CANTERBURY BOROUGH COUNCILS CLERICAL WORKERS—AWARD

In the Court of Arbitration of New Zealand, Canterbury Industrial District—In the matter of the Industrial Conciliation and Arbitration Act 1954; and in the matter of an industrial dispute between the Canterbury Clerks Cashiers and Office Employees Industrial Union of Workers (hereinafter called "the union") and the under-mentioned councils (hereinafter called "the employers"):

Ashburton Borough Council, Ashburton.
Geraldine Borough Council, Geraldine.
Kaiapoi Borough Council, Kaiapoi.
Lyttelton Borough Council, Lyttelton.
Rangiora Borough Council, Rangiora.
Riccarton Borough Council, Riccarton.
Temuka Borough Council, Temuka.
Waimate Borough Council, Waimate.

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 March 1966 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 3rd day of November 1964.

[L.S.] A. P. BLAIR, Judge.

SCHEDULE

Application of Award

1. This award shall apply to workers who are substantially employed as cashiers, clerks, collectors, purchasing officers, meter-readers, telephonists, stenographers, typists, mechanical office equipment operators or bookkeepers, but shall not include:

(1) Town clerks.
(2) Any worker in receipt of a salary in excess of £1,354 per annum exclusive of bonus or overtime payments.
(3) Clerks engaged for elections or polls.

Hours of Work

2. (a) The normal hours of work shall not exceed 40 per week, and, except as hereinafter provided, eight hours shall be worked on each five days of the week, Mondays to Fridays, both days inclusive, and between the hours of 8 a.m. and 5.30 p.m.

(b) Where, prior to the date of the award, any local body has been customarily observing shorter daily or weekly hours than those hereinbefore specified, that local body shall continue to observe such shorter hours, but in such circumstances that local body shall have the right to call upon its staff whenever necessary to cope with rush periods such as preparation of rate demands, period prior to payment of rates before penalty is imposed, or the half-annual or annual balance sheets, or the issue of motor drivers' licences, to work up to 40 hours per week without payment of overtime.

(c) Intervals of 10 minutes' duration shall be allowed for morning and afternoon tea.

Wages

3. (a) The minimum rates of pay per annum shall be:

(i) Males—

	Per Annum £
First year	382
Second year	424
Third year	483
Fourth year	578
Fifth year	663
Sixth year	727
Seventh year	774
Eighth year	822
Ninth year	875
Tenth year	928
Eleventh year	981
Twelfth year	1,029
Thirteenth year	1,055
Fourteenth year	1,087

Males with School Certificate commence at third year of scale.
Males with University Entrance commence at fourth year of scale.

(ii) Females—

First year	382
Second year	424
Third year	483
Fourth year	557
Fifth year	599
Sixth year	636
Seventh year	689
Eighth year	742
Ninth year	806

Females with School Certificate or Junior Shorthand and Typing Examination shall be advanced two years above the appropriate scale rate.

Females with University Entrance or Senior Shorthand-typing Examination shall be advanced three years above the appropriate scale rate.

(b) *Grade 2*—Officers may be promoted to grade 2 if, in the opinion of the employer, some advancement beyond the specified steps of the general scale is justified on the basis of merit, proficiency, service, or responsibility. The salary of any officer

so promoted by resolution of the council shall be increased by an amount not less than £25 per annum and subsequent increments within the grade shall be entirely at the discretion of the employer: Provided that the salary of any officer within the grade on the date of the coming into operation of this award shall be increased by the amount by which salaries payable in accord with the maximum scale rate for a male or female worker, as the case may be, have been increased by virtue of this award.

Provided, further, that any increase, other than the initial increment, which may have been granted to a grade 2 officer within the immediately preceding six months may be offset against any increase payable under this subclause.

(c) Females substantially engaged on the following machines shall be paid not less than 9s. 7d. per week in addition to their scale rate:

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

(ii) Calculating machines, key-driven, for which the operators must have special training, as distinct from crank-driven or rotary calculating machines, which do not require specialised operators.

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

(d) Meter-readers shall be paid in accordance with the scale set out in subclause (a) of this clause to the tenth year, provided that meter-readers with five years' experience shall advance to the eleventh year of the scale: Provided, however, that a meter-reader of the age of 21 years or over shall be paid a commencing rate not less than that provided for the seventh year of service.

The meter-reader permanently employed as such who collects cash shall be paid a cashier's risk allowance of 6s. 1d. per week for each week in which he is so employed.

