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[1937

Factories and Shops Acts.

NICKELWARE BOARD.

NOTE.—(a) This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder; such portions of the city of Sandringham as are not included within the said district; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

DETERMINATION OF THE COURT OF INDUSTRIAL APPEALS.

Adjusted pursuant to Section 21 of the *Factories and Shops Act 1934* (No. 4275).

I, FRANCIS ANTHONY MARZORINI, in pursuance of the powers contained in the Factories and Shops Acts and in consequence of the provisions contained in a determination made on the 29th June, 1937, by the Court of Industrial Appeals, and published in the *Government Gazette* on the 26th July, 1937, hereby issue an adjusted determination showing the adjusted wages rates to be paid, as from the beginning of the first pay period to commence in December, 1937, to any persons employed in the trade of making:—

- (a) Nickel-silver articles of table ware;
(b) Articles of table ware of any base metal;

but not including any person employed electroplating, grinding, polishing, or finishing articles of table ware.

(1) APPRENTICES OR IMPROVERS.

Apprentices.			Improvers.		
		Wages per week of 44 Hours. s. d.			Wages per week of 44 Hours. s. d.
1st year—1st six month's experience	.. ..	13 0	1st year—1st six month's experience	.. ..	13 8
2nd six month's experience	.. ..	14 0	2nd six month's experience	.. ..	14 8
2nd year—1st six month's experience	.. ..	16 8	2nd year—1st six month's experience	.. ..	17 6
2nd six month's experience	.. ..	18 2	2nd six month's experience	.. ..	19 1
3rd year—1st six month's experience	.. ..	30 5	3rd year—1st six month's experience	.. ..	31 11
2nd six month's experience	.. ..	33 3	2nd six month's experience	.. ..	34 10
4th year's experience	.. ..	44 11	4th year's experience	.. ..	47 1
5th year's experience	.. ..	61 0	5th year's experience	.. ..	64 0
6th year's experience	.. ..	72 9	6th year's experience	.. ..	76 3
and thereafter the minimum wage.			and thereafter the minimum wage.		

Proportion (in any place)—Three apprentices and two improvers or two apprentices and three improvers to every three or fraction of three workers receiving not less than 77s. per week of 44 hours.

(2)	OTHER EMPLOYERS.	Wages per week of 44 Hours.	
		s.	d.
	Stamper who puts in die and makes force	104	0
	Repairers	104	0
	Maker-up	104	0
	Metal spinner setting up and making his own dies	99	0
	Other spinners	89	0
	Die setters	89	0
	Drop hammer stampers (other than those who put in die and make force)	87	0
	Press operators (heavy)	87	0
	Press operators (light)	85	0
	Fickler who prepares and maintains acid baths	85	0
	Hand blanker	85	0
	All others	77	0

SPECIAL RATES.

(3) In addition to the wages prescribed in clause (2) hereof the following special rates and allowances shall be paid:—

- (a) Leading hands in charge of not less than 3 and not more than 10 employees, including apprentices, 6s. per week extra; more than 10 and not more than 20, including apprentices, 12s. per week extra; more than 20, including apprentices, 18s. per week extra.
- (b) Working in wet places—1½d. per hour extra.
- (c) Compensation to the extent of damage sustained shall be made for work in which clothing or tools are damaged or destroyed by the use of acids.
- (d) Where more than one of the disabilities entitling a workman to extra rates exist on the same job the employer shall be bound to pay only one rate, namely, the highest for the disabilities so prevailing.

HOURS OF EMPLOYMENT.

(4) With the exceptions herein set out the ordinary hours of employment shall be 44 per week, to be worked in five days of 8 hours and one day (Saturday) of 4 hours, or five days of 8 hours 48 minutes each, continuously except for meal hour breaks at the discretion of the employer between 7 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 7 a.m. to noon on Saturday: Provided that the spread of hours herein prescribed may be altered by mutual agreement between an employer and his employees.

By agreement between any employer and his employees ordinary hours may be worked on the basis of 88 per fortnight with one week of 40 and one of 48 hours.

SHIFT WORK.

Continuous Work Shifts.

(5) (a) For the purposes of this clause, the expression "Continuous Work" means work carried on with consecutive shifts of men throughout the twenty-four hours of each of at least six consecutive days without interruption except during breakdowns or meal breaks (if any).

(b) Employees working on continuous work shifts shall work thereon such number of shifts up to six per week as may be required; no such shift to exceed 8 hours inclusive of meal breaks (if any) nor to be discontinuous except for meal breaks (if any).

(c) The ordinary hours of actual work or duty exclusive of meal breaks off duty (if any) of employees working on continuous work shifts shall not exceed—

- (i) 8 in any one day; nor
- (ii) 48 in any one week; nor
- (iii) an average of 44 per week during the period of employment upon such shifts; nor
- (iv) such average reduced to 43 hours 5 minutes if such shifts include Sunday shifts; nor
- (v) a total of 176 hours during any four weeks of the period of employment upon such shifts; nor
- (vi) such total reduced to 172 hours 20 minutes during any such four weeks if such shifts include Sunday shifts.

Provided that such average and total shall not be so reduced to 43 hours 5 minutes and 172 hours 20 minutes if the employees on such shifts are for each ordinary hour worked thereon by them paid in the case of weekly employees at the rate of one forty-third (1/43) of the prescribed weekly wage, and in the case of hourly employees, at the rate of forty-four forty-thirds (44/43) of the prescribed rate for such employees which payments the employer shall have the option of making; nor shall they be so reduced if, in addition to other holidays (if any) to be given under this Determination to such employees, such employees are given in each year, one week's holiday on full pay, which week's holiday the employer shall have the option of giving.

