

Government Service Tribunal Act—Amendment Order No. 94

In the matter of section 9 (b) of the Government Service Tribunal Act, 1948, and in the matter of an application for an Amending Order dated 14 July 1953, and jointly lodged by the New Zealand Post-primary Teachers' Association (Registered) and the Acting Director of Education.

AMENDING ORDER NO. 94 OF THE GOVERNMENT SERVICE TRIBUNAL

THIS Order amends Principal Order No. 62 (as amended by Order No. 78) as follows:

1. By adding to subclause (ii) of clause 2 thereof the words "and to teachers in schools and in special teaching and other educational services under the Department of Education."

2. By revoking clauses 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, and substituting therefor the following clauses:

"3. Except as provided in clauses 9 and 32 hereof, assistant teachers classified in Grade 1 and Grade 2 shall be paid a basic salary at the appropriate rate specified in Scale I of the First Schedule to this Order.

"4. Except as provided in clause 9 hereof, assistant teachers classified in Grade 2 shall, in addition to the salary prescribed in clause 3 hereof, be paid a grading salary at the appropriate rate specified in Scale II of the First Schedule to this Order.

"5. Except as provided in clauses 9, 11, and 13 hereof, assistant teachers classified in Grade 3 shall be paid a salary at the appropriate rate specified in Scale III of the First Schedule to this Order.

"6. Assistant teachers holding positions of responsibility of Class A and Class B shall be paid a salary at the approximate rate specified in Scale IV of the First Schedule to this Order.

"7. The maximum salary for assistant teachers holding positions of responsibility of Class A shall be the salary for the fifth subdivision of Scale IV of the First Schedule to this Order.

"8. Assistant teachers holding positions of responsibility of Class C shall be paid a salary at the appropriate rate specified in Scale V of the First Schedule to this Order.

"9. No teacher appointed to a post-primary school for the first time after the 1st day of February 1949 shall be paid a rate of salary higher than the rate for the ninth subdivision of Scale I of the First Schedule to this Order, together with any grading salary to which he is then entitled, unless he has completed at least three years of service in a school or manual training centre approved by the Director for country service.

"10. The provisions of clause 9 hereof shall not apply to—

"(1) A teacher who has completed three years of service in a public school or a Maori school approved by the Director (in either case) for country service.

"(2) Any teacher while employed in a school or manual training centre approved by the Director for country service.

"(3) Any teacher who for special reasons is granted exemption by the Director from complying in whole or in part with the provisions of the said clause 9.

"11. Except in the case of an itinerant instructor in agriculture and any teacher who has been continuously engaged in the instruction of approved manual training classes on and from the 1st day of February 1947, no teacher engaged in the instruction of approved manual training classes shall be entitled to a rate of salary higher than the total rate of salary for a classification of Grade 2.

"12. Notwithstanding the provisions of clause 11 hereof, a teacher engaged in the instruction of approved manual training classes who is appointed to a position recognized by the Director as a senior position, may be paid a salary at the maximum rate specified in Scale III of the First Schedule to this Order:

"Provided that in the case of an itinerant instructor in agriculture, or with the approval of the Director, in any other case where there is unusual responsibility, a teacher appointed to a senior position may be paid a salary at the appropriate rate specified in Scale IV of the First Schedule to this Order, but not in excess of the rate specified in the fifth subdivision of that Scale.

"13. No assistant teacher in the secondary department of any district high school in which the primary department is Grade III shall be paid a rate of salary in excess of the maximum rate for an assistant teacher classified in Grade 2.

"14. Additional salary at a rate prescribed in Part I of the Second Schedule to this Order may be paid to the senior assistant in the secondary department of a district high school of Grade B or Grade C or Grade D or of any higher grade if there is no position of responsibility in that school:

"Provided that if the payment of the additional rate as so prescribed would, when added to his scale rate of salary, make the total rate greater than the scale rate of salary of the head teacher, then only such amount of the additional salary may be paid as will make the total rate equal to the scale rate of the head teacher.

"15. Additional salary at a rate prescribed in Part II of the Second Schedule to this Order may be paid to an assistant teacher appointed as a careers adviser:

"Provided that such additional salary shall not be paid to the holder of a position of responsibility without the approval of the Director.

