

**Papua New Guinea Trade Union Congress General Employment  
(Amending) Award**

Award No.12 of 1975

[Note: This award, No. 12 of 1975, varies Award No. 20 of 1973. It should be read in conjunction with Minimum Wage Board Determination No. 1 of 1992.]

TABLE OF CLAUSES

- 1 Application of award
- 2 Operation and duration
- 3 Hours of work
- 4 Annual leave
- 5 Sick leave
- 6 Compassionate leave
- 7 Long service leave
- 8 Notice of dismissal
- 9 Job redundancy
- 10 Right of entry
- 11 Terms of employment

CLAUSE 1 APPLICATION OF AWARD

- (a) This award shall be binding on the members of the Employers' Federation of Papua New Guinea and the Papua New Guinea Trade Union Congress.
- (b) All General Employment Awards to which the parties are currently bound shall be varied in accordance with this Award.

CLAUSE 2 OPERATION AND DURATION

- (a) This Award shall come into force on 1<sup>st</sup> October, 1975 and shall continue in force for a period of two years.
- (b) Notwithstanding sub-clause (a) above, long service leave entitlements shall be accruable as from the date specified under the *Native Employment Act* 1958.

CLAUSE 3 HOURS OF WORK

- (a) There shall be forty-two hours working week which is to be arranged as follows:-
  - (i) eight hours from Monday to Friday; and
  - (ii) two hours between 7 am and 12 noon on Saturdays.
- (b) Notwithstanding sub-clause (a) above, hours for work for those business concerns which directly provide services to the community may be so arranged so that the public convenience is maintained.

CLAUSE 4 ANNUAL LEAVE

- (a) An employee shall be entitled to three weeks annual leave after completion of twelve months continuous service.
- (b) Pro-rata entitlement shall apply after three months service with an employer.

CLAUSE 5 SICK LEAVE

- (a) An employee shall be entitled to nine days sick leave with normal conditions currently existing applying.
- (b) An employee shall be eligible for such leave after three months service with an employer.
- (c) Sick leave shall only be accumulated for a period of three years.

CLAUSE 6 COMPASSIONATE LEAVE

An employee shall be entitled to fourteen days compassionate leave each year- such leave will not be on pay.

CLAUSE 7 LONG SERVICE LEAVE

- (a) An employee shall be entitled to six months long service after completion of fifteen years continuous service with the same employer.
- (b) Pro-rata entitlements shall apply after three years continuous service.
- (c) Employees whose services have been terminated with a previous employer prior to the coming into force of this Award cannot claim entitlement under this provision from that employer.

CLAUSE 8 NOTICE OF DISMISSAL

- (a) Notice of termination of service shall be applicable after three months service.

CLAUSE 9 JOB REDUNDANCY

- (a) An employer, prior to reducing the size of his workforce because of redundancy, shall refer to a Board of Reference his reasons for taking such action.
- (b) A Board of Reference shall ensure that all parties concerned are satisfied with any decision finally reached on the matter.
- (c) The Board of Reference in dealing with a redundancy issue shall give due consideration to the following criteria:-
  - (i) need for the efficient operation of the undertaking, establishment or service;
  - (ii) ability, experience, skill and occupational qualifications of individual workers;
  - (iii) length of service;
  - (iv) age;
  - (v) family situation; or
  - (vi) such other criteria as may be appropriate under national conditions, the order and relative weight of the above criteria being left to national customs and practice.

(d) An employer shall be obliged to accommodate those employees whose services have been terminated through redundancy for a period of three weeks. This shall only apply to employees who were afforded accommodation by their employer prior to termination of service.

(e) An employer shall be obliged to repatriate each employee whose services are ter-

minated through redundancy to the point where he was originally engaged for employment.

CLAUSE 10 RIGHT OF ENTRY

- (a) Any person or persons duly authorised by the Industrial Registrar in writing shall have the right to consult with management on matters affecting work done by members of the union in the employers' establishment.
- (b) An authorisation by the Industrial Registrar under sub-clause (a) above shall be granted:-
  - (i) generally, in the case of union official who is engaged by his union on a full-time basis;
  - (ii) for the period that the union official has been elected to hold office;
  - (iii) for a limited purpose and time in the event that the person so authorised is not a union office bearer but is conveniently available to deal with a matter needing his union's attention.
- (c) The persons so mentioned shall be required to give reasonable notice of their intention to enter the premises. Such persons shall be allowed by management on request to consult with the shop delegate without interference.
- (d) The frequency of visits to any employer's establishment by an authorised person under this clause shall be dictated by the occurrence of legitimate union business.
- (e) Any allegations relating to an authorised person's conduct on an employer's establishment or the reception received by him from a representative of the employer shall be referred by the aggrieved party to the highest decision making level of the trade union executive or management for remedial attention.

CLAUSE 11 TERMS OF EMPLOYMENT

- (a) For any worker to become entitled to payment of the prescribed weekly wage he shall perform such work as the employer shall from time to time require on the days and during hours usually worked by such worker.

+++