

1957/80



**THE HOSPITAL EMPLOYMENT (ORTHOPAEDIC
TECHNICIANS) REGULATIONS 1957**

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 3rd day of April 1957

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL 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, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Hospital Employment (Orthopaedic Technicians) Regulations 1957, and shall be read together with and deemed part of the Hospital Employment Regulations 1957* (hereinafter referred to as the principal regulations).

(2) For the purposes of regulation 4 of the principal regulations these regulations shall be deemed to form a Part of the principal regulations.

Commencement

2. (1) Such 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 1956.

(2) Regulation 7 hereof shall come into force on the twenty-first day after the date of the notification of these regulations in the *Gazette*.

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

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 other than a leading hand or foreman:

“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 wholly or mainly employed in the making and fitting of artificial limbs or surgical boots or other orthopaedic appliances:

“Trainee” means an employee mainly or wholly engaged in receiving practical and theoretical training for the purpose of becoming an orthopaedic technician.

Scales of Salaries and Wages

4. (1) The scales of salaries and wages applicable to orthopaedic technicians and trainees shall be those set out in the Schedule appended to this subclause, namely:

SCHEDULE: SCALES OF SALARIES AND WAGES OF ORTHOPAEDIC
TECHNICIANS AND TRAINEES

	Position	Yearly Rate of Salary
1.	Foreman—	£
	(a) First year	820
	(b) Second year	865
2.	Leading Hand—	
	(a) Where a foreman is in charge	770
	(b) Where a leading hand is in charge of an orthopaedic department	800
3.	Journeyman—	
	(a) (i) First year	687
	(ii) Second year	705
	(iii) Third year	734
	(b) The maximum yearly rates specified in paragraph (a) of this clause are subject to the provisions of para- graphs (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.	

SCHEDULE: SCALES, ETC.—*continued*

Position	Yearly Rate of Salary
(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.	
4. Trainee—	£
(a) First year	290
(b) Second year	315
(c) Third year	360
(d) Fourth year	415
(e) Fifth year	485
(f) The yearly rates specified in the foregoing provisions of this clause are subject to the provisions of paragraph (g) of this clause.	
(g) Subject to the prior approval of the Director-General, a commencing salary higher than the first year salary may be paid having regard to the age, educational qualifications, and experience of the person to be appointed as a trainee.	

(2) The salary of an orthopaedic technician or of a trainee as prescribed in subclause (1) of this regulation shall, together with any special call allowances or overtime payments under regulation 5 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

5. (1) In respect of any period of duty outside his ordinary hours of work for which an orthopaedic technician or a trainee 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 13s.

(2) In addition to the special call allowance provided in subclause (1) of this regulation, 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, exclusive of any lodging allowance provided for in regulation 6 hereof, and before making any deduction for board and lodging 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 halfpenny at the penny above.

Lodging Allowances for Certain Trainees

6. Where in the opinion of a Board a trainee is reasonably required by his circumstances to live away from home, the Board may pay him a lodging allowance according to the following scale, namely:

Yearly Rate of Salary	Yearly Rate of Lodging Allowance
£ 290	£ 40
315	40
360	30

Deduction for Board and Lodging

7. In respect of any period during which a Board provides an orthopaedic technician or a trainee with board and lodging, it shall make a deduction from the salary of the employee concerned at an annual rate of £156.

Overalls and Uniforms

8. (1) A suitable coat or overall shall be supplied for the use of every orthopaedic technician or trainee, 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, but any such break shall not count as hours of work for the purposes of these regulations.

(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 or a trainee to work at times and for periods other than those hereinbefore prescribed.

Overtime

10. (1) Where an orthopaedic technician or a trainee 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 5 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 three hours on any one day, and thereafter, on any day on which he has already worked three 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 for the first three hours, and thereafter at double 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 5 hereof in respect of a special call allowance.

Annual Leave and Holiday Leave

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

Provided that, where an employee has completed ten years' service as an orthopaedic technician or as a trainee or both, twenty-one days' leave of absence on full pay for recreational purposes shall be allowed.

(2) The number of days stated in subclause (1) of this regulation 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 or a trainee ceases, he shall be paid salary instead of being granted 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 or trainee 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 (not being a Sunday) 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 or trainee 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 5 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 or a trainee 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 prescribed in the Schedule set out in subclause (7) of 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, or of two or more of such employers.

(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 or trainee is entitled as set out in the 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 or a trainee 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 or a trainee 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.

(7) The Schedule referred to in subclause (1) of this regulation is as follows:

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.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations prescribe the scales of salary and allowances and other conditions of employment of orthopaedic technicians employed by Hospital Boards. They form part of the Hospital Employment Regulations 1957, which prescribe other matters relating generally to the salaries, allowances, and conditions of employment of certain classes of Hospital Board employees.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 4 April 1957.

These regulations are administered in the Department of Health.