(e) The worker who acts principally as cashier shall be paid 7s. 6d. per week as a risk allowance.

(f) For the purposes of subclauses (a) and (b) of this clause, the minimum wage payable to any worker shall be determined by taking into account his or her total length of service.

Length of service shall mean the total period of actual employment as a clerical worker as nearly as can be ascertained. Any period of employment on other than clerical work and any period of unemployment shall be excluded from the computation.

(NOTE—Attention is drawn to the fact that this award is to be read subject to the provisions of the Minimum Wage Act 1945.)

Bonus for Qualifications

4. (a) An employee who obtains a full pass in one or more of the examinations listed below shall, on completion of the salary year in which he or she obtains the pass and each year thereafter, have added to his or her appropriate scale rate an allowance of £52.

An employee having completed five subjects in any one of the examinations so listed shall receive an allowance of £25 per annum in addition to his or her ordinary scale rate.

(b) An employee, who at the date of this award has already obtained a full pass in one of the examinations listed below, shall become entitled to the benefit of this clause as from the date upon which this award is made.

(c) The examinations referred to above are: B.Com.; New Zealand Institute of Local Body Administrative Officers; Accountancy Professional; and Chartered Institute of Secretaries.

Payment of Wages

5. (a) Wages shall be paid at not longer than fortnightly intervals on a day not later than Thursday in any week.

(b) Subject to the provisions of clause 11 hereof, the employer may make a rateable deduction from the wages of any worker for time lost through sickness, accident, default, or voluntary absence with the consent of the employer.

Overtime

6. (a) When overtime is required to be worked at the request of the chief executive officer reasonable notice shall be given to the worker, and wherever possible the period of notice of overtime shall not be less than five hours.

(b) All time worked in excess or outside of the hours specified in clause 2 of this award shall be paid for at the rate of time and a half for the first three hours and double time thereafter, with a minimum of 4s. per hour.

(c) Time worked on Sundays or after noon on Saturday shall be paid for at double time rates.

(d) Officers who are appointed by the council to specific positions on the council's or board's staff, such as treasurer, chief clerk, accountant, or other such senior executive officers as may be appointed and who are in receipt of not less than the highest rate payable under subclauses (a) or (b) of clause 3 of this award for a male or female respectively, may work such hours as may be necessary to completely perform the work required of the officer, and this shall include attendance at meetings, taking of minutes, and the performance of usual routine work.

(e) A minimum of two hours at the appropriate rate shall be paid for each call-back on any non-working day.

Holidays

7. (a) The following shall be the recognised holidays: New Year's Day, Good Friday, Easter Monday, Anzac Day, Labour Day, Christmas Day, Boxing Day, the birthday of the reigning Sovereign, 2 January (or some other day to be observed in lieu thereof), Show Day (or some other day to be observed in lieu thereof), and any other day which may be declared a holiday by the local body concerned.

(b) Should any of the holidays, except Anzac Day, set out in subclause (a) of this clause fall on a Saturday or a Sunday, such holiday shall be observed on the next working day or days.

(c) Workers who are employed on any of the days set out in subclause (a) of this clause shall be paid at the rate of double time in addition to the weekly wages.

(d) Annual holidays shall be allowed in accordance with the provisions of the Annual Holidays Act 1944 and its amendments, but in the case of any officer having 10 years' continuous clerical service, part of which may be served with any other borough council in New Zealand, or, at the discretion of the council party to this award, with some other similar local authority in New Zealand, and where the total local body service has not been interrupted for a period in excess of six months the period of annual leave shall be three weeks.

(e) Except as otherwise agreed, at least one month's notice of commencement of annual leave shall be given by the local authority to the worker, and workers shall be paid for the annual holiday on or before its commencement.

Meal Allowance

8. Any worker called upon to continue to work later than 6 p.m. on any day of the week shall be paid 5s. 6d. meal allowance if the worker cannot reasonably journey to and from his home for a meal in the time allowed.

Casual Workers

9. (a) Any worker employed for less than two full weeks in any one engagement shall be termed a casual worker.

(b) Every casual worker shall be paid 20 per cent in addition to the rate prescribed in clause 3 of this award, or at an hourly rate equivalent thereto.

Travelling Allowance and Expenses

10. (a) Out-of-pocket expenses reasonably incurred by any worker in the execution of his duties shall be paid by such local authority concerned. All claims for such expenses shall be rendered and settled not less often than monthly, and such claims shall give particulars of travelling done and expenses incurred in the discharge of the worker's duties. A council or other local authority may, in connection with any particular claim, require that such claim shall be supported by a statutory declaration. Where a worker is required to use his bicycle in the course of his employment he shall be paid an allowance of not less than 3s. per week, or, alternatively, the employer may provide the bicycle.

