

WELLINGTON CITY COUNCIL CLERICAL AND OTHER OFFICERS—AWARD

In the Court of Arbitration of New Zealand, Wellington Industrial District—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 undermentioned council (hereinafter called "the employers"):

Wellington City Council, Wellington.

THE Court of Arbitration of New Zealand (hereinafter called "the Court"), having taken into consideration the matter of the above-mentioned dispute, and having heard the union by its representatives duly appointed, and having also heard such of the employers as were represented either in person or by their representatives duly appointed, and having also heard the witnesses called and examined and cross-examined by and on behalf of the said parties respectively, 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 15th day of September 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 11th day of August 1965.

[L.S.]

A. P. BLAIR, Judge.

SCHEDULE

Industry to Which Award Applies

1. This award shall apply to officers employed by the Wellington City Council with the exception of:

- (i) Heads of departments.
- (ii) Male officers in receipt of a salary of more than £1,415 per annum, apart from overtime, and female officers in receipt of a salary of more than £880 per annum, apart from overtime.
- (iii) Members of the New Zealand Institute of Marine and Power Engineers employed as power engineers.
- (iv) Workers covered by other awards.
- (v) Part-time officers who normally work less than 20 hours per week for the council.

Rates of Remuneration

2. (a) The minimum commencing rates of salary for positions coming within Schedule "A" following shall be as set out therein, viz:

SCHEDULE "A"						Minimum Salary Per Annum £
Classified Position						
Messengers and attendants	..	..	..	..	..	760
Morgue attendants (female)	..	..	..	..	..	625
Convenience attendants (female)	..	..	..	..	..	625
Mayor's chauffeurs	..	..	..	..	..	930
Ranger (cattle and dogs)	..	..	..	..	..	825
Storekeeper (small store)	..	..	..	..	..	815
Storekeeper's assistants	..	..	..	..	..	780
Storekeeper (large store)	..	..	..	..	..	965
Adult officers not otherwise provided for—						
Male	..	..	..	..	..	760
Female	..	..	..	..	..	625

The above classifications and salary rates shall be subject to the provisions of subclause (f) of this clause.

Officers appointed to any of the classifications in Schedule "B" following shall commence at the rate of the appropriate scale "M" or "F" indicated in column 1 and they shall be paid thereafter in accordance with the subsequent rates "M" or "F" with a maximum of the rate of the appropriate step shown in column 2. The steps "M" and "F" are progressive and each numbered step represents the salaries which shall be increased yearly. The provisions of subclause (c) of this clause shall not apply except in the case of female bookkeepers.

SCHEDULE "B"				Column 1	Column 2
Classification				Commencing	Maximum
				Rate	Rate
				Step	Step
Water meter reader	..	..	..	M 8	M 11
First class chainman	..	..	..	M 9	M 11
Second class chainman	..	..	..	M 8	M 9
Electric meter reader	..	..	..	M 8	M 12
Plan registrar	..	..	..	M 9	M 14
Traffic inspector	..	..	..	M 8	M 14
Parking meter warden	..	..	..	M 8	M 10
Water inspector	..	..	..	M 9	M 11
Hydatids control inspector	..	..	..	M 11	M 13
Token receiver (milk)	..	..	..	M 9	M 12
Token distributor (milk)	..	..	..	M 10	M 13
Female bookkeeper (machine operator)—					
Senior	..	..	..	F 5	F 9
Junior (not trainee)	..	..	..	F 3	F 9
Officer-in-charge library attendants	..	..	..	M 13	M 14
Dangerous goods inspector	..	..	..	M 12	M 14
Building or plumbing inspector	..	..	..	M 13	M 14
Health inspector	..	..	..	M 13	M 14
				(Plus £35)	(Plus £35)
Assistant sexton (if keeping records)	..	..	..	M 12	M 14
Foreman-in-charge	..	..	..	M 12	M 14
Assistant overseers	..	..	..	M 12	M 14
Floorman (milk)	..	..	..	M 11	M 13
Dairy foreman, Wellington (milk)	..	..	..	M 11	M 13
Motor transport foreman (milk)	..	..	..	M 12	M 14
Senior floorman (milk)	..	..	..	M 12	M 14
Foreman Rahui factory (milk)	..	..	..	M 12	M 14
Transport workshop foreman	..	..	..	M 13	M 14
Transport bus garage foreman	..	..	..	M 12	M 14
Motor mechanic foreman	..	..	..	M 12	M 14
Lines foreman	..	..	..	M 12	M 14
Electric workshop foreman	..	..	..	M 12	M 14
Electric meter maintenance foreman	..	..	..	M 12	M 14
Foremen (not otherwise specified)	..	..	..	M 12	M 14