(d) For all time of duty outside the limits of the ordinary hours prescribed in sub-clause (c) hereof, an employee on continuous work shift shall be paid at double rates. But this shall not apply to arrangements between employees themselves or in cases due to rotation of shift, or when the relief does not come on duty at the proper time: Provided that where not less than eight hours' notice has been given to the employer by the employee that he will be absent from work, and the employee whom he should relieve is not relieved, such unrelieved employee shall be paid time and a half for all time of duty after he has finished his ordinary shift.

(e) Employees on continuous work shifts, working afternoon and night shifts, shall be paid 5 per cent. more than ordinary rates for such shifts.

(f) Employees on continuous work shifts, working any Sunday or holiday shift, shall be paid at the rate of time and a half for such shift.

Shift Work in other than Continuous Work.

(g) In shift work, not upon continuous work as herein defined, any afternoon or night shift which does not continue for five successive working nights or more in a five-day workshop, or six successive working nights or more in a six-day workshop, shall be paid for at the rate of time and a half.

(h) For any afternoon or night shift which has been in operation for five nights or more and less than one month 10 per cent. more than ordinary rates shall be paid and after such shifts have continued for more than one month 5 per cent. more than ordinary rates shall be paid.

(i) Shift workers shall be paid overtime at the rate of time and a half for the first 4 hours and double time thereafter for all time worked in excess of shift hours.

MIXED FUNCTIONS.

(6) An employee engaged for more than half of one day or shift on duties carrying a higher rate than his ordinary classification, shall be paid the higher rate for such day or shift. If for less than half of one day or shift he shall be paid the higher rate for the time so worked.

OVERTIME.

(7) (a) For all work done outside ordinary hours the rates of wages shall be time and a half for the first 4 hours and double time thereafter, such double time to continue to be paid until an employee has been relieved from work for at least 8 hours. Provided that an employee shall not be entitled to payment for such rest period.

(b) Except as provided above in computing overtime each day's work shall stand alone.

(c) An employee recalled after leaving his workshop to work overtime shall be paid for a minimum of three hours' work at the appropriate rate.

(d) An employee occasionally required to hold himself in readiness to work after ordinary hours shall until released be paid standing by time at ordinary rates from the time from which he is so to hold himself in readiness. But any custom now prevailing under which an employee is required regularly to hold himself in readiness for a call back shall continue.

(e) An employee (other than on shift) who has worked up to or beyond midnight shall not be bound to continue work on the following day.

(f) As far as practicable employees shall not work overtime while competent labour is available.

(g) For work done during meal hours and thereafter until a meal hour break is allowed time and a half rates shall be paid. An employee shall not be compelled to work for more than six hours without a break for a meal.

(h) An employee working overtime shall be allowed a rest time of twenty minutes without deduction of pay after each 4 hours of work, but this provision shall not prevent any arrangement being made for the taking of a longer meal period without pay.

(i) Before starting overtime after working ordinary hours a meal break of at least 45 minutes shall be allowed, unless the period of overtime is less than one and a half hours.

An employer and his employee may mutually agree to any variation of this sub-clause to meet the circumstances of the work in hand.

(j) An employee required to work overtime for more than 2 hours without being notified the day before that he will be so required to work, shall either be supplied with a meal by the employer or paid 1s. 6d., or if work extends into a second meal hour 2s. 6d. for the two meals, but such payment need not be made to employees living in the same locality as their workshop who can reasonably return home for meals.

If an employee pursuant to notice has provided a meal or meals and is not required to work overtime he shall be paid for each meal so provided.

(k) Subject to the provisions of the second part of the sub-clause (g) of this clause an employee shall work during meal breaks at the ordinary rates herein prescribed whenever instructed so to do for the purpose of making good break-downs of plant or upon routine maintenance of plant which can only be done while such plant is idle.

(l) When an employee, working overtime, finishes work at a time when reasonable means of transport is not available, the employer shall provide him with a conveyance or pay him his current wage for the time occupied in reaching his home.

HOLIDAYS AND SUNDAY WORK.

(8) (a) Employees shall be entitled to the following public holidays (without pay except as hereinafter provided):—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, King's Birthday, Labour Day, Anzac Day, Christmas Day, and Boxing Day, or such other day as is generally observed in the locality as a substitute for any of the said days respectively.

Exceptions.

By agreement between any employer and his employees, other holidays may be substituted for the said days or any of them as to such employer's undertaking.

(b) Employees not engaged in continuous work shall be paid at the rate of double ordinary time for work done on Sundays and public holidays, such double time to continue until the employee has been relieved from duty for at least 8 hours. Provided that the employee shall not be paid for the time he is resting.

Provided that employees engaged in repairs to or renewals of their employer's plant and machinery necessary for resumption of work the next following working day or for maintaining the continuity of electric light and power (not including the installation of new machinery) shall on holidays or Sundays be paid at the rate of time and a half.

(c) Employees, other than on shift or engaged in maintaining the continuity of electric light and power, required to work on Sundays or public holidays shall be paid for a minimum of 3 hours' work.

PIECEWORK RATES.

