

THE INDUSTRIAL COURT.

(1557) WOMEN ACCOUNTANTS, GRADE II, PUBLIC TRUSTEE
OFFICE.

(Salary scale—Claim for increased minimum and increments—
Initial pay on transfer to new scale.)

Parties:

Institution of Professional Civil Servants
and
The Public Trustee.

Terms of Reference.—

(1) That the basis salaries, i.e., salaries exclusive of cost-of-living bonus, of women members of the grade of Accountant Grade II, employed in the Public Trustee Office and at present remunerated on a basic salary scale of £180 a year rising by annual increments of £10 to £300 a year and then by annual increments of £15 to a maximum of £350 a year, be determined according to the following scale:—

£250 a year rising by annual increments of £15 to a maximum of £350 a year.

(2) That the salaries of existing women members of the grade of Accountant Grade II, employed in the Public Trustee Office be increased, from a date to be fixed by the Court, to the point they would have reached if, on appointment to the grade, they had entered the scale awarded by the Court under paragraph (1) above at the minimum, provided that the maximum is not thereby exceeded.

1. The matter was referred to the Industrial Court for settlement in accordance with the provisions of the Industrial Courts Act, 1919, and parties were heard in London on 1st March, 1933.

2. The claim concerns the women members of the grade of Accountant, Grade II, in the Accounts Branch of the Public Trustee Office. They are established civil servants.

The present staff in the Accountancy Branch of the Public Trustee Office and their annual scales of pay, both basic and inclusive of bonus calculated on the official cost-of-living figure of 50, are as follows:—

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Number.	Grade.	Scales of Pay.	
		Basic.	Inclusive of Bonus.
		£	£
1	Chief Accountant	850-25-1000	997-1146
1	Assistant Chief Accountant	750	891
5	Accountants, Grade I	500-20-700	623-834
24	Accountants, Grade II—		
	19 Men*	250-15-450	329-564
	5 Women	180-10-300-15-350	246-388-447
19	Clerical Officers	Men 60-250 Women 60-180	90-329 90-246

*Four of these officers are in receipt of an allowance of £50 plus bonus.

4. The work of the Grade II Accountants consists broadly of the following duties in connection with trusts and executorships under administration in the Public Trustee Office, namely, (i) the preparation of accounts, (ii) the certification of disbursements and other financial transactions and (iii) the supply of such current information on accountancy matters as may be required by the general administrative staff. All these duties are performed under the supervision and subject to the general directions of the Grade I Accountants.

5. The first part of the reference is a claim for an improved salary scale for the Women Grade II Accountants as follows:—

Basic.		Inclusive of Bonus.	
Present.	Claimed.	Present.	Claimed.
£ 180-10-300- 15-350	£ 250-15-350	£ 246-446	£ 329-446

The second part of the reference is a claim that the officers at present in the grade shall have their salaries raised, from a date to be fixed by the Court, to the point they would have reached if, on appointment to the grade, they had entered the grade at the minimum of the scale awarded by the Court under part one of the reference, provided that the maximum is not thereby exceeded.

One of the five women officers in the grade is already at her maximum and is therefore not affected by the claim.

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6. On behalf of the Claimants, it was stated that women have been eligible for appointment to the grade of Accountant Grade II since 1921. Men and women members of the grade perform similar duties, are borne on a common seniority list and—apart from salary scale—have the same conditions of service. The present basic scale for men (£250—£15—£450) came into force as from 1st December, 1920. The present basic scale for women (£180—£10—£300—£15—£350) was authorised on 24th November, 1921.

Since the inception of the grade 21 men and 5 women have been appointed to it. Of the men, 16 were professionally qualified as chartered or incorporated accountants (all except 3 having so qualified before entering the Public Trustee Office) and the remaining 5 who were not professionally qualified (subsequently one of them qualified and another was appointed Assistant Cashier) were already serving in the department in 1920. Of the women one, who was promoted to the grade in 1921, is not professionally qualified; the remaining 4 are incorporated accountants and obtained that qualification while serving in the department. Thus, there have been in all 26 appointments to the grade, 20 of which were of persons who at the time of appointment were professionally qualified as chartered or incorporated accountants. All appointments to the grade made otherwise than by promotion of officers already established have been confined to chartered or incorporated accountants obtained from outside sources as the result of advertisements or individual applications.

