

OTAGO AND SOUTHLAND PUBLIC ACCOUNTANTS' EMPLOYEES—AWARD

In the Court of Arbitration of New Zealand, Otago and Southland Industrial District—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of an industrial dispute between the Otago and Southland Public Accountants' Employees Industrial Union of Workers (hereinafter called "the union") and the under-mentioned persons, firms, and companies (hereinafter called "the employers"):

Adamson, Francis, and Harrington, The Crescent, Invercargill.

Barr, Burgess, and Stewart, 10 Bond Street, Dunedin.

Elder, I. E., Main Street, Gore.

Reid, W. E. C., and Co., 10 Bond Street, Dunedin.

Reid and Jones, Esk Street, Invercargill.

Smith, Pearce, and Ross, 101 Thames Street, Oamaru.

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 31st day of December 1964 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 17th day of December 1963.

[L.S.]

A. TYNDALL, Judge.

SCHEDULE

Industry to Which Award Applies

1. This award shall apply to the calling of "public accountants" and to all assistants employed in the office of any public accountant save and except—

(a) Persons employed as cleaners or caretakers or in any other analogous capacity.

(b) All assistants who have had less than six years' accountancy experience and the conditions of whose employment are for the time being the subject of a special service agreement which is made in a form that has been approved by the union and which has not been cancelled, terminated, or rescinded pursuant to the provisions thereof or otherwise howsoever.

(c) Workers in receipt of a salary of £850 or any greater sum per annum.

Interpretation

2. (a) "Office experience" shall mean the total period of employment as an office assistant in any office.

(b) "Accountancy experience" of any male worker shall mean the total period of his employment as an assistant in the office of a public accountant.

Salaries

3. The following shall be the minimum salaries payable to workers (subject to the Minimum Wage Act 1945 in all cases):

(a) *Males*—

	Per Week		
	£	s.	d.
First six months of accountancy experience	6	0	0
Second six months of accountancy experience	6	10	0
Third six months of accountancy experience	7	5	0
Fourth six months of accountancy experience	8	0	0
Fifth six months of accountancy experience	8	10	0
Sixth six months of accountancy experience	9	5	0
Seventh six months of accountancy experience	10	5	0
Eighth six months of accountancy experience	11	0	0
Fifth year of accountancy experience	12	10	0
Sixth year of accountancy experience	13	10	0
Seventh year of accountancy experience and thereafter	14	10	0

Where an employee has passed Accounting Stage 2 examination the above rates of salary shall be increased by £1 per week. Where an employee has had five years' accountancy experience, and has been admitted by examination to the New Zealand Society of Accountants, the above rates of salary shall be increased by a further £1 a week, making a total of £2 per week above such rates. This provision shall apply to both male and female employees.

Provided, further, that in the case of any employee who is temporarily debarred from membership of such society by reason of age, such additional payment shall be payable as from first of the month following publication of the examination results, subject to the employee giving an undertaking to apply for membership of the society immediately upon reaching the required age, and should this undertaking not be carried out the employer may discontinue the additional payment until such time as membership is applied for.

Provided, also, that previous office experience shall be reckoned and paid for as provided under the Shops and Offices Act but should such office experience qualify the assistant in bookkeeping and accountancy, the value of such experience as an equivalent to time worked in the office of a public accountant shall be agreed upon by the employer and worker, and in default of agreement, the standing committee set up under clause 16 shall determine the matter.

(b) *Females*—

	Per Week		
	£	s.	d.
First year of office experience	4	15	0
Second year of office experience	5	10	0
Third year of office experience	6	2	6
Fourth year of office experience	6	15	0
Fifth year of office experience	7	10	0
Sixth year of office experience	8	7	6
Seventh year of office experience	9	5	0
Eighth year of office experience and thereafter	10	2	6

Provided that a female employee who desires to qualify in accountancy may, by arrangement with the employer be paid at male rates.

Females engaged on the following machines shall be paid not less than 10s. per week additional:

(i) Accounting and bookkeeping machines, posting and analysis machines if fitted with vertical and cross adding registers.