(9) Subject to the minimum wages herein prescribed an employer may remunerate any of his employees under any system of payment by results.

EXTRA RATES NOT CUMULATIVE.

(10) Extra rates in this Determination, including rates prescribed in clause (3), are not cumulative so as to exceed the maximum of double the ordinary rates.

PAYMENT OF WAGES.

(11) (a) Wages shall be paid weekly or fortnightly. Where the services of an employee are dispensed with, wages shall be paid to him on the day of dismissal or forwarded to him by post on the day following.

(b) An employee kept waiting for his wages on pay day for more than a quarter of an hour after the usual time for ceasing work shall be paid at overtime rates after that quarter-hour, with a minimum of a quarter of an hour.

CONTRACT OF EMPLOYMENT.

(12) (a) With the exceptions hereinafter stated, employment may be by the week or by the hour. If by the week it shall be terminable on either side by one week's notice given on any day or (if the employer terminate it without such notice), by payment of one week's wages.

A contract for weekly employment may be terminated by any employer, without liability to pay for more than time actually worked, for misconduct or for absence from work without reasonable excuse.

If an employee engaged by the week absents himself from duty, except on public holidays or for days for which he produces a certificate from a medical practitioner or other proof satisfactory to his employer of sickness (aggregating 4 days' sickness in each year), a sum proportionate to his time of absence may be deducted from his pay, i.e., one-sixth of the weekly wage for each day of absence, including Saturday in shops working six days and one-fifth in shops working five days per week: Provided that only time actually lost shall be deducted when an employee is absent with leave on a Saturday.

(b) If the contract of employment is for hourly hiring, the total amount of the rates prescribed in clause (2) hereof shall be increased by 5s. per week (with a proportionate amount added to the wages of juniors), but such amount shall not be taken into account in computing overtime, Sunday, and holiday rates.

(c) An employee starting work on hourly hiring shall be entitled to a minimum of four consecutive hours' work or to four hours' pay for the job—such hours may be deemed to be consecutive if worked in ordinary hours at the end of a day and the beginning of the next succeeding day.

MISCELLANEOUS PROVISIONS.

(13) (a) *Tools.*—The employer shall provide for each employee all necessary tools, including micrometer, where used, but excluding other measuring or precision tools less than 13". The employee shall replace or pay for any tools so provided if lost through his negligence.

(b) Employers shall provide proper washing and sanitary conveniences. In any workshop in which employees through a shop steward or committee ask for the provision of lockers and shower baths and an undertaking is given that the baths provided will be used by the majority of the workmen and that the baths and lockers will be properly cared for, a locker shall be installed by the employer for each workman, and hot and cold shower baths (away from lavatories) for all workmen employed in foundries.

(c) Suitable asbestos sheet and coloured glasses shall be provided by employers for the protection of electric arc and oxy-acetylene operators and their assistants, and suitable mica or other goggles for emery-wheel operators.

SHOP STEWARDS.

(14) Shop stewards appointed by employees in each workshop shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees whom they represent.

TIME AND WAGES BOOK.

(15) Each employer shall keep a time and wages book showing the name of each employee and his occupation, the hours worked each day, and the wages and allowances paid each week.

The time occupied by an employee in filling in any time books or cards or in the making of records shall be treated as time of duty, but this does not apply to checking in or out at the beginning or end of duty.

DEFINITIONS.

(16) "Year" means 365 consecutive days, starting from the day of commencement of operation of this Determination.

"Shift work"—afternoon shift means any shift finishing after 6 p.m. and at or before midnight. Night shift means any shift finishing subsequent to midnight and at or before 8 a.m.

"Sunday" means all time between midnight Saturday and midnight Sunday.

"Wet place" means a place in which water is continually dripping from overhead to such an extent as to saturate the clothing of a workman, or a place where water accumulates underfoot to a depth exceeding 2 inches.

F. A. MARZORINI,

Secretary for Labour.

Melbourne, 30th November, 1937.

OTHER EMPLOYERS.

	Wages.		
	Within the Metropolitan District and such portion of the City of Sandringham as is not within the said Metropolitan District.	In Ballarat, Bendigo, and the Boroughs of Eaglehawk and Sebastopol.	In the cities of Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the Moorparryal and Peak Ridings of the Shire of Corio.
	Per week of 46 hours. £ s. d.	Per week of 48 hours. £ s. d.	Per week of 48 hours. £ s. d.
ABATTOIRS OR MEAT MARKETS.			
Tacklemen	5 16 0	5 13 0	5 13 0
Slaughtermen	5 7 0		
Head and Feet Boners	4 13 0		
Offal labourers (including persons handling, or breaking out crown fats from, offals sent to boiling down)	4 7 0	4 6 0	4 9 1
General labourers	4 4 6	4 0 5	4 4 1
		3 18 6	4 1 5
	Per week of 48 hours.		
Drivers of motor vehicles having a carrying capacity—			
Not exceeding 25 cwt.	4 6 6	4 3 6	4 6 6
Exceeding 25 cwt. but not exceeding 3 tons	4 10 6	4 7 0	4 10 6
Exceeding 3 tons	4 14 6	4 11 6	4 14 6
Carters driving one horse	4 4 0	4 1 0	4 4 0
Carters driving two horses	4 6 6	4 3 6	4 6 6
Carters driving three horses	4 8 6	4 5 6	4 8 6
Head stableman (if more than one employed)	4 2 0	3 19 0	4 2 0
Other stablemen or grooms	3 18 0	3 15 0	3 18 0
Drivers who do not cart meat, and who are not required to wear special clothing	2s. 6d. per week less than the rate specified	2s. 6d. per week less than the rate specified	2s. 6d. per week less than the rate specified
Drivers who, as part of their duties during the week, are required to collect moneys and account therefor	11d. per week in addition to the rate specified	11d. per week in addition to the rate specified	11d. per week in addition to the rate specified
Drivers of loaded motor vehicles, except tractors, drawing a loaded trailer	11d. per day in addition to the rate specified	11d. per day in addition to the rate specified	11d. per day in addition to the rate specified
Drivers who, during the day, are engaged in carting blood manure or offensive offal			
ANY OTHER PLACE.			
Shopmen and general butchers (including men who cut and deliver meat to customers outside the shop)	4 15 6	4 12 6	4 15 6
Small goods makers, small goods sellers from carts who collect cash, scalders, cooks, boners, or salters	4 13 0	4 10 0	4 13 0
Ordermen who deliver but do not cut meat	4 3 0	4 0 0	4 3 0
All others	4 1 6	3 18 6	4 1 6