(b) The minimum remuneration for clerical, technical, and professional officers whose salaries are not limited by their conditions of appointment or by the maximum fixed for any position and within the limits prescribed by Schedule "B" officers coming within that schedule, shall be in accordance with grade "M" for males and grade "F" for females, in which the consecutively numbered steps represent salaries which shall be increased yearly.

Grade "M"

Step	Salary Per Annum £	Step	Salary Per Annum £
1	375	8	780
2	425	9	830
3	480	10	895
4	540	11	965
5	615	12	1,005
6	680	13	1,040
7	735	14	1,090

Males with School Certificate commence at the third year step of grade "M".

Males with University Entrance or endorsed School Certificate commence at the fourth year step of grade "M".

For the purpose of the grade "M" and grade "F" scales, the difference between any two consecutive steps shall be deemed to be annual increments. The council may engage an officer at any stated rate of salary in the scale being not less than the amount which the officer is entitled under the award provided that such commencing rate shall be increased by the increments for subsequent service as set out therein.

Except where otherwise specified the following minimum annual salary rates shall apply and be paid to female officers:

Grade "F"

Step	Salary Per Annum £	Step	Salary Per Annum £
1	375	6	650
2	425	7	695
3	480	8	740
4	535	9	780
5	590		

The maximum for female telephone attendants on exchange under 80 lines at eighth year of scale.

Females with School Certificate or Junior Typing Examination commence at third year of scale.

Females with University Entrance or Endorsed School Certificate or Senior Typing Examination commence at fourth year of scale.

Female library service officers and telephone assistants shall be deemed to come within the provisions relating to grade "F".

(c) For the purpose of qualification under the foregoing scales "M" or "F" experience in any employment of a similar character to that covered by this award shall be counted as if it were experience covered by this award.

(d) The officers appointed to positions specially classified shall be paid not less than the amount set against each classification.

(e) Officers receiving salaries in excess of that provided for by this award shall not have their salaries reduced by reason of the coming into operation of this award.

(f) The salary of every worker whose increment is not provided for in this award shall be reviewed once in each year at a time so that the resulting increase, if any, in salary shall take effect from the 1st day of April in that year, or from the anniversary date of appointment or promotion, as the case may be, at the discretion of the council.

(g) An officer who substantially acts as a cashier or pay clerk shall be paid 8s. per week as a cashier's risk allowance.

(h) An officer employed substantially on ledger-posting machines, bookkeeping machines, card-punching machines, or analysis machines (other than adding-machines) shall be paid 10s. per week in addition to the rate which he or she is receiving under subclause (b) of this clause.

This subclause shall apply to all females and to all males coming within the scope of grade "M".

(i) A part-time employee shall be paid in proportion to the hours worked on the basis of award rates for the work performed plus 10 per cent.

(j) *Grade 2*—Officers may be advanced beyond the highest step of grade "M" or grade "F" scale if in the opinion of the council such advancement is justified on the basis of merit, proficiency, service, responsibility and the nature of the duties performed. Officers so advanced shall be classified in grade 2. Officers appointed by the council at a commencing salary in excess of the highest step of grade "M" or grade "F" scale shall also be classified in grade 2. Any increase in salary of grade 2 officers shall be granted at the discretion of the council.

Officers in receipt of salaries which are in excess of step 14 of grade "M" and step 9 of grade "F" shall be classified in grade 2.

Conditions of Service

3. (a) All other things being equal, in making appointments to staff positions, preference shall be given to officers already on the staff.

(b) In buildings in which three or more females are employed, reasonable accommodation including the provision of a couch shall be provided for their exclusive use.