(ii) Calculating machines used in calculating work other than adding and subtracting.

(iii) Invoicing machine fitted with adding registers and where any part of the keyboard is electrically operated and controlled or fitted with vertical and cross adding registers.

(c) Salaries shall be paid at intervals of not more than two weeks.

(d) During the currency of this award, employers shall give to male workers the best training reasonably possible for the profession of public accountancy and shall encourage such workers, as far as possible, to qualify for membership of the New Zealand Society of Accountants, and workers shall assist employers in every practicable way in the proper conduct of their office and in the profession of accountancy.

Hours of Work

4. (a) Unless otherwise provided herein, the ordinary hours of work shall not exceed $37\frac{1}{2}$ per week, to be worked on five days of the week from Monday to Friday, both days inclusive.

(b) Where through special circumstances the aforesaid hours are not suitable, the working period may be varied in the case of yearly workers, subject to the conditions that any time worked in excess of 1,920 hours per annum (being the equivalent of 48 weeks of 40 hours each) shall be paid for as overtime at the rate of time and a half. Work on Saturday mornings shall not exceed 72 hours per annum.

(c) Should the period of employment be less than one year, overtime shall be paid at time and a half rates on all time worked in excess of an average of 40 hours per week for the period actually worked.

(d) For the purpose of reckoning the yearly working period of 1,920 hours, holidays shall not count as time worked.

(e) Time allowed for day lectures or examinations, or preparation therefor, shall count as time worked in assessing the annual total of 1,920 hours, but shall not count as part of the 72 hours of Saturday morning work.

Time off for Examinations

5. (a) Employers shall grant time off without loss of pay to any worker on any half day on which such worker is sitting any examination for the New Zealand Society of Accountants or for the Degree of Bachelor of Commerce or Master of Commerce. All time off so granted shall be deemed to be time worked for the purposes of subclause (b) of clause 4 hereof, but not for the purposes of subclause (c) of clause 4 hereof. In addition, the employer may grant time off for the purpose of study for any such examination.

(b) No worker who proposes to sit any such examination shall be required to work after 6 p.m. on any day in the period commencing two weeks prior to his first examination towards the end of the year and expiring on the date of his last examination in that year.

(c) Employers shall grant time off for day lectures at University or Technical Colleges. Such time off is to be arranged by mutual agreement between employer and employee, but shall not include as of right, repeat attendances in subjects in which the employee has already had time off. In the case of any employee who has such time off in excess of 8 hours weekly, the rates of salary prescribed in clause 3 shall not apply and the rate in such case shall be settled by mutual agreement.

Travelling Time

6. Travelling time outside the usual daily working hours from Monday to Friday inclusive (unless statutory or other holidays) and travelling time before 8 a.m. on Saturdays and after 5 p.m. on Sundays shall not be deemed to be time worked, but travelling time on statutory holidays or after 8 a.m. on Saturdays or before 5 p.m. on Sundays shall be deemed to be time worked for the purpose of subclauses (b) and (c) of clause 4 hereof.

Holidays

7. (a) All workers, with the exception of those who have completed 10 years' continuous service with a public accountant, shall in each year receive a fortnight's holiday on full pay exclusive of and in addition to the days mentioned in subclause (c) of this clause.

(b) All workers who have completed 10 years' continuous service with a public accountant shall in each year receive three weeks' holiday on full pay exclusive of and in addition to the days mentioned in subclause (c) of this clause.

(c) The following days shall be observed as paid holidays: Christmas Day, Boxing Day and the day after, New Year's Day and the day after, Good Friday, Easter Monday and the day after, Anniversary Day, Anzac Day, Labour Day, and the birthday of the reigning Sovereign. If any such day (other than Anzac Day) shall fall on a holiday, another day (not being a holiday hereinbefore in this subclause mentioned) shall be observed as a holiday in lieu thereof.

(d) Anniversary Day may be observed in conjunction with the Easter holidays.