(3) WEEK'S WORK FOR SLAUGHTERMEN.—The maximum amount of work to be done by slaughtermen in any week shall be—

Sheep and/or Lambs.			Beef. Carcasses.
During July, August, September and October.		Other Months.	
Woolly Sheep.	Other Sheep and/or Lambs (including Ram Lambs).	Sheep and/or Lambs (including Lamb Rams).	
324 with a maximum of 70 per day on Monday to Friday inclusive and 24 on Saturday	346 with a maximum of 75 per day on Monday to Friday inclusive and 26 on Saturday	346 with a maximum of 75 per day on Monday to Friday inclusive and 26 on Saturday	54 with a maximum of 12 per day on Monday to Friday inclusive and 4 on Saturday

A slaughterman's work shall consist of sticking down, taking out neck sweetbreads (if any), taking off the skin, taking out offal, wiping up the carcass, and hanging, all in a workmanlike manner.

Time taken off for collecting pay shall not affect the day's tally.

(4) TERMS OF ENGAGEMENT.—All employees (other than casuals) shall be paid the full weekly wage fixed herein irrespective of the hours worked not exceeding the weekly hours fixed for the respective classes of employees.

(5) TIMES OF BEGINNING AND ENDING WORK—

	Time of Beginning.		Time of Ending.			
	Monday to Friday.	Saturday.	Monday and Wednesday.	Tuesday and Thursday.	Friday.	Saturday.
Persons (other than Carters, Drivers, Stablemen, or Grooms) employed in connexion with abattoirs or meat markets ..	7.30 a.m.	7.30 a.m.	5 p.m.	5 p.m.	5 p.m.	11 a.m.
Persons employed in connexion with any other place—						
In the Metropolitan District (except in retail stalls in the Victoria, South Melbourne, and Prahran markets) ..	7.30 a.m.	5 a.m.	5 p.m.	5 p.m.	6 p.m.	12.30 p.m.
In retail stalls in the Victoria, South Melbourne, and Prahran markets ..	6 a.m.	5 a.m.	12 noon	2 p.m.	6 p.m.	1 p.m.
In Ballarat ..	7.30 a.m.	6 a.m.	5 p.m.	5 p.m.	6 p.m.	1 p.m.
In Bendigo ..	7 a.m.	6 a.m.	5 p.m.	5 p.m.	6 p.m.	1 p.m.
In Geelong ..	7.30 a.m.	6 a.m.	5 p.m.	5 p.m.	6 p.m.	12.30 p.m.
In Warrnambool ..	7.30 a.m.	6 a.m.	5 p.m.	5 p.m.	9 p.m.	12.30 p.m.
In all other parts of Victoria where this Determination applies	6 a.m.	6 a.m.	6 p.m.	6 p.m.	8 p.m.	1 p.m.

Provided that, in Melbourne, Ballarat, Bendigo, Geelong, and Warrnambool, small-goods makers may commence work at 6 a.m. if they cease work not later than 4 p.m.

(6) HOURS OF WORK.—The maximum number of hours to be worked on any day, without payment for overtime, shall be—

Persons Employed in or in Connexion with—	
Abattoirs or Meat Markets.	Any Other Place.
Carters, drivers, stablemen, or grooms— Monday, Tuesday, Wednesday, Thursday, 9 hours 40 minutes or Friday Saturday 6 hours	All employees— Monday, Tuesday, Wednesday, Thursday, 8½ hours or Friday Saturday 6 hours

The hours of work on any day shall be continuous, except for meal intervals, in the case of—

- (a) All persons employed in connexion with abattoirs or meat markets.
- (b) All persons employed in connexion with any other place in the Metropolitan district, Ballarat, Bendigo, Geelong, and Warrnambool.

(7) EMPLOYEES WEEK.—When any employee is engaged for a week's work, such week shall commence from the day on which he is engaged.

