

Serial Number 1951/71

**THE HOSPITAL EMPLOYMENT (ORTHOPÆDIC TECHNICIANS)
REGULATIONS 1951**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 29th day of
March, 1951

Present:

THE HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

PURSUANT to the Hospitals Act, 1926, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Hospital Employment (Orthopædic Technicians) Regulations 1951, and shall be read together with and deemed part of the Hospital Employment Regulations 1948* (hereinafter referred to as the principal regulations).

(2) For the purposes of regulation 5 of the principal regulations these regulations shall be deemed to form a Part of the principal regulations.

Commencement

2. (1) The scales of salaries specified in the Schedule to regulation 4 of these regulations shall be deemed to have come into force on the dates respectively shown in the headings of the columns therein headed "Yearly Rate of Salary from 1st April, 1949", and "Yearly Rate of Salary from 1st June, 1949".

(2) Such other of the provisions of these regulations as have the effect of increasing the rates of salaries, wages, and other emoluments and increments payable in respect of the classes of persons whose positions are specified in these regulations shall be deemed to have come into force on the 1st day of April, 1949.

(3) Except as provided in the last two preceding subclauses, these regulations shall come into force on the day after the date of their notification in the *Gazette*.

* Statutory Regulations 1948, Serial number 1948/62, page 209.

Interpretation

3. In these regulations, unless the context otherwise requires,—

“Foreman” means an orthopaedic technician who—

(a) Is wholly or mainly employed in the supervision of the work of three or more other orthopaedic technicians; or

(b) Because of his special skill, experience, and responsibilities is, with the approval of the Director-General, designated by the Board as a foreman for the purposes of these regulations :

“Journeyman” means an orthopaedic technician employed in any position not otherwise designated in the schedule to regulation 4 hereof :

“Leading hand” means an orthopaedic technician who is designated by the Board as a leading hand for the purposes of these regulations—

(a) Because of his skill and experience ; or

(b) While he is in charge of an orthopaedic department or a section thereof in which there is no foreman :

“Orthopaedic technician” means a person mainly or wholly employed in the making and fitting of artificial limbs or surgical boots or other orthopaedic appliances.

Scales of Salaries and Wages

4. The scales of salaries and wages applicable to orthopaedic technicians shall be those set out in the Schedule appended to this regulation, namely :—

SCHEDULE: SCALES OF SALARIES AND WAGES OF ORTHOPÆDIC TECHNICIANS

Position.	Yearly Rate of Salary from 1st April, 1949.	Yearly Rate of Salary from 1st June, 1949.
1. Foreman—	£	£
(a) First year	525	550
(b) Second year	575	600
2. Leading hand	500	525
3. Journeyman—		
(a) (i) First year	400	425
(ii) Second year	425	450
(iii) Third year	450	475
(iv) Fourth year	475	500
(b) The maximum yearly rates specified in the last preceding paragraph are subject to the provisions of paragraphs (c) and (d) of this clause.		
(c) Where a person appointed as a journeyman has had at least twelve months' experience in a related trade after completing his apprenticeship in that trade, the Board may at its discretion pay him the salary for the second year after three months' service on the salary for the first year.		
(d) The salary of a journeyman who has not completed an apprenticeship either in a related trade or in an orthopaedic department shall not be advanced beyond the rate for the first year until he has served such time as would have been necessary to complete such an apprenticeship.		

5. The salary of an orthopaedic technician as prescribed in the last preceding regulation shall, together with any special call allowances or overtime payments under regulation 6 or regulation 10 of these regulations, be deemed to include all payments under sections 19 (4), 28, and 29 of the Factories Act, 1946.

Orthopaedic Technicians Called Back to Duty

6. (1) In respect of any period of duty outside his ordinary hours of work for which an orthopaedic technician has been called back to duty, he shall be paid in respect of the period of duty and the time (if any) reasonably occupied in travelling from his home and returning to his home to carry out the duty a special call allowance as follows :—

(a) In respect of a period of call duty and the travelling time between the hours of 6 a.m. and 11 p.m. on Monday to Friday inclusive and between the hours of 6 a.m. and noon on Saturday payment shall be made at one and a half times the hourly rate of pay for the first four hours of the period, and thereafter at double the hourly rate of pay :

(b) In respect of a period of call duty and the travelling time after 11 p.m. and before 6 a.m. on Monday to Friday inclusive, on a Saturday afternoon, on a Sunday, or on any of the public holidays, or substituted succeeding days, where applicable, prescribed in subclause (5) of regulation 11 of these regulations, payment shall be made at double the hourly rate of pay :

(c) The total amount payable in respect of any one period of call duty and travelling time shall not be less than 10s.

(2) In addition to the special call allowance provided in the last preceding subclause, actual and reasonable expenses incurred in transport to and from the call duty shall be paid.

(3) For the purposes of this regulation the hourly rate of pay shall be a two thousand and eightieth part of the yearly rate of salary payable in accordance with the foregoing provisions of these regulations before making any deduction under regulation 7 hereof, and in the final calculation of the rate of payment for call duty a fraction of less than a halfpenny is to be reckoned at the halfpenny above and a fraction of more than a halfpenny at the penny above.

Deduction for Board and Lodging

7. In respect of any period during which a Board provides an orthopaedic technician with board and lodging it shall make a deduction from the salary of the employee concerned at an annual rate, approved by the Minister according to the circumstances of the locality, of not less than £100 and not more than £114.

Overalls and Uniforms

8. (1) A suitable coat or overall shall be supplied for the use of every orthopaedic technician, but shall remain the property of the Board.

(2) All such coats and overalls shall be laundered free of charge.

