

NEW ZEALAND CLERICAL WORKERS—
EXEMPTION FROM 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 the New Zealand Clerical Workers Award, dated the 11th day of
September 1970, and recorded in 70 Book of Awards 3013.

In pursuance and exercise of the powers conferred upon it by section 130 of the
Industrial Conciliation and Arbitration Act 1954 and upon application made in
that behalf, exemption from the New Zealand Clerical Workers Award, dated the
11th day of September 1970, is hereby granted to Seekers Telephone Answering
Service Limited, Victoria Street, Christchurch, while any industrial agreement
made between the said company and the New Zealand Federated Clerical and Office
Staff Employees Industrial Association of Workers remains in force.

Dated this 13th day of May 1971.

(L.S.)

A. P. BLAIR, Judge.

MEMORANDUM

The parties advised that they had agreed upon the terms of an industrial agree-
ment to cover the employment of the workers involved. The Secretary of the Clerical
Workers Association, Mr Nolan, stated that the Association had no objection to
the exemption being granted in view of the completion of the industrial agree-
ment, but he was concerned that if Seekers Telephone Answering Service Limited
was granted exemption it might be construed that this automatically freed like
employers from coverage by the award. The company which operates in three
industrial districts had been the only telephone answering employer cited in the
award proceedings, and he sought some assurances that exemption would not
prejudice claims for enforcement of the award pending against certain other
employers.

The Court has carefully considered the position and has concluded that the
granting of exemption to the company would not have the effect which Mr Nolan
feared. The company was properly cited in the award proceedings as a representative
party, and in our view any like establishments would therefore come under the
“blanket” application provisions of the statute and the award.

The Court has decided to make an order granting exemption from the provisions
of the Clerical Workers Award while any industrial agreement between the em-
ployer and the association remains in force.

A. P. BLAIR, Judge.