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[1938

Factories and Shops Acts.

DETERMINATION OF THE PLATE GLASS BOARD.

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 25th November, 1937, by the Plate Glass Board, and published in the *Government Gazette* on the 4th December, 1937, hereby issue an adjusted determination showing the adjusted wages rates to be paid, as from the first pay period to commence in June, 1938, to any persons employed in the trade of—

- (a) designing, bevelling, cutting, embossing, glazing, painting, silvering, or otherwise working all kinds of plate, sheet, or stained glass, or glass lenses or prisms;
- (b) fixing in position all kinds of plate, sheet, or stained glass or glass lenses or prisms;
- (c) packing all kinds of plate, sheet, or stained glass, or glass lenses or prisms;

including any labouring work in connexion with any of such operations.

(1)

APPRENTICES AND IMPROVERS.

Apprentices.	Improvers.																								
WAGES PER WEEK OF 44 HOURS.	WAGES PER WEEK OF 44 HOURS.																								
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PROPORTION (BY ANY EMPLOYER).

One apprentice to every three or fraction of three workers receiving not less than the minimum wage.

PROPORTION (BY ANY EMPLOYER).

One improver to every six or fraction of six workers receiving not less than the minimum wage, provided that at least three such workers must be employed before an improver can be employed.

(2)

OTHER EMPLOYEES.

	Wages per Week of 44 Hours.	
	Within 20 Miles of G.P.O., Melbourne, 10 Miles of G.P.O., Geelong, at Warrnambool, and in the Mildura and Gippeland Districts.	Elsewhere in Victoria.
Painter and designer on glass	s. d.	s. d.
Brilliant cutter	108 0	105 0
Other cutters	99 0	96 0
Glazier		
Plate glass beveller	101 0	98 0
Silverer		
Pencil hand embosser	86 0	83 0
Persons assisting in glazing		
Persons packing or unpacking glass	83 0	80 0
Persons assisting plate glass cutter		
Rubber-out embosser	82 0	79 0
Cementor		
Persons turning out lead from mill for lead-light glazier	77 0	74 0
All others		

(3) **RIGHT OF ENTRY OF UNION OFFICIALS.**—For the purpose of interviewing employees on legitimate Union business, a duly accredited Official of the Federated Furnishing Trade Society of Australasia, authorized in writing by the President and Secretary of the Victorian Branch of such Organization, shall have the right to enter during the meal hour, not more than once a fortnight, the portion of any employer's establishment in which any person covered by this Determination is employed; provided that he shall not enter any part of the business premises whereto the employer or his representative may reasonably refuse permission.

If such official is unduly interfering with the employees, or is creating disaffection amongst them, or is offensive in his conduct, an employer or his representative may refuse the right of entry.

(4) **TERMS OF ENGAGEMENT.**—Except as herein in this Determination provided, all employees shall be employed by the week: Employees to become entitled to the weekly wage prescribed by this Determination must be available and ready and willing to perform such work as the employer shall from time to time require on the days and during the hours usually worked by the class of employee affected. Where the majority of the employees of any establishment or of any department of such establishment agree to work part time for any period or to close down for any period on days other than the prescribed holidays, the provisions of the weekly wage shall not apply to any employee of such establishment or department during such periods.

Employment for the first two weeks of service at any time shall be from hour to hour at the weekly rate fixed.

(5) **TEMPORARY WORK.**—(a) Temporary employees shall be paid at the hourly rate prescribed for the particular class of work, with the addition of 10 per cent.

(b) The hourly rate for any work for which a weekly rate is prescribed by this Determination is to be ascertained by dividing the weekly rate by the number of hours which constitute the employee's ordinary working week.

(6) **OVERTIME.**—All time worked before or after the usual times of beginning and ending work, or in excess of eight hours on week days and four hours on Saturdays, shall be paid for at the rate of time and one-half for the first four hours and double time thereafter provided that all time worked between the hours of 9 p.m. and 7 a.m. shall be paid for at double time.

All work done outside the hours of beginning and ending work on any holiday specified in Clause 13 shall be paid for at the rate of double ordinary time.

No person under the age of seventeen years shall be permitted to work more than four hours' overtime in any week.

(7) **TERMINATING EMPLOYMENT.**—Employment to be terminated only by a week's notice on either side, and such notice may be given at any time during the week. This shall not affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty, or misconduct, or to deduct payment for any time the employee cannot be usefully employed because of any strike, or through any breakdown of machinery, or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

An employer shall not terminate the employment of an employee for the purpose of evading payment for the holiday prescribed by this Determination.

Where an employee is dismissed within seven days prior to any such holiday, the re-engagement of such employee within seven days after such holiday shall be prima facie evidence that the employment was terminated for the purpose of evading payment for such holiday.

Where the employer terminates the employment within one week of a day on which a holiday occurs, the employee shall be paid for such holiday or holidays prescribed by this Determination, provided that such