Hours of Work

9. (1) On Monday to Friday inclusive the hours of work shall be between the hours of 7.30 a.m. and 5 p.m., and shall be not more than eight on any one day, inclusive of ten minutes for morning tea and ten minutes for afternoon tea.

(2) On Monday to Friday inclusive a break of one hour for a meal between the hours of 12 noon and 2 p.m. shall be allowed on each day.

(3) The normal weekly hours of work shall be forty.

(4) Notwithstanding the foregoing provisions of this regulation, a Board may in case of emergency require an orthopaedic technician to work at times and for periods other than those hereinbefore prescribed.

Overtime

10. (1) Where an orthopaedic technician is required to work more than eight hours a day or an aggregate of more than forty hours in any week exclusive in either case of any time for which a call duty allowance is payable in accordance with regulation 6 hereof, the excess time shall be deemed to be overtime, and shall be the subject of payment—

(a) For work which is exclusive of work performed on Saturdays, Sundays, and the public holidays, or substituted succeeding days, where applicable, prescribed in subclause (5) of regulation 11 hereof, at one and a half times the hourly rate of pay for the first four hours on any one day and thereafter, on any day on which he has already worked four hours overtime, at double the hourly rate of pay :

(b) For work performed on Saturday mornings, at one and a half times the hourly rate of pay :

(c) For work performed on Saturday afternoons, Sundays, and the public holidays, or substituted succeeding days, where applicable, prescribed in subclause (5) of regulation 11 hereof, at double the hourly rate of pay.

(2) For the purposes of this regulation the hourly rate of pay shall be computed in the same manner as is prescribed in subclause (3) of regulation 6 hereof in respect of a special call allowance.

Annual Leave and Holiday Leave

11. (1) Orthopaedic technicians shall be granted fourteen days' leave of absence for recreational purposes on full pay in respect of each year of employment.

(2) The number of days stated in the last preceding subclause is to be reckoned in consecutive days (including Saturdays and Sundays, but excluding any of the public holidays, or substituted succeeding days, where applicable, prescribed in subclause (5) of this regulation, that may fall during a period of leave).

(3) A Board may permit annual leave to be taken in two periods.

(4) When the employment of an orthopaedic technician ceases, he shall be paid salary in lieu of leave in respect of any annual leave or portion of annual leave accrued due to him.

(5) In addition to annual leave granted in accordance with this regulation, each orthopaedic technician shall be allowed leave on full pay on the following public holidays—namely, Christmas Day,

Boxing Day, New Year's Day, Good Friday, Easter Monday, Anzac Day, Sovereign's Birthday, Labour Day, and the holiday observed in the locality concerned as Anniversary Day :

Provided that, when any of the above named public holidays (other than Anzac Day) that can fall on a Saturday or Sunday so falls, the next succeeding day which is not one of the said public holidays or observed as a substituted holiday under this proviso shall be allowed :

Provided further that any orthopaedic technician may be required to work on any of the above named public holidays or substituted succeeding days, where applicable, if he is entitled in respect of that work to a special call allowance under regulation 6 hereof or overtime payment in accordance with regulation 10 hereof or, if he is not entitled to any such allowance or payment, is allowed an equivalent holiday on a later day convenient to the Board.

Sick Leave

12. (1) Where an orthopaedic technician is granted leave of absence on account of sickness or injury not arising out of and in the course of his employment (hereinafter referred to as sick leave), he shall be entitled to full pay according to the scale set out in the Schedule to this regulation.

(2) The length of service for the purposes of the Schedule means the aggregate period of service, whether continuous or intermittent, in the employ of a Board, a separate institution, or the Crown.

(3) The total period of sick leave with full pay set out in the Schedule may consist of one or more periods. Sick leave with full pay for each period allowed is to be reckoned in consecutive days (including Saturdays, Sundays, and the public holidays or substituted succeeding days, where applicable, that may fall during a period of sick leave).

(4) The total period of sick leave with full pay to which any orthopaedic technician is entitled as set out in the said Schedule shall be computed in respect of his whole length of service.

(5) In addition to sick leave with full pay as provided for in the foregoing provisions of this regulation, an orthopaedic technician may, at the discretion of a Board, be granted sick leave with full pay for not more than eight days in any year where on account of minor illness it is deemed inadvisable for him, in his own interests or those of the institution, to be on duty.

(6) Where in the opinion of a Board an orthopaedic technician in its employ is incapacitated by sickness or injury arising out of and in the course of his employment it shall be permissible for the Board to continue to pay his full salary during incapacity :

Provided that the prior written approval of the Director-General shall be obtained for any such payment beyond a period of three months :

Provided further that the period in respect of which salary is paid in accordance with the provisions of this subclause shall not be regarded as sick leave with pay for the purposes of the foregoing provisions of this regulation.

SCHEDULE

Length of Service.	Total Period of Sick Leave With Full Pay During Whole Length of Service.
Up to three months' service . .	7 days.
Over three months' and up to six months' service	14 days, inclusive of days previously allowed.
Over six months' and up to nine months' service	31 days, inclusive of days previously allowed.
Over nine months' and up to five years' service	46 days, inclusive of days previously allowed.
Over five years' and up to ten years' service	92 days, inclusive of days previously allowed.
Over ten years' and up to twenty years' service	183 days, inclusive of days previously allowed.
Over twenty years' and up to thirty years' service	275 days, inclusive of days previously allowed.
Over thirty years' service . .	365 days, inclusive of days previously allowed.

T. J. SHERRARD,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 5th day of April, 1951.

These regulations are administered in the Department of Health.

(H.—Hosp. 56)