

**WELLINGTON CITY COUNCIL MUNICIPAL OFFICERS AGREEMENT
UNDER THE LABOUR DISPUTES INVESTGATION ACT 1913**

This agreement made the twelfth day of November, 1970 between the Corporation of the Mayor Councillors and Citizens of the City of Wellington (hereinafter referred to as "the Corporation" or, where more appropriate "the Council") of the one part and the Wellington Municipal Officers' Association Incorporated (hereinafter referred to as "the Association") of the other part witnesseth and it is hereby agreed by and between the parties as follows, that is to say:—

(a) That the provisions contained in the Schedule hereto shall form part of this Agreement, and

(b) That the parties hereto shall respectively do, observe and perform every matter and thing by this Agreement required to be done observed and performed respectively and shall not do anything in contravention of any of the provisions of this Agreement but shall in all respects abide by and perform the same.

**SCHEDULE
DEFINITION OF OFFICER**

1. Every person in receipt of an annual salary from the Corporation whose name appears on the official list of such persons prepared annually shall for the purposes of this Agreement be an officer.

MEMBERS WHO ARE BOUND

2. This Agreement shall bind all members of the Association excepting officers who are bound by an industrial award or industrial agreement governing the class of work which they carry out for the Corporation.

HOURS OF WORK

3. (a) The hours of work shall be fixed by the Corporation but shall not exceed 40 hours in any one week or eight hours on any one day without payment of overtime; provided that the hours of work of a rostered officer in the Electricity Department may be altered or increased from time to time but not so as to exceed 120 hours in any period of three consecutive weeks or 160 hours in any period of four consecutive weeks.

(b) Nothing in this clause shall be deemed to render the Corporation liable to make overtime payments in any case where under this Agreement an officer is not entitled to payments for overtime or where an officer has reached the limit of overtime payments prescribed in clause 6, or, where applicable, the limit prescribed in clauses 7 and 10 hereof.

(c) Subject to the condition that the Council shall have the right to require officers to work a 40-hour week the normal hours of work for any worker shall not be increased above those which applied at the coming into force of this Agreement.

RATES OF SALARY

4. (a) The salary scale and conditions attached thereto as applied to the Officers' Classification at the coming into force of this Agreement shall apply to this Agreement.

(b) The rates of remuneration provided for in the Officers' Classification which forms part of this agreement are related to the rates applying to the State Services. The aforesaid rates shall be amended from time to time in accordance with wage worker determinations issued by the State Services Commission as a result of any half yearly or specific reviews undertaken in accordance with the provisions of section 24 of the State Services Remuneration and Conditions of Employment

Act 1969. Pursuant to section 7 of the General Wage Orders Act 1969, no general wage order of the Arbitration Court shall have any application to the rates of remuneration provided in this agreement.

(c) When an officer is required to perform the duties of a position which is of a higher classification than that in which he is classified, he shall be paid an allowance for the whole period during which he performs the higher duties, provided they are performed continuously for a period in excess of one week and to the complete satisfaction of the Head of the Department concerned. The rates of the allowance that shall be paid shall be the difference between the salary of the officer who acts in the higher position and the salary relative to the lowest step of the classified salary range of the position acted in: Provided that in any case where the salary of the officer who is acting in a higher position is less than the salary of the officer who is being relieved but greater than the lowest step of the classified salary range of the position acted in, the rate of the allowance that shall be paid shall be the difference between the acting officer's salary and the next higher step in the classified salary range: Provided also that where a salary is specified as being personal to the occupant of any position, or where the position being acted in does not have a specifically authorised grading, the question of whether any allowance shall be paid and the rate of any such allowance shall be determined by the Council.

(d) The salaries shown in the Scheme of Classification for officers who are control operators in the Electricity Department of the Corporation include allowances made by reason of the fact that they work shifts which include Saturdays, Sundays and holidays.

OVERTIME

5. (a) For the purposes of calculating overtime the "hourly rate" of ordinary pay shall be the annual salary divided by 2,080.

(b) Rostered workers who work on any of the holidays prescribed in clause 10, or who are rostered off on any such holiday, shall receive an extra day's pay or a day's leave in lieu of payment as the management may determine.

(c) For overtime worked by any rostered worker on Sundays or on any of the holidays prescribed in clause 10, double time rates shall be paid. For overtime worked by any rostered worker on Saturdays time and a half rates shall be paid for the first three hours and double time rates thereafter with the maximum prescribed in clause 6.

(d) For overtime worked in excess of eight hours Monday to Friday inclusive, time and a half rates shall be paid for the first three hours and double time rates thereafter with the maximum prescribed in clause 6. For other than rostered workers all time worked after 5 p.m. Monday to Friday shall be deemed to be overtime and shall be paid for at time and a half rates for the first three hours and double time rates thereafter with the maximum prescribed in clause 6.

(e) Except in the case of rostered workers all time worked on Saturdays shall be deemed to be overtime and time and a half rates shall be paid for the first three hours and double time rates thereafter with the maximum prescribed in clause 6.

(f) Except in the case of rostered officers, all time worked on Sundays and holidays specified in clause 10 shall be deemed to be overtime and shall be paid at the rate of double time with the maximum prescribed in clause 6.