(8) MEAL INTERVALS.—The following times shall be allowed for meals:—

Persons Employed in or in Connexion with—	
Abattoirs or Meat Markets.	Any Other Place.
All employees except carters, drivers, stablemen, and grooms 1 hour between 12 noon and 1 p.m.	All employees 1 hour between noon and 2 p.m. Any employee who is required to work— (a) Before 7 a.m. on Saturday, or before 7.30 a.m. on the other five working days of the week 1 hour for breakfast (b) After 6 p.m. 1 hour for tea

(9) OVERTIME.—The following rates shall be paid for all work done during the times specified hereunder, viz.:—

Persons Employed in or in Connexion with—	
Abattoirs or Meat Markets.	Any Other Place.
Carters or drivers— In excess of either— (a) The number of hours fixed as a day's work, or (b) The number of hours fixed as a week's work } Time and a half Drivers who are required to cart meat before 7 a.m.— Before 7 a.m. { From 1st May to 31st October } 8d. per hour in addition to ordinary rates { From 1st November to 30th April } 5d. per hour in addition to ordinary rates	Outside the hours fixed as the times of beginning and ending work } Within the hours fixed as the times of beginning and ending work in excess of either— } Time and a half (a) The number of hours fixed as a day's work, or (b) The number of hours fixed as a week's work } Any employee who is required to be on duty during a meal interval shall be paid at the rate of time and a half for all such time on duty and until time is allowed for a meal
Stablemen or grooms— In excess of either— (a) The number of hours fixed as a day's work, or (b) The number of hours fixed as a week's work } Time and a half	
All others— Outside the hours fixed as the times of beginning and ending work } Within the hours fixed as the times of beginning and ending work in excess of 46 hours in any week } Time and a half	

(10) CASUAL LABOUR.—Casual employees (i.e., persons employed during any week for not more than one-half the maximum number of hours fixed in this determination as a week's work) shall be paid the following rates:—

- (a) Persons employed in or in connexion with abattoirs or meat markets in the Metropolitan District—
Slaughtermen 26s. per day (Monday, Tuesday, Wednesday, Thursday, Friday); and 13s. on Saturday (half day).
Labourers 18s. per day.
Carters or drivers For each day they are employed 2s. in addition to one-sixth of the weekly wage for the class of work they perform.

(b) Persons employed in or in connexion with shops and factories in all Districts where this Determination applies—

Shopmen and general butchers (including men who out and deliver meat to customers outside the shop) }
 Small goods makers, small goods sellers from carts who collect cash, scalders, } 20s. for each day or part of a day on which they are employed
 cooks, boners, or salters }

All other adults, apprentices or improvers.—The ordinary hourly rate with an addition of thirty-three and a third per cent.

(11) SICK LEAVE.—Carters, drivers, stablemen, or grooms employed in connexion with abattoirs or meat markets, and all persons employed in connexion with any other place, who are necessarily absent from work on account of sickness, shall be allowed six days' sick leave each year on full pay.

Provided that this clause shall not apply to casual employees.

(12) ANNUAL HOLIDAYS.—Stablemen or grooms employed in connexion with abattoirs or meat markets, who are usually required to work continuously seven days in the week, shall be allowed one week's holiday on full pay at the expiration of each twelve months' service.

(13) PAYMENT FOR HOLIDAYS.—Employees (other than casual employees) shall be entitled to the following holidays without deduction of pay:—

Persons Employed in or in Connexion with—	
Abattoirs or Meat Markets.	Any Other Place.
Christmas Day, Boxing Day, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, King's Birthday (outside the Metropolitan district), Cup Day (within the Metropolitan district), and Butchers' Picnic Day	Christmas Day, Boxing Day, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, King's Birthday, Cup Day (within the Metropolitan district), and Butchers' Picnic Day Provided that any employee, if required, shall serve on duty without extra payment until not later than 11.30 a.m. on Good Friday, and until not later than 9.30 a.m. on any other holiday except Christmas Day, Eight Hours Day, and Butchers' Picnic Day

(14) SPECIAL RATES FOR SUNDAYS AND HOLIDAYS—

Persons Employed in or in Connexion with—	
Abattoirs or Meat Markets.	Any Other Place.
<p>Carters, drivers, stablemen, or grooms shall be paid at the rate of double time for all work done on Sundays or holidays, except in the case of work done—</p> <p>(a) On Sundays by stablemen or grooms, part of whose duties is to feed and attend to horses every day, if they are allowed one clear day's rest in seven</p> <p>(b) On holidays by stablemen or grooms if engaged in the performance of their ordinary duties</p> <p>(c) In feeding and attending to horses on Sundays, by drivers who are required to perform such work where the employer does not employ any stablemen</p> <p>Drivers who are required to be on duty on Sunday to feed and attend to horses, where the employer does not employ any stablemen, shall be paid for such time of duty at the ordinary rate paid for the other six days of the week</p> <p>All other employees shall be paid at the rate of double time for all work done on Sundays or holidays.</p>	<p>All work done on Sunday, Christmas Day, or Labour Day, and all work done after 11.30 a.m. on Good Friday or after 9.30 a.m. on any other public holiday shall be paid for at the rate of double time</p>

The days to be recognized as holidays under this clause shall be those specified for the respective sections in clause 13; but if any other day be by Act of Parliament or Proclamation substituted for any of such holidays, the special rate shall be payable only for work done on the day so substituted.

(15) NOTICE TO WORK ON HOLIDAYS.—Except in the case of unavoidable accident or emergency, three days' notice shall be given to an employee who is required to work on a holiday prescribed in this determination.

(16) SMOKO INTERVALS.—All persons (other than carters, drivers, stablemen, or grooms) employed in connexion with abattoirs or meat markets shall be allowed twenty minutes' smoko each forenoon and afternoon.

