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1917
14 Aug.

Last previous Paper.
From European
K. K. S. S. S. S.

STATUS OF NON-EUROPEAN CLERKS

Raises questions as to treatment of temporary clerks subsequently placed on permanent and how enable to establish as regards counting service for leave, pension, seniority etc. Submits proposals. States as to cases of A.F. Fernandes, J.F.X. Menezes and A.P. D'Souza.

Mr. Botherley

The view stated in para 3 seems sound, and no exception need be taken to the method of dealing with future cases proposed in para. 4, which appear to be more equitable than the existing practice. The OMB does not ask for approval, but it would be as well to express concurrence.

As regards the three specific cases set out in paragraph 6, the principle followed is presumably that of the clerk's entry ^{either} to the pay or ^{the} grade of 14th grade clerk, that is, 85 Rs a month which was the amount of the first incremental salary in the 14th grade under the rules existing at the time the clerks in question were placed on it. (See Rules in 36685/12). This is reasonable, especially as, according to the view given at the end of para 6 of the Treasury memo in 4762/12, the 6th & 15th grades are regarded as trial grades.

Ans. 832 31 Oct 17

Next subsequent Paper.

PTD

From your minute on 6/2/16 Uganda it seems clear that the improvements sanctioned on 4/21/14 EAP have now been introduced in the EAP. The former paper also shows that as far as Uganda is concerned the improvements will not be introduced for some time. In the meantime the ^{Terms of Service} Rules in 36685/12 as regards EAP are more or less obsolete. We might add to the reply prepared above that it is understood that the improvements are now in force and ask for an amended copy of the Rest Terms of Service, pointing out that the old Terms still apply to Uganda?

Ref

a) We can take it for granted ^{25.10.17} that the improvements sanctioned on 4/21/14 have been introduced. Certainly the 3rd grade increment has been increased to Rs 7.50. I do not think we need trouble them to revise the Terms of Service at present. It is very probable that further alterations will be required after the war.

Mr. Butler, On the main point I agree. There is no objection of giving seniority rights where none exist now, & the proposals for seniority in these 3 cases seem reasonable.

As proposed?

WLB

27.10.17

WLB

29.10.17

at once

August 14th, 1917.

Sir,

I have the honour to inform you that the question has recently been raised of the status of Non-European Clerks, who, having been appointed in the first instance as temporary clerks, have subsequently, without break of service, been placed on the permanent and pensionable establishment.

2. The ruling at present in force is that the temporary service of clerks counts for the purposes of leave and probation but not for pension and seniority. The result of this ruling is that there are a number of clerks performing temporary duties who, when such duties are finished, lose the whole period during which they were performing them in respect of pension and seniority. Cases in point are those of Slavery Clerks and clerks engaged on works such as Loan Works.

3.

THE RIGHT HONOURABLE

WALTER LONG, P.C., M.P.,

SECRETARY OF STATE FOR THE COLONIES,

DOWNING STREET,

LONDON, S.W.

3. While it was felt that such temporary service could not be counted for pensionable purposes, it seemed hard that temporary service immediately followed by service on the permanent establishment should not count towards seniority in cases where temporary service was paid at the same rate as similar positions on the permanent staff.

4. My intention in dealing with cases of this nature for the future is, when need arise for the services of a clerk on work of such temporary nature, either to appoint a member of the existing clerical staff to do the work, he being seconded for the purpose and his place filled by a fresh appointment, who will, if necessary, be supernumerary till he can be absorbed; or to appoint a clerk to the permanent establishment and second him to the temporary post. In either case, the period during which the clerk performs the duties will be counted for pension and seniority, and he will receive, while performing his temporary duties, the same salary and increments as he would draw if holding his normal appointment.

5. I discussed the matter with my Executive Council, who recommended that, in regard to past cases, each case be dealt with on its merits.

6. There are, in particular, three cases which have been brought up for consideration.

(a) The first of these concerns Mr. A. F. Fernandes, a clerk in the Police Department. Mr. Fernandes was first appointed on the 1st of May 1909 as a clerk in the service of the Slavery Department. Such posts are not graded and the incumbents are paid according to the value of their services. He received Rs.80/- per mensem from the 1st of April 1910 and Rs.85/- per mensem from the 1st of April 1913. On the first of April 1914 he was transferred to the Coast Land Arbitration Board as a 4th grade clerk on the permanent staff. The Treasurer recommends that Mr. Fernandes' services for seniority be counted from the 1st of April 1913, the date on which he first received the salary of a fourth grade clerk on the permanent staff.

(b) Mr. J. F. X. Menezes joined the staff of the Land Office as a temporary clerk on the 3rd of February 1909, and was paid salary at the rate of Rs.80/- per mensem from that date. On the 1st of April 1910 his salary was increased to Rs.85/- per mensem and he was appointed to the permanent staff as a fourth grade clerk on the 1st of April 1912. The Treasurer recommends that his services for seniority be counted from the 1st of April 1910 for the reasons given in the case of Mr. Fernandes.

(c)

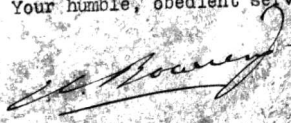
(c) Mr. A. P. D'Souza entered Government Service on the 1st of April 1907 as a typist in the Treasury, being subsequently transferred to the Slavery Department. He drew Rs.90/- per mensem from the 1st of April 1909 and was placed as a fourth grade clerk on the permanent staff of the Port Office on the 1st of February 1913. The Treasurer recommends that his service for seniority be counted as from the 1st of April 1909, for the same reason.

7. Pending your decision on the matter I have approved the recommendations of the Treasurer and I trust that you will accord your sanction to this arrangement in the case of these three clerks.

I have the honour to be,

Sir,

Your humble, obedient servant,



ACTING GOVERNOR.

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31 Oct. 1917

Sr

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A.P. No 832
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MINUTE.

- Mr. Jewell 29. 10. 17
- Mr. Protheroe 29. 10. 17
- Mr.
- Mr.
- Sir G. Fiddes.
- ~~Sir H. Just~~
- Sir J. Anderson
- Lord Inington
- Mr. Harcourt

I have the honor to acknowledge
 receipt of your despatch No. 472 of the 14th of
 Aug., and to inform you that I concur
 in the method which you propose to
 adopt, as stated in para 4 of your
 despatch, with regard to the ^{provision} employment
 of a non-European ^{divisional assistants} clerk & work
 of a temporary nature.

I approve of your
 recommendations as to the dates
 from which the service of Mr. A. F.
 Fernandes, Mr. J. F. X. Meneses, and
 Mr. A. P. D. Souza, will be reckoned
 as feasible for security.