7. With regard to the first part of the reference, it was submitted by the Claimants that the issue to be determined by the Court is what is the appropriate salary scale for women in the grade of Accountant Grade II. The Claimants contended that the grade of Accountant Grade II, is the basic or recruiting grade of the Professional Staff of the Accountant's Department of the Public Trustee Office, and that the scale of pay of the Women Grade II Accountants is not in accordance with the existing practice in the Civil Service in fixing the relationship between the scales of pay of men and women in recruiting grades which are broadly comparable with the grade of Accountant Grade II.

In support of this contention, the Claimants referred to the following statement, submitted by the Treasury to the Royal Commission on the Civil Service, 1929-31, namely:—

“ 53. As has been stated in paragraph 43 above the Re-organisation Committee recommended that, in the case of the Administrative, Executive, and Clerical Classes, the minimum in the lowest scale in each class should be the same for women as for men, and that the incremental scales should be identical up to a point. The maxima of the basic scales recommended by the Committee were fixed for women at approximately three-quarters or four-fifths of the maxima which can be reached by

men. The differentiation between the maxima of the scale of the lowest grade in each class necessarily involved a differentiation throughout the scales of the higher posts in each class, and in these posts the minima as well as the maxima of the women's scales were alike fixed at figures approximating to 75 per cent., or 80 per cent. of the corresponding men's scales.

" 54. Broadly speaking, the relation between women's and men's scales of pay throughout the Service will be found to be on the above basis.* It is the general rule that at the minimum of the scale in the lowest grade in each class, the pay is the same for men and for women, who thus receive the same pay at the normal age of recruitment, when there is presumably little to differentiate between the expenses incurred by the two sexes. The differentiation in pay in favour of the man does not become material until the age at which family responsibilities normally fall to a man and as a general rule, the women's scales, above the minimum of the basic or recruiting grade, will be found to be in the neighbourhood of 75 per cent. or 80 per cent. of the corresponding men's scales.

" 55. The above measure of differentiation between men's and women's scales represents on the whole a considerable improvement in the rates paid to women relatively to the corresponding rates paid to men, as compared with the position before the war.

" 56. The exceptions to the general rule stated in paragraph 54 above are as follows:—

" There are certain posts which are normally filled by persons with previous experience, which may have been gained either in the service, or in other employment. These posts are more comparable to the higher situations in other grades than to the situations recruited from persons immediately on leaving school or the university, and in such cases the normal measure of differentiation has been applied throughout the scale.

" There are also certain scientific grades which do not fall clearly into the latter category and in which a differentiation of 10 per cent. at the minimum has been considered appropriate.

" In the case of medical officers employed under the Ministry of Health and certain other Departments, the same scales have been fixed for men and for women, this being in accordance with the general practice in the medical profession".

In connection with these paragraphs, the Treasury had also submitted to the Royal Commission a schedule showing for the main

* In the case of Post Office manipulative grades, the maxima of the women's scales range from about 65 per cent. to about 75 per cent. of the men's scales.

grades of the Civil Service the different rates of pay which had been fixed for men and women; in the schedule, to the salary scale for Women Accountants, Grade II, in the Public Trustee Office, there is a note " Minimum to be reconsidered ".

It was contended on behalf of the Claimants (a) that the salary scale in question is not in accordance with the general Civil Service practice as stated by the Treasury; (b) that the insertion of the note by the Treasury clearly implies a recognition of this; and (c) if it were contended that the case of the Claimants came within the first exception in paragraph 56, a detailed examination of the Treasury's schedule reveals no exception under this category where the circumstances are in any true sense comparable with the circumstances of Accountants, Grade II, in the Public Trustee Office.

In support of the claim, the Claimants reviewed in detail a number of cases in Government Departments, and in particular referred to the scales of pay of Trust Assistants in the Public Trustee Office, and pointed out that in all these cases men and women enter at the same minimum and in the majority of cases receive the same increments.

8. With regard to the second part of the reference, the Claimants submitted that on grounds of equity, in the special circumstances of the present case, any improvement in the salary scale should be accompanied by commensurate adjustments in the pay of existing members of the grade. They further submitted that the general rule governing the assimilation of existing officers to a new salary scale, namely, at the new minimum or at their existing salary plus accrued increment (if any), whichever is the greater, has in practice been evolved with reference to alterations of scales involving increased maxima as well as increased minima and increased increments; and moreover, that on the merits of particular cases departures from the general rule have frequently been made either by agreement or by the decision of the Court. In particular, they relied upon the Court's Award No. 1340 of 25th October, 1927. They also pointed out that the granting of the claim under part one of the terms of reference, followed by the application of the general rule governing assimilation, would have the effect of placing three members of the grade appointed in 1928, 1929 and 1930, respectively, on a salary of £250 and leaving a fourth member appointed in 1923 on her present salary of £270. Such a result would be a contradiction of the principle upon which annual increments are based, namely, recognition of increased value with increased experience.