(g) When an officer is required to work on any of the holidays prescribed in clause 10 as "any other day or days usually observed or granted by the Council", he shall be entitled to payment at the rate of double time for any hours worked in excess of eight, in addition to payment for the day at ordinary rate extra or a day off in lieu as determined by the head of the department.

(h) Officers who are rostered or specifically directed to stand by at their homes for emergency call work shall be paid stand-by allowances as follows:

Monday to Friday	.....	.....	.....	.....	\$0.70 per day.
Saturdays	.....	.....	.....	.....	\$1.05 per day.
Sundays, holidays or Anzac Day	.....	.....	.....	.....	\$1.40 per day.

LIMITATION OF OVERTIME PAYMENTS

6. The hourly rate of overtime paid to any officer shall not exceed \$3.313 per hour, nor for the period of any financial year, shall the combined total of salary and overtime exceed the sum of \$5,197. Provided that this limitation shall apply to an officer who is on the first salary step of the Officers' Classification covered by this agreement. The foregoing rates may be subject to review as expressly hereinbefore provided.

EMERGENCY WORK

7. Notwithstanding the provisions of clause 6 the head of the department concerned may authorise the payment of overtime at double rate, with a maximum of \$3.313 per hour, for any emergency work of which previous notice has not been given. The total amount of overtime so authorised shall not exceed \$400 in any financial year. Where the emergency occurs on any Sunday, or on any of the statutory holidays specified in subclause (a) of clause 10, a minimum payment of two hours shall be made. Actual and reasonable expenses in travelling to and from the job shall be paid to the officer called out for emergency work as specified herein.

SIXTH SHIFT

8. Library officers who are required to work on a Saturday as a sixth shift shall be paid half rate extra for the hours so worked provided that their total hours of duty for the week, Monday to Saturday inclusive, are not less than thirty-seven and a half.

OVERTIME COMPUTATION

9. Subject to the provisions of clause 5 hereof, time worked and paid for at overtime rates shall not be counted in computing the span of 40 hours for the week upon which payment of weekly overtime depends or, as the case may be, the span of 120 hours or 160 hours applicable to officers referred to in clause 3 (a) hereof.

HOLIDAYS

10. (a) The following days shall be observed as holidays and shall not count as part of the annual holiday leave, viz., New Year's Day, 2 January, Good Friday, Easter Monday, Anzac Day, Sovereign's Birthday, Labour Day, Christmas Day, Boxing Day, Anniversary Day or any day granted in lieu thereof, and any other day or days usually observed or granted by the Council.

(b) Where an officer who is not entitled to overtime, or an officer who is entitled to overtime but has reached the limit specified in clause 6 hereof, is required to work on any of the days specified in subclause (a) of this clause or on any Sunday other than call out for emergency work for which he may receive recompense under clause 7, such officer shall be granted time off in lieu at a later date at the convenience of the head of the department concerned or shall be granted additional pay at ordinary rate at the discretion of the head of the department concerned: Provided that the value of any time off so granted together with any additional pay at ordinary rate in lieu thereof shall not exceed \$250 in any financial year: Provided also that, except in the case of officers whose normal duties include work on Sundays or holidays, the combined total

of all salary and overtime payments together with the value of any time off and any additional pay at ordinary rate in lieu thereof does not exceed the sum of \$5,847 in any financial year.

MEAL ALLOWANCE

11. Where an officer by reason of being required to work overtime is unable reasonably to get home for a meal he shall be paid a meal allowance at a rate to be set by the Council from time to time.

ANNUAL HOLIDAYS

12. Annual holidays shall be allowed to officers in accordance with the Staff Regulations.

GENERAL CONDITIONS

13. The Wellington City Council Staff Regulations and all other conditions not specifically provided for herein shall apply as they exist at the coming into force of this Agreement save as otherwise provided herein or as they may be varied by mutual agreement in writing between the Corporation and the Association.

SETTLEMENT OF DISPUTES

14. (a) In the event of a disagreement other than a salary appeal arising upon any matter, whether referred to in this Agreement or not, affecting the employment of members of the Association covered by this Agreement the matter in dispute shall be referred for settlement to a committee consisting of three representatives of the Association and three representatives of the Corporation, and a chairman to be mutually agreed upon.

(b) The decision of this committee shall be final and binding on the parties hereto.

TERM OF AGREEMENT

This Agreement shall come into force on the twelfth day of November, 1970. It shall supersede previous Agreements and shall continue in force until the 30th day of June, 1972, unless previously superseded by another Agreement.

In witness whereof this Agreement has been executed by the parties hereto this twelfth day of November, 1970.

The Common Seal of the Mayor, Councillors, and Citizens of the City of Wellington was hereto affixed at the offices of and pursuant to a resolution of the Wellington City Council in the presence of:

L.S.

D. MacLean, Deputy Town Clerk.

The Common Seal of the Wellington Municipal Officers' Association (Incorporated) was hereto affixed at the direction of the Executive Committee and attested by:

L.S.

G. J. Macdonald, H. A. Coburn.

(This agreement, made under the Labour Disputes Investigation Act 1913, was filed with the Clerk of Awards at Wellington pursuant to section 8 (1) of the said Act on the 16th day of November 1970.)