(c) Officers shall be paid weekly or fortnightly as decided by the council on the regular pay day which shall be not later than Thursday: Provided that should any of the holidays enumerated in subclause (a) of clause 6 be observed on the Friday of the pay week, then wages shall be paid not later than Wednesday. Any officer, on request, shall be supplied with the details of how the payment is made up.

This provision shall operate during the currency of this award.

(d) Sick leave on pay shall be allowed in accordance with the provisions of the council staff regulations in force from time to time.

(e) Continuous service with the council prior to the commencement of this award shall count for the purposes of subclause (d) of this clause (sick leave).

Continuous service with the council or service partly with the council and partly at other employment of a nature approved by the council shall count for the purposes of subclause (d) of clause 6 of this award (annual holidays).

Hours of Work

4. (a) Except where otherwise provided the ordinary hours of work shall not exceed 40 per week, eight of which shall be worked on each of five days of the week between the hours of 8 a.m. and 5 p.m., Monday to Friday, inclusive.

(b) Where a worker by reason of being required to work overtime is unable reasonably to get home for a meal he shall be paid meal money at the rate of 5s. 7d. per meal.

(c) Notwithstanding the provisions of subclause (a) of this clause officers may be employed on any five of the seven days of the week provided that the ordinary hours of work shall not exceed 40 per week or eight per day. For all time worked on Saturdays as part of the ordinary week's work, time and a half rates shall be paid. For all time worked on the holidays prescribed in clause 6, double time shall be paid in addition to the ordinary salary rate for the day: Provided, however, that this payment shall not apply to foremen, overseers or stores clerks in grade 2 on day shifts whose hours of work, Monday to Friday inclusive, shall be those of the men over whom they exercise control or to whom they issue equipment.

Overtime in accordance with the provisions of clause 5 hereof shall be paid for all time worked in excess of 40 hours per week or eight hours per day.

The officers referred to in this subclause shall be paid 15s. per week additional to their usual rates to compensate for the extended spread of hours.

This subclause shall not apply to officers whose normal duties fall between 8 a.m. and 5 p.m. Monday to Friday inclusive.

(d) Any worker who, after completing 12 hours' work during any day is required to continue or recommence work without an intervening rest break of at least nine hours, shall be paid overtime at double ordinary time rate for all time worked until he has had such rest break: Provided that where the period of work continues into or is recommenced on Saturday, Sunday, Anzac Day, or a holiday, the payment for such continued or recommenced work on such days shall be at treble ordinary time rate; and provided further that where such rest break extends into the hours of the worker's normal working day, the employer may defer the starting time of the worker in which case he shall be paid ordinary time rate for the normal working hours not worked by him. "Day" for the purposes of this clause shall be deemed to be a 24 hour period starting from the time when a worker commences any period of work following a rest break of not less than nine hours.

Overtime

5. (a) All time worked in any one day outside or in excess of the hours prescribed in clause 4 of this award 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: Provided, however, that all work performed on Sundays shall be paid for at double time rates.

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

(c) All overtime pay to which an officer is entitled shall be paid not later than on the weekly or fortnightly pay day as the case may be following the pay period in which the overtime was worked.

(d) For the purposes of computing payments for overtime, the ordinary hourly rate for any worker shall be ascertained by dividing his annual salary by 2,080.

(e) If at any time an officer is called out for work after having ceased for the day, or before the usual time of starting work, or if he is called out on a non-working day, Sunday, Saturday, or on any of the holidays specified in subclause (a) of clause 6 he shall be paid a minimum of two hours at schedule overtime rates.

Holidays

6. (a) The following shall be observed and paid for as holidays: Christmas Day, Boxing Day, New Year's Day, 2 January or one other day in lieu thereof, Good Friday, Easter Monday, Labour Day, Anniversary Day, and the birthday of the reigning Sovereign.

(b) (i) In addition to the payments required by subclause (a) of this clause, all work done on any of the above-mentioned holidays shall be paid for at double time rates.

(ii) When Anzac Day falls on a working day payment shall be made as for a day worked, but if a worker works on that day he shall be paid double time in addition to his ordinary pay.

(iii) Double time rates shall be paid for all work done on Sunday.

(c) The provisions of the public Holidays Act 1955 and its amendments shall apply in the case of any of the holidays mentioned in subclause (a) of this clause falling on a Saturday or a Sunday.