"16. Additional salary at a rate prescribed in Part III of the Second Schedule to this Order may be paid to the holder of a position of responsibility of Class C where the Director is satisfied that exceptional responsibility attaches to that position."

3. By revoking clauses 20 and 21 and substituting therefor the following clauses:

"20. Additional salary at the appropriate rate prescribed in Part IV of the Second Schedule to this Order may be paid to any assistant teacher appointed as the temporary or relieving principal of the school in which he is employed as an assistant:

"Provided that no additional salary shall be paid under this clause unless the period for which he so acts exceeds two consecutive weeks:

"Provided further that if the payment of the additional salary would make the salary greater than that which he would be paid as principal of the school, then only such amount of the additional salary may be paid as will make the salary equal to that which he would be paid as principal of the school.

"21. Additional salary at the appropriate rate prescribed in Part V of the Second Schedule to this Order may be paid to the principal of a school to which is attached an intermediate department:

"Provided that if the payment of additional salary under this clause would make the salary greater than that payable to a principal of a school of Grade V, then only such amount of the additional salary may be paid as will make the salary equal to that payable to a principal of a school of Grade V."

4. By renumbering clause 22 as clause 24.

5. By adding the following clause as clause 22 thereof:

"22. Subject to the provisions of clauses 23 and 24 hereof, payment for overtime shall be made to full-time assistant teachers at the rates specified in Part VI of the Second Schedule to this Order:

"Provided that a teacher who is classified in Grade V on the day this Order comes into effect shall be entitled to be paid overtime at the highest rate prescribed in the said Part VI of the Second Schedule hereto."

6. By revoking clause 23 and substituting therefor the following clause:

"23. For the purposes of clause 22 hereof:

"'Overtime' means the time in excess of ten half-days during which an assistant teacher is engaged in any week in the work of teaching or otherwise in his capacity as a teacher; and

"'Salary' in Part VI of the Second Schedule hereto means the appropriate scale salary (including Scale II salary, if any) of the teacher and includes additional salary for special qualifications as prescribed by clause 43 hereof, but excludes any other additional salary provided by this Order."

7. By revoking clause 24.

8. By renumbering clause 25 as clause 27.

9. By adding as clause 25 thereof the following clause:

"25. Subject to the provisions of clauses 26 and 27 hereof, the hourly rate of payment for each part-time teacher shall be fixed by the controlling authority, being not less than the minimum nor more than the maximum rates prescribed in Part VII of the Second Schedule to this Order:

"Provided that no part-time teacher shall be paid under this clause for more than seven half-days in any week."

10. By revoking clause 26 and substituting therefor the following clause:

"26. The Director may in his discretion direct a controlling authority to vary within the rates prescribed in the said Part VII of the Second Schedule hereto the hourly rate payable to any part-time teacher."

11. By revoking clause 27 thereof.

12. By revoking clauses 28, 29, 30, 31, 32, and 33 and substituting therefor the following clauses:

"28. Subject to the conditions prescribed in the Education (Salaries and Staffing) Regulations 1948,* a boarding allowance may be paid to a relieving teacher at the rate prescribed in Part VIII of the Second Schedule to this Order, and the provisions of those regulations relating to payment of travelling expenses shall apply to relieving teachers.

"29. Subject to the provisions of clauses 32, 33, and 34 hereof, every male teacher who is married shall be paid additional salary at the rate prescribed in Part IX of the Second Schedule to this Order.

"30. Subject to the provisions of clauses 31, 32, 33, and 34 hereof, there may, with the approval of the Minister, be paid an additional salary at the rate specified in Part IX of the Second Schedule to this Order to any teacher, who is a married woman, or a widower, or a widow, or who is separated from his wife or, as the case may be, her husband, whether by an Order of the Court or by agreement, or who has been divorced.

* Statutory Regulations 1948, Serial number 1948/194, page 573.
Amendment No. 1: Statutory Regulations 1951, Serial number 1951/103, page 337.
Amendment No. 2: Statutory Regulations 1952, Serial number 1952/37.