

## TEMPORARY EMPLOYEES BILL.

### EXPLANATORY NOTES.

CLAUSE 5: Grading for pay.—This is the minimum rate (£180) at which he would have been graded if he could have been made permanent under the 1913 Act, and had then been drawing less.

Clause 6, paragraph (a): Date which pay commences.—Employees coming within this paragraph are, it is submitted, entitled to arrears of pay—*i.e.*, the difference between the rate they are receiving immediately before the passing of this Act and the incremented annual rates they would have received between the recommendation and the date of passing of this Act, because the date of the recommendation is, obviously, the true latest date when the head of the Department considered the clerk had by his past years of service earned a rise. The House would never have given the Commissioner power to make the regulations under the 1913 Act if it had thought he would make such one-sided ones. The clerks who have suffered under them so far should be placed in the same position as if the age-restriction had never been made. This, apparently, will make the Bill a money Bill, if it was not one before, within the meaning of the Standing Orders.

Clause 6, paragraph (b): The approval of the Commissioner has not been made needful in this case, because, with his known dislike to the intent of this Bill, he might conceive it to be his duty to block the whole of (b) class.

Clause 7: Persons partly employed in Legislative Department.—The last sentence of this clause is intended to prevent the Commissioner from hanging them up indefinitely.

Dr. A. K. Newman.

## TEMPORARY EMPLOYEES.

### ANALYSIS.

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| Title.                              | 5. Grading for pay.                                   |
| 1. Short Title.                     | 6. Date at which pay commences.                       |
| 2. Repeal.                          | 7. Persons partly employed in Legislative Department. |
| 3. Incorporation.                   | 8. Optional extension of section 4.                   |
| 4. Persons to whom the Act applies. |   |

### A BILL INTITULED

- AN ACT to provide for Clerks and others who were temporarily employed in the Public Service (Clerical Division) on the coming into Force of the Public Service Act, 1912. Title.
- 5 BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—
1. This Act may be cited as the Temporary Employees Act, 1917. Short Title.
- 10 2. The Temporary Employees Act, 1913, is hereby repealed. Repeal.
3. Section three of the Public Service Act, 1912, shall apply to this Act, unless the context or subject-matter otherwise indicates or requires. Incorporation.
- 15 4. Every person qualified under the provisions of sections three and four of the Temporary Employees Act, 1913, and the regulations thereunder as to length of service and who has been recommended to the Public Service Commissioner by the permanent head of a Department as a suitable person to be appointed a permanent officer of the Clerical Division of the Public Service and who has been approved by the said Commissioner for that purpose, but who
- 20 has been ineligible for such appointment by reason of being over one of the ages prescribed by the said regulations, and every person so qualified as aforesaid who has been or may hereafter be recommended as aforesaid to the Public Service Commissioner by the permanent head of a Department, but who under the said regulations was or would be ineligible for appointment by reason of his
- 25 age, shall, in either case, as from the date of the said recommendation on his behalf, become and henceforth be a permanent officer of the said Division in all respects, save that (any Act to the contrary notwithstanding) he shall not be entitled to any pension for length
- 30 of service, shall not be called upon to pay any contribution towards

superannuation, and shall not be compellable to retire on attaining the age of sixty-five years so long as his normal state of health is satisfactory.

Grading for pay.

5. Every such person shall from the dates hereinafter mentioned be graded for pay as of Class seven, Subdivision five, of the Third Schedule to the Public Service Act, 1912, and shall be entitled to annual increments and to promotion as if he had been appointed a permanent officer by virtue of the provisions of the Public Service Classification and Superannuation Act, 1907, as varied by section *four* hereof. 5 10

Date at which pay commences.

6. Such grading for pay shall take effect as follows:—

(a.) Where the employee has already been recommended by the permanent head of a Department in terms of the regulations under the Temporary Employees Act, 1913, and has been approved by the Public Service Commissioner, but has not been made a permanent officer as aforesaid by reason of his age, then the date of his said grading shall be the date of such recommendation, and such grading shall carry with it full annual increments for the period between the date of such recommendation and the passing of this Act, and he shall receive forthwith the cash difference between the pay which he was receiving at such last-mentioned date and the higher rates which he would have been receiving from time to time during the period aforesaid if he had been made a permanent officer at the date of such recommendation. 15 20

(b.) Where the employee has not been recommended and approved in terms of paragraph (a) hereof then his grading for pay under the provisions of this Act shall take effect as from the date of any recommendation hereafter to be made in his favour by the permanent head of a Department. 20 30

Persons partly employed in Legislative Department.

7. Persons now employed or hereafter to be employed in the service of either branch of the Legislature and otherwise qualified within the meaning of the Temporary Employees Act, 1913, and of this Act, shall be entitled to retain and renew such employment, which shall count as service for the purpose of annual increment under the Public Service Act, 1912, or any amendment thereof, and of this Act; but such persons shall not be entitled to receive pay under section *five* hereof from any Department regulated by the said Public Service Act, 1912, whilst so employed in either branch of the Legislature. They shall give at least four days' written notice (such period not to include a Sunday) to the Secretary of the Public Service Commissioner of their intention to report themselves to him for duty in a Department so regulated, and they shall receive full pay from the Department so regulated as aforesaid from the date on which they actually report themselves for duty to the said Secretary or to some Department by his direction. Until they receive the direction last aforesaid they shall be paid by the Department of Internal Affairs as from the date of so reporting. 35 40 45 50

Optional extension of section 4.

8. As from the passing of this Act section *four* hereof shall, at their option, apply to all temporary employees who, prior to the passing thereof, shall have been permanent officers by virtue of the said Temporary Employees Act, 1913.