(d) Each officer who has had 12 months' continuous service with the council shall be entitled to an annual holiday of two calendar weeks, in accordance with the Annual Holidays Act 1944: Provided that, after 10 years' continuous service with the council, an officer shall be entitled to an annual holiday of three weeks.

(e) At least 14 days' notice of the commencement of annual leave shall be given by the council to the employees.

(f) This award shall operate so as to reduce the aggregate number of days' holiday previously enjoyed by any officers under the award during his or her present employment.

(g) The minimum payment for work performed on holidays mentioned in this clause or on Sundays shall be two hours at schedule overtime rates.

Deduction of Wages

7. Subject to the provision of subclause (d) of clause 3 hereof the council may make a rateable deduction from the salary of any officer for time lost through the officer's sickness, accident, or default.

Transport

8. Officers who provide their own cars or motor cycles approved by and at the request of the council for carrying out their official duties shall be paid a reasonable sum for that service.

Uniforms

9. Existing conditions as to uniforms shall continue. Employees required to work in all weathers shall be supplied with suitable waterproof clothing. Traffic officers and parking-meter wardens shall in addition receive a boot allowance of £5 10s. per annum: Provided that traffic officers engaged substantially on motor cycle patrol shall receive an additional £2 per annum boot allowance.

Where female employees, with the approval of the head of the department, wear smocks or overalls in the course of their employment the same shall be supplied by the council or in lieu thereof the employees concerned shall be paid an allowance of £3 per annum. The council shall arrange and pay for the weekly laundering of these garments.

Effective Operation of Award

10. (a) The secretary or other authorised representative of the union of workers shall, with the consent of the council (such consent not to be unreasonably withheld), be entitled to enter at all reasonable times the office or works and there interview the workers, but not so as to impede the work.

(b) The council shall, upon request by the union, supply a list of its officers covered by this award who are 18 years of age and over or who are in receipt of adult salary, and the date of commencement of new employees: Provided, however, that this request shall not be made more often than once every three months.

(c) The council shall allow an officer or executive member of the union leave of absence on pay to attend union business, providing such leave does not exceed 12 hours in any period of three calendar months.

Rest Period

11. A rest period not exceeding 10 minutes shall be allowed to workers each morning and afternoon. Workers employed outside the ordinary hours set out in subclause (a) of clause 4 shall be allowed a rest interval not exceeding 10 minutes in each half of their ordinary rostered day's work.

Officers Performing Higher-grade Duties

12. Any officer who is instructed to perform the duties of a higher grade officer under this award shall, if he occupies the higher position for more than three weeks continuously, be paid from the date upon which he commenced the higher-grade duty, and while engaged in performing such higher-grade duties at the rate not less than the minimum salary paid for the higher position. This clause shall not apply to any officer relieving another officer on paid sick leave.

Termination of Employment

13. Except in the case of casuals, in the absence of special written agreement between the officer and the council one month's notice of resignation or dismissal shall be given by the officer or the council, except in cases 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.

Transport Facilities

14. 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 paid for time occupied in travelling to or from his home, computed on 3 miles per hour at ordinary rates of pay.

If a conveyance is provided for the worker by his employer he shall not be entitled to payment for travelling time.

For the purpose of this award "public wheeled traffic" shall mean trams, buses, trains, or ferries ordinarily used by workers travelling to and from their work.

Unqualified Preference

15. (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

16. (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.

Disputes

17. 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 within 21 days to be appointed by the Conciliation Commissioner for the district. 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.

Application of Award

18. To meet the requirements of section 154 of the Industrial Conciliation and Arbitration Act 1954, this award shall apply only to the original parties named herein.

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 15th day of September 1964, 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 15th day of September 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 11th day of August 1965.

[L.S.]

A. P. BLAIR, Judge.

MEMORANDUM

The only matter referred to and settled by the Court related to the salary rates for health inspectors and foremen (not otherwise specified) in schedule "B" of clause 2 (a). In other respects the award incorporates the terms of the memorandum of partial settlement arrived at in the 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 15 in the award in the form in which it was agreed upon in the Council of Conciliation.

A. P. BLAIR, Judge.