(b) Officers who provide their own motor cars or motor cycles, approved by and at the request of the local body concerned for carrying out their official duties, shall be paid a sum as may be mutually agreed upon between the local body and the officer concerned.

Sick Leave

11. (a) Subject to the following provisions each worker shall be entitled to 10 working days' sick leave on full pay in each year. Such sick leave, if not taken in any year, may be accumulated up to a total of 30 days:

(i) A medical certificate signed by an approved medical officer shall, if required, be produced where sick leave is taken.

(ii) The employer shall have the right to deduct the number of days of sick leave already taken by the worker from the total number the worker is entitled to by calculation in order to determine the number of days due to him in the event of his falling sick.

(b) The employer may grant leave of absence on full pay where, in its opinion, a worker is incapacitated by injury arising out of and in the course of his or her employment. Such leave shall be in addition to the sick leave mentioned in subclause (a) of this clause.

No Reduction in Wages

12. No worker coming within the scope of this award shall have his wages or salary reduced by reason of the operation of this award.

Terms of Employment

13. For workers other than casual workers the employment shall be deemed to be a monthly one, and a month's notice shall be given by either side; but this shall not prevent any council or board from summarily dismissing any worker for wilful misconduct or other just cause.

Wages and Time Book

14. The employer shall keep in prescribed form a time book to show the hours of work per day of each worker, and to show morning hours, afternoon hours, and overtime hours. The system of payment of wages now in vogue in the different local authorities' offices, such system having the approval of the Government Audit Department, shall be continued.

Right of Entry

15. (a) The secretary or other authorised representative of the union shall, with the consent of the employer (such consent not to be unreasonably withheld), be entitled to enter the office or works at all reasonable times to interview any worker, but not so as to interfere unreasonably with the employer's business.

(b) Employers shall upon written request by the secretary of the union supply him with a list of workers in their employ covered by this award.

Conditions as to Offices

16. (a) Each employer shall, where practicable, permit his workers to have lunch during the lunch interval on the premises.

(b) In offices in which not less than six females are employed reasonable dining accommodation shall be provided, if required; also a cloakroom or enclosure in which reasonable privacy is secured for dressing. There shall also be provided, where practicable, a room with suitable couch accommodation for rest in cases of temporary indisposition, but where it is impracticable to set a room apart for that purpose it shall be sufficient if a couch or couches are provided in a portion of the cloakroom screened off from the place where clothing is hung.

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

(d) A reasonable number of smocks shall be supplied by the employer for use by workers when required to perform duties which are such as to necessitate some form of protective clothing.

Part-time Offices

17. When the requirements of the council or board do not customarily necessitate the office being open for the full weekly period, the employees shall be paid *pro rata* to the time worked at the appropriate rate specified in clause 3 of this award, plus 10 per cent.

Matters Not Provided For

18. Any dispute in connection with any matter not provided for in this award shall be settled between the particular employer concerned and the secretary or president of the union, and in default of any agreement being arrived at, then such dispute shall be referred to the local Conciliation Commissioner, who may either decide the same or refer the matter to the Court. Either party, if dissatisfied with the decision of the Commissioner, may appeal to the Court upon giving written notice of such appeal to the other party within 14 days after such decision shall have been communicated to the party desiring to appeal.

Unqualified Preference

19. (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.)

Under-rate Workers

20. (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.

References

21. (a) Original references shall be the property of the worker or applicant, and shall, on request, be returned within 48 hours after engagement or rejection of application.

(b) Each worker on leaving or being discharged from his or her employment shall, on request, be furnished within 24 hours thereafter with a statement in writing setting out the position held and length of service.

Scope of Award

22. This award shall apply only to the parties named herein in the Canterbury Industrial District.

Term of Award

23. 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 first day of the pay period in each establishment commencing on or after the 1st day of October

1964, and so far as all other provisions of the award are concerned, it shall come into operation on the day of the date hereof; and this award shall continue in force until the 31st day of March 1966.

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 3rd day of November 1964.

[L.S.] A. P. BLAIR, 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 19 in the award in the form in which it was agreed upon in the Council of Conciliation.

The rates of remuneration prescribed by this award are *not* to be increased by the application of the provisions of the Court's general order of 19 August 1964.

A. P. BLAIR, Judge.