s. for each uniform required shall be paid to the respective worker.

(b) The uniforms shall be laundered at the expense of the employer.

(c) When white shoes and/or white stockings are required by the employer to be worn by a worker, they shall be supplied by the employer.

PART III

This part of this award shall apply to all workers.

Hours of Work

6. (a) The ordinary hours of work shall not exceed eight per day and 40 per week to be worked in the case of workers engaged under Part I of this award, between the hours of 8 a.m. and 5.30 p.m. on five days of the week, Monday to Friday, both days inclusive, and in the case of workers engaged under Part II of this award as follows:

Set I: Between the hours of 8 a.m. and 5.30 p.m. on five days of the week, Monday to Friday, both days inclusive.

Set II: Between the hours of 8.30 a.m. and 6 p.m. on five days of the week, Monday to Friday, both days inclusive.

(b) The ordinary daily hours for all workers engaged under this award shall be continuous from the time of commencement, with an interval of one hour for lunch, to be allowed between 12 noon and 2 p.m.

(c) For the purpose of calculating the hours of work, each of the holidays hereinafter mentioned shall be deemed to be a day worked for the number of hours usually worked on that day of the week, although no work shall have been actually done on such holidays.

General Provisions

7. (a) No worker shall have his or her wages reduced by reason of the coming into operation of this award.

(b) Subject to the provisions of clause 13 (Sickness) hereof, no deduction shall be made from the wages of workers employed under this award, except for time lost through default, sickness, or accident of the worker.

Casual Workers

8. Workers employed for less than five consecutive days in any one week or as permanent part-time workers shall be deemed to be casual workers and shall be paid 25 per cent additional to the rates prescribed in clauses 2 and 4 hereof. Casual workers shall receive a minimum payment of three hours' wages for any day.

Overtime

9. (a) For all work performed outside or in excess of the hours prescribed in clause 6 hereof the following rates shall apply: time and a half for the first three hours, and thereafter double time.

(b) Irrespective of the provisions of subclause (a) of this clause limiting the overtime rates at time and a half rates for the first three hours, three hours may be worked on Saturday mornings before 12 noon, and such time so worked shall be paid for at time and a half rates.

(c) For all work performed after 12 noon on Saturday, double time rates shall be paid.

(d) Workers employed for less than half an hour shall receive half an hour's pay.

(e) Workers employed for less than an hour and more than half an hour shall receive one hour's pay.

Meal Money

10. Employers shall allow meal-money at the rate of 5s. per meal when workers are called upon to work overtime for one hour or later after their usual daily time of ceasing work.

Holidays

11. (a) The following shall be allowed as holidays with payment at ordinary rates of pay: New Year's Day and the day following, Good Friday, Easter Monday, Easter Saturday, Labour Day, Christmas Day, Boxing Day, Anzac Day, and the birthday of the reigning Sovereign, Anniversary Day or one other day in lieu thereof to be agreed upon between the employer and the secretary of the union.

(b) Should any of the above holidays, other than Easter Saturday and Anzac Day fall on a Saturday or Sunday, then for the purpose of this award such holidays shall be observed on the following Monday. Should the said Monday be a holiday under this award, then such holiday shall be observed on the following Tuesday.

(c) Any work done on a Sunday or on any of the holidays above mentioned or on holidays observed in lieu thereof shall be paid for at double time rates. The said payment shall be in addition to the ordinary weekly wage.

(d) Annual holidays shall be allowed in accordance with the Annual Holidays Act 1944. Notwithstanding the foregoing, a worker on completion of the tenth year of continuous service with the same employer shall be granted an annual holiday of three weeks, and in respect of each subsequent year of continuous service with the same employer he shall likewise be granted an annual holiday of three weeks.

(e) Unless the holiday period is fixed by mutual arrangement, workers shall receive at least one month's notice before leave has to be taken.

(f) Holiday pay shall be paid to employees prior to commencing their holiday period.

Payment of Wages

12. (a) All wages, including overtime, shall be paid weekly before the ordinary time of ceasing work on any day of the week, not later than Thursday.

(b) Should a holiday fall on a regular pay-day, wages shall be paid on the working-day preceding the holiday.

(c) At the termination of a worker's employment all wages and other payments including proportionate holiday pay shall be computed and paid immediately. Waiting-time shall be paid for at ordinary rates except when the employment is terminated by a worker without the requisite notice, when such payments shall be made not later than on the next working-day.

(d) When being paid, each worker shall be supplied with a statement showing details of the computation of his wages, overtime, holiday pay and any other special payments and also details of any deductions so that the nett amount being paid to him can be reconciled with his gross earnings.

Sickness

13. Time, up to two weeks in any one year, lost by female workers through sickness shall be paid for, and the worker shall, if required to do so, provide a doctor's certificate.

Term of Engagement

14. The engagement shall be weekly, and one week's notice of termination of employment shall be allowed and given on either side.

Distant Engagement

15. (a) When an employer personally or by his agent engages a worker to proceed to employment at a place other than the town or locality in which the worker is engaged, the employer shall pay reasonable travelling expenses incurred by such worker journeying to the employment.

(b) If the employer should engage a worker in pursuance of subclause (a) of this clause and the employer for some reason not connected with the conduct of the worker shall prevent the worker from commencing work, the employer shall pay the worker travelling expenses incurred by the worker in journeying to and from the town or locality of engagement, together with one week's pay.

(c) "Travelling expenses" shall mean such rail fares, boat fares, or motor fares, and cost of meals and accommodation as are reasonably necessary.

Right of Entry Upon Premises

16. The secretary or any other authorised representative of the union of workers shall, with the consent of the employer (which consent shall not be unreasonably withheld), be entitled to enter at all reasonable times upon the premises or works and there interview any workers, or to collect union fees during working-hours, but not so as to interfere unreasonably with the employer's business.

Rest Period

17. Each worker shall be allowed a 10-minute break each morning and afternoon without deduction of pay.

Time and Wages Book

18. Every employer bound by this award shall keep a time and wages book in which shall be correctly recorded:

- (a) The name and age of the worker employed;
- (b) The kind of work on which he or she is employed;
- (c) The ordinary hours and overtime hours worked each day; and
- (d) The wages paid each week, and the date thereof.

Reference

19. (a) Each worker on leaving or being discharged from his or her employment shall, on request, be given within 48 hours thereafter a reference in writing stating the position held and the length of service.

(b) Original references shall be the property of the applicant and shall be returned within 48 hours after engagement or rejection of the application.

Disputes

20. 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 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 of 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 to appeal to the Court of Arbitration within 14 days after such decision has been made known to the party desirous of appealing.

Workers to be Members of Union

21. (a) 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 in the industrial district in which he or she is employed.

(b) For the purpose 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) Employers shall, on application from the union secretary in the district, supply by mail and within a reasonable time, the names and the private addresses of all employees including date of birth of workers under 18 years of age in their employ; such request shall not be made more often than once in every three months.

(d) Employers shall, immediately upon employing any non-unionists, notify the union secretary in the district of such employment, giving the name and private address of the employee and also stating date of birth of any worker under the age of 18 years.

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

Under-rate Workers

22. (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.

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.

Scope of Award

24. This award shall operate throughout the Northern, Wellington, Canterbury, and Otago and Southland Industrial Districts.

Term of Award

25. 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 19th day of December 1960, 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 19th day of June 1962.

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 7th day of February 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.