(17) PAYMENT OF WAGES.—Wages shall be paid not later than Friday in each week, and must be paid during working hours.

(18) TERMINATION OF EMPLOYMENT.—Except in a case where an employee is inefficient or has been guilty of a misdemeanour seven days' notice of termination of employment shall be given by either employer or worker.

Provided that this clause shall not apply to tacklemen, slaughterers, or labourers employed in or in connexion with abattoirs or meat markets in the Metropolitan District.

(19) STOP WORK MEETINGS.—No stop work meetings shall be held by employees during working hours. If, in contravention of this clause, a stop work meeting should be held, the pay for the time lost may be deducted.

(20) TIME BOOK FOR SLAUGHTERMEN.—Every slaughterman shall indelibly record daily his correct times of beginning and ending work, also the daily tally of work performed by him in a book which shall be furnished by the employer. Such time book shall be produced for inspection during reasonable hours to the Secretary of the Australasian Meat Industry Employees' Union or any official thereof duly authorized in writing by the President and Secretary of the local branch or sub-branch of the Union.

(21) TREATMENT OF INJURED STOCK.—

(a) The employer shall have power to call on slaughtermen during the following periods to kill stock that require immediate treatment, viz.:—During smoko intervals, between 12 and 1 p.m., and after 5 p.m. on week days, and after 11 a.m. on Saturdays. Stock killed during such periods are to be considered extra to the day's tally, and shall be paid for at one and a half times the ordinary rates.

(b) Where a watchman is employed, he shall be able during his period of watch, but not during the hours when slaughtering operations are being carried on, to kill and dress any injured or crippled sheep or lambs that may require attention.

A. S. HAUSER, P.M., Chairman.

GEO. E. PARR, Secretary.

Melbourne, 16th November, 1937.



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FRIDAY, DECEMBER 3.

[1937

Factories and Shops Acts.

DETERMINATION OF THE FIBROUS PLASTERERS BOARD.

NOTE.—(1) This Determination applies to the whole of the State of Victoria.

(2) Fibrous Plastering was proclaimed on 17th February, 1937, as an Apprenticeship Trade under the *Apprenticeship Act 1928* for the Metropolitan District.

Full particulars of the *Apprenticeship Regulations* for this trade may be obtained on application to the Secretary, Apprenticeship Commission, Gisborne-street, Melbourne, C.2. (Price 3d.)

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which since the 14th April, 1937, has had the power to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the process, trade, or business of—

- (a) manufacturing fibrous plaster, or making architectural ornaments of fibrous plaster, plaster, or cement;
- (b) fixing fibrous plaster on walls or ceilings of buildings;
- (c) architectural modelling;
- (d) preparing material for or making or fixing acoustic tiles moulded into slab form, and having an earth base,"

has made the following Determination, namely:—

(1) That on the 3rd December, 1937, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

* Apprentices.				Improvers.							
WAGES.				WAGES.							
	Per week of 44 hours.		Holiday Allowance Payable in Addition.			Per Week of 44 hours.		Holiday Allowance Payable in Addition.			
	s.	d.	s.	d.		s.	d.	s.	d.		
1st year's experience	17	0	0	6	Under 17 years of age	17	0	0	6		
2nd "	25	6	0	8	17 years of age	25	6	0	8		
3rd "	34	0	0	11	18 "	34	0	0	11		
4th "	43	3	1	1	19 "	43	3	1	1		
5th "	51	9	1	4	20 "	51	9	1	4		
and thereafter the minimum wage.											
<p>PROPORTION (by any employer).</p> <p>One apprentice to every three or fraction of three workers receiving not less than 78s. per week of 44 hours.</p>				<p>PROPORTION (by any employer).</p> <p>(i) Preparing material for or making or fixing acoustic tiles moulded into slab form and having an earth base— One improver to every three workers receiving not less than 104s. 2d. per week of 44 hours.</p> <p>(ii) Any other class of work— One improver to every six workers receiving not less than 104s. 2d. per week of 44 hours.</p>							

No person under the age of 18 years shall be employed on a single bench in the manufacture of plain fibrous plaster sheeting unless in association with a person over 18 years of age.

* (a) Except those covered by the *Apprenticeship Act 1928*.

(b) The Board has determined that no person shall be taken as an apprentice in connexion with preparing material for or making or fixing acoustic tiles moulded into slab form and having an earth base.

OTHER EMPLOYEES.

WAGES.

	Per week of 44 hours.		Holiday Allowance Payable in Addition.	
	A.	B.	A.	B.
	s.	d.	s.	d.
Persons engaged in architectural modelling or manufacturing architectural ornaments of fibrous plaster, plaster or cement, or manufacturing fibrous plaster	104	2	..	2 8
Persons engaged fixing or stopping fibrous plaster on walls or ceilings of buildings	..	..	..	..
Persons engaged in preparing material for or making or fixing acoustic tiles moulded into slab form and having an earth base	..	..	..	..
All others	78	0	..	2 0

EXTRA RATES.—(a) Foremen, i.e., employees in charge of work and who issue instructions to four or more men under them shall be paid as above with 6s. per week additional.

(b) Employees { (i) Demolishing old ceilings, or } shall, whilst employed at either class of work, have
{ (ii) Erecting new ceilings on sites of old ceilings that } 3d. per square yard distributed equally between
have been demolished } them, in addition to the ordinary rates.