Sick Leave

8. Upon production of a medical certificate, if required by the employer, a worker with less than four years' service shall be allowed, where necessary, sick leave on full pay for a period not exceeding seven days in any one year, and workers with not less than four years' service shall be allowed, where necessary, sick leave on full pay for a period not exceeding 14 days in any one year.

Tea Money

9. Any worker who is employed until after 6 p.m. on any day, in respect of every such day, be paid, not later than the next regular pay day, 5s. tea money.

Terms of Employment

10. The employment shall be a fortnightly employment and two weeks' notice of termination of employment shall be given by either party; but this shall not affect the right of an employer to dismiss an employee for good cause.

Casual Workers

11. Any worker to whom this award applies who is employed for less than a complete week of five normal days shall be entitled to be paid at the rate of the appropriate weekly salary plus 20 per cent for a week of 40 working hours and shall receive a proportionate part of such weekly sum computed upon an hourly basis.

Unqualified Preference

12. (a) Any adult person engaged or employed in any position or employment subject to this award by any employer bound by this award shall, if he is not already a member of a union of workers bound by this award, become a member of such union within 14 days after his engagement, or after this clause comes into force, as the case may require.

(b) Subject to subclause (a) hereof, every adult person so engaged or employed shall remain a member of a union of workers bound by this award so long as he continues in any position or employment subject to this award.

(c) Every worker obliged under subclause (a) hereof to become a member of a union who fails to become a member, as required by that subclause, after being requested to do so by an officer or authorised representative of the union, and every worker who fails to remain a member of a union in accordance with subclause (b) hereof commits a breach of this award.

(d) Every employer bound by this award commits a breach of this award if he continues to employ any worker to whom subclauses (a) and (b) apply, after having been notified by any officer or authorised representative of the union that the worker has been requested to become a member of the union and has failed to do so, or that the worker having become a member of the union has failed to remain a member.

(e) For the purposes of this clause "adult person" means a person of the age of 18 years or upwards, or a person who for the time being is in receipt of not less than the minimum rate of wages prescribed for adult workers by this award.

(NOTE—Attention is drawn to section 174H of the Industrial Conciliation and Arbitration Act 1954 which gives to workers the right to join the union.)

Union Subscription

13. The employer shall, after the necessary authority is obtained, collect the union fee from workers and shall pay same to the union secretary.

Under-rate Workers

14. (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 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.

Notification of Change of Staff

15. (a) Every employer shall forthwith notify the secretary of the union in writing of every change in the personnel of their staffs, including in such notification details as to the names of the employee or employees concerned and the date when the change occurred.

(b) Employers bound by this award, upon written request of the secretary, shall supply a written list of employees not more than two times a year.

Disputes

16. If any dispute or difference shall arise as to the accountancy experience of any worker or as to any other matter whatsoever arising out of or connected with this award and not dealt with in this award, every such dispute or difference shall be referred to the standing committee, whose decision shall be final. The standing committee shall be comprised of three representatives appointed by the union and three representatives appointed by the Otago Public Accountants' Association. In the event of the standing committee being equally divided upon any matter, such matter shall be referred for decision to an arbitrator who shall be appointed by the said six representatives, or a majority of them, or, in default of any such appointment, shall be appointed by the Conciliation Commissioner for the district. The standing committee may make its own rules for the hearing of disputes and other matters referred to it.

Application of Award

17. 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 district to which this award relates.

Scope of Award

18. This award shall operate throughout the Otago and Southland Industrial District.

Term of Award

19. 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 1st day of October 1963, 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 December 1964.

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 17th day of December 1963.

[L.S.]

A. TYNDALL, Judge.

MEMORANDUM

The award, including the operative date of provisions relating to wages, incorporates the terms of settlement arrived at by the parties in the course of an inquiry held before a Council of Conciliation.

Upon being satisfied by supporting documentary evidence that an unqualified preference provision has been agreed to by all the assessors in accordance with section 174B of the Industrial Conciliation and Arbitration Act 1954 (as enacted by the Industrial Conciliation and Arbitration Amendment Act 1961), the Court has inserted clause 12 in the award in the form in which it was agreed upon in the Council of Conciliation.

A. TYNDALL, Judge.