9. The claim was opposed by the Public Trustee who stated that in 1919 the organisation of the Public Trustee Office was reviewed by a Committee appointed by the then Lord Chancellor and presided over by Sir George Murray. This Committee recommended that the salary scales of Grade II Accountants should be £250—£350

per annum; this recommendation applied to male staff only as the question of a women's grade had not then arisen. The Committee added that "Accountants of Grade I and Grade II are at present required to be professionally qualified, and it will probably be found necessary to maintain this condition for some years to come— but in course of time it should be possible to train men in the Department for the higher posts; and in that case a somewhat lower scale of salary for the Grade I and Grade II Accountants might suffice". The Public Trustee pointed out that the Murray Committee contemplated that the Grade II Accountants Grade would in due course become largely a "promotion" grade. Of the present 19 male members of the Grade, 6 (three of whom have no professional qualifications) were promoted from the Clerical Grade. Of the 5 women members of the Grade, one was promoted from the Higher Clerical Grade and has no professional qualifications; the remaining 4 were promoted from the Clerical Grade. The Public Trustee stated that he had in fact endeavoured as far as possible to fill vacancies in the Grade by promotions from existing staff in the office and had only had recourse to outside recruitment when it was clear that candidates of the necessary standard of efficiency were not forthcoming in the Department. On those occasions members of the Clerical staff were allowed to apply and compete for the advertised posts with outside candidates.

10. The Public Trustee stated that subsequent to the Murray Report, the rapid development of the office necessitated a further review of the organisation of the Accounts Branch and in 1920 the maximum of the scale for the Grade II Accountants was extended to £450 per annum. The minimum of the grade, however, remained at £250 per annum, which was the maximum of the Clerical Grade (£60—£250 per annum). When Grade II Accountant posts were thrown open to women in 1921, the minimum of the salary scale for women members of the Grade was, by analogy, fixed at its present figure £180, that being the maximum of the women's scale (£60—£180 per annum) in the clerical grade.

It was further stated that it had been felt for some time past that the duties of the grade are in every way proper and suitable for the Executive Grade common to the whole Civil Service whose basic scale is £100—£10—£130—£15—£400 per annum for men and £100—£10—£300 per annum for women. Accordingly, the Public Trustee has decided that future recruitment to the Grade of Accountants, Grade II, will be from the Executive examination list but that promotions from the existing Clerical Staff will continue to be made in exceptional cases. The Grade of Accountants, Grade II, is accordingly now obsolescent.

11. The Public Trustee submitted that the grade in question is not a "recruiting" grade but largely a promotion grade, and the claim is not supported by any hard and fast basis of comparison between the salaries of men and women. The only method of

approaching the case is to deal with it on its merits and on this basis it was submitted that there was no evidence to show that the existing range of the scale for the women Grade II Accountants is inadequate or that any hardship has been suffered by the Women Clerical Officers who have been promoted thereto. In March, 1932, additional Grade II Accountants were needed and it was considered necessary to invite applications from outside. The candidature for both men and women was limited to qualified chartered accountants and incorporated accountants with an age maximum of 35 years and the total number of eligible applicants was 534 for 3 posts only.

12. With regard to the second part of the claim, the Public Trustee stated that the 4 women on promotion from the Clerical Grade to be Grade II Accountants received increases of basic salary of £27 10s., £32 9s. 7d., £27 17s. 3d. and £26 5s. 4d., respectively. The claim now asks that these officers should each receive further benefits ranging from £80—£90 basic; the Public Trustee contended that there were no reasons for giving such advances and further that the benefits both immediate and prospective conferred by promotion have been fully adequate.

13. The Court have given careful consideration to the facts and arguments submitted to them and decide against the claim.

HAROLD MORRIS,
President.

HAROLD J. LASKI,
WILLIAM McLINTOCK.

W. H. REYNOLDS,
Secretary,

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7th March, 1933.

LONDON

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