(3) PRO RATA PAYMENT.—Any person who works less than 44 hours in any week shall be paid not less than the ordinary wages rate calculated pro rata according to the number of hours worked.

(4) ALLOWANCES.—The following allowances shall be paid to persons employed outside the employer's usual place of business in connexion with the fixing of fibrous plaster or acoustic tiles:—

(a) For work done at such distance as prevents the employee from returning to his home the same night—

(i) 6s. 6d. per day extra, with a maximum of 35s. 9d. per week.

(ii) all fares necessarily incurred in travelling by the most economical means of transport by train or other public conveyance.

(b) For any other work—

An amount equal to the fare, by the most economical means of travel, from and to the "centre" to and from the place of employment.

"Centre" shall mean the Flinders-street Railway Station if the employer's usual place of business is within a radius of 10 miles therefrom, and shall, in all other cases, mean the employer's usual place of business.

The fare shall be deemed to have been necessarily incurred even if the employee uses a bicycle or other means of locomotion, or walks instead of using a public conveyance.

(5) TIME OF BEGINNING AND ENDING WORK.—The time of beginning and ending work shall be—

Time of Beginning.

8 a.m.

8 a.m.

Time of Ending.

12 noon on Saturday.

5 p.m. on the other working days of the week.

(6) OVERTIME.—That the following rate shall be paid for all work done—

(a) Outside the hours fixed in Clause (4)

(b) Within the hours fixed in Clause (4) in excess of 44

in any week

} Time and a half for the first two hours and thereafter double time.

(7) SPECIAL RATES.—

(a) An allowance, as per Clause 2b, shall be made in addition to the wages set out in Clause 2, as compensation for time lost on prescribed holidays. Such an allowance to be paid proportionately to the number of hours worked per week.

(b) For all work done on Sundays and prescribed holidays employees shall be paid at the rate of double time.

The following are the prescribed holidays, viz.:—New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Christmas Day, and Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays double time shall only be payable for work done on the day so substituted.

(8) PAYMENT OF WAGES.—(a) Except in the case of persons employed outside a radius of 20 miles from the Flinders-street Railway Station, all payments of wages shall be made not later than five minutes after the time of ceasing work on Thursday. In the event of payment being made more than five minutes later than the time fixed above, the employee shall be paid all reasonable travelling expenses incurred and shall also receive payment at the prescribed rate for the time lost as a result of such delay in payment.

(b) Any employee whose service ends before pay time shall be paid at or before the time of its ending or by post or otherwise within 24 hours thereafter. If wages are not paid in accordance with this provision an employee shall be paid as for ordinary working hours at the ordinary rate fixed in this Determination from the expiration of the said 24 hours until the wages are paid to the employee or his order or posted to his last known address.

(9) PAYMENT WHEN REQUESTED TO ATTEND FOR ENGAGEMENT.—Any employee who has presented himself for work, as requested by the employer or his responsible representative, shall—

(a) If not engaged, be paid a sum equal to the rate for two hours' work in addition to any expense necessarily incurred in travelling to and from the job; or,

(b) if engaged, be deemed to have commenced work at the hour he presents himself for engagement.

(10) TRANSPORT AT NIGHT.—Any employee who completes his work during the night after trams and other public conveyances have ceased to run shall, unless provided with means of transport by the employer, be reimbursed for any expense necessarily incurred in reaching his home.

(11) MEAL MONEY.—Any employee who is required to work overtime for more than two hours on any day and who has not been notified on the previous day that he would be required to work such overtime shall, unless provided with a reasonable meal by the employer, be paid an allowance of Two shillings.

(12) HOT WATER IN FACTORIES.—During the months of May to September, inclusive, provision shall be made by employers in every factory for the provision and maintenance of an adequate supply of hot water in some central position for the benefit of employees engaged in hand mixing plaster in cold water.

(13) GRINDING AND CLEANING TOOLS.—When an employee is discharged he shall be allowed a half hour at ordinary rates for the purpose of grinding and cleaning his tools. This clause shall only apply to employees whose tools are in good order when commencing work for any employer.

(14) TERMINATION OF EMPLOYMENT.—Except where the conduct of an employee justifies instant dismissal, one hour's notice of termination of employment shall be given by either employer or employee, or one hour's pay shall be paid or forfeited in lieu thereof.

W. W. HARRIS, Chairman.

R. DUFFY, Secretary.

Melbourne, 18th November, 1937.



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FRIDAY, DECEMBER 3.

[1937

Factories and Shops Acts.

DETERMINATION OF THE GENERAL BOARD.

(Plaster Model Section.)

Adjusted pursuant to Section 21 of the Factories and Shops Act 1934 (No. 4275).

NOTE.—This Determination applies to the whole of the State of Victoria.

I, FRANCIS ANTHONY MARZORINI, in pursuance of the powers contained in the Factories and Shops Acts and in consequence of the provisions contained in a determination made on the 8th October, 1937, by the General Board, and published in the *Government Gazette* on the 25th October, 1937, hereby issue an adjusted determination showing the adjusted wages rates to be paid as from the first pay period to commence in December, 1937, to any person or persons or classes of persons employed in the trade of **manufacturing or preparing plaster models.**

(1)

WAGES PER WEEK OF 44 HOURS.

(a) Improvers.				(b) Other Employees.			
				<i>s. d.</i>			
Under 17 years of age	..	..	..	16	9	Persons engaged in coloring or decorating models	101 0
17 years of age	..	..	..	25	3	Persons engaged in assembling or finning models	
18 " "	..	..	..	33	9	when taken from moulds	82 0
19 " "	..	..	..	45	9	All others	77 0
20 " "	..	..	..	55	9		
<i>Proportion (in any place).</i>							
One improver to every three adult employees.							

(2) PROHIBITION OF EMPLOYMENT.—The Board determines that no person shall be employed as an apprentice.

(3) WEEKLY HOURS.—That the number of hours to constitute an ordinary week's work shall be 44, to be worked as follows:—

On Saturday From 8 a.m. to 12 noon.
On Monday to Friday .. . From 8 a.m. to 12 noon, and from 1 p.m. to 5 p.m.

(4) OVERTIME.—That all time worked outside the times of beginning and ending work prescribed in Clause (3) shall be paid for at the rate of time and a half for the first four hours' work, and double time thereafter. Provided that, in computing overtime, each day's work shall stand alone.

(5) HOLIDAYS AND SUNDAY WORK.—That employees shall be entitled to the following public holidays without deduction of pay:—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, King's Birthday, Labour Day, Anzac Day, Christmas Day, and Boxing Day, or such other day as is generally observed in the locality as a substitute for any of the said days respectively.

Work done on Sunday or on any of the above-mentioned holidays shall be paid for at the rate of double time.

(6) TERMS OF EMPLOYMENT.—(a) That notice equivalent to 44 working hours shall be given on either side to terminate employment. Such notice may be given at any time. This shall not affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty, or misconduct (in which case wages shall be paid up to time of dismissal only), or to deduct payment for any day the employee cannot be usefully employed because of any strike, or through any breakdown of machinery, or any stoppage of work, or any cause for which the employer cannot be reasonably held responsible.

(b) In lieu of such 44 working hours' notice, except in circumstances referred to above, the employer may pay 44 hours wages; and vice versa the employee leaving his employment without notice shall forfeit 44 hours' wages, which may be deducted from any wages due.

(c) Provided that any notice determining the employment solely for the purpose of evading payment for prescribed holidays, and not to determine finally the engagement, shall not deprive the employee of payment for any prescribed holidays occurring or observed between such notice to terminate and the re-engagement, if any.

F. A. MARZORINI,

Secretary for Labour.

Melbourne, 1st December, 1937.

By Authority: H. J. GREEN, Government Printer, Melbourne.

(3) **OVERTIME.**—Any employee who in any week works for any time in excess of 48 hours shall be paid for such extra time at the rate of time and a half.

(4) **SPECIAL RATES.**—Double time shall be the rate payable for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, King's Birthday, Christmas Day, and Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall be payable only for work done on the day so substituted.

(5) **TIME RATE.**—Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall for each hour worked up to 24 hours be paid—

(a) In any week in which two or more Public Holidays occur .. At the ordinary wages rate with an addition of fifty per centum.

(b) In any other week At the ordinary wages rate with an addition of thirty-three and one-third per centum.

and for each hour worked beyond the 24 hours aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

(6) **TERMINATION OF EMPLOYMENT.**—Except where the conduct of an employee justifies instant dismissal, seven days' notice of termination of employment shall be given by either employer or employee, or one week's wages shall be paid or forfeited in lieu thereof. This provision shall only apply in the case of an employee who has been employed continuously for three months or more.

(7) **PAY DAY.**—All wages, overtime, &c., shall be paid not later than Thursday of each week.

(8) **NOTICE TO WORK OVERTIME.**—At least 24 hours' notice shall be given when overtime is required to be worked.

(9) **NOTICE OF INTENTION TO RATION.**—Where an employer owing to slackness of trade desires to ration his employees, he shall give at least one clear working day's notice to each employee of his intention to ration such employee.

(10) **ANNUAL HOLIDAYS.**—Any employee who has been in the service of an employer for a period of not less than twelve months shall be granted one week's holiday (exclusive of the holidays mentioned in clause 4) in respect of each year on full pay.

(11) **SICK PAY.**—Any employee not attending for duty who has had not less than twelve months' service with the same employer shall not lose his pay for the actual time lost if such employee produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the employer that his non-attendance was due to personal ill-health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the grounds of personal ill-health or accident for more than six days in each year commencing from the 1st December.

(12) **MEAL INTERVALS.**—Not less than one hour shall be given for each meal, between the hours of 12 noon and 3 p.m. for lunch, and between the hours of 5 p.m. and 7 p.m. for the evening meal.

Provided that not more than five hours shall be worked without such meal intervals.

DEFINITIONS.

(13) "Departmental manager" shall mean a person having the control of one or more salesmen, 23 years of age or over, notwithstanding he may be under the orders of a general manager.

"Branch manager" shall mean a person for the time being entrusted with the control or superintendence of a branch shop (the proprietor of which is trading under his own or a different name), notwithstanding such manager may be under the orders of a superior who does not devote the whole of his time to the management of the said branch shop.

"Outside salesman" shall mean an employee who regularly solicits or receives orders for goods while absent from the shop where he is employed, whether such goods are kept in stock or have to be procured in order to fulfil such orders.

"Assembler" shall mean an employee 21 years of age or over who is engaged in assembling goods for order and despatch from salesmen's and/or travellers' lists or invoices.

C. MoLEAN, P.M. Chairman.

Geo. E. PARR, Secretary.

Melbourne, 15th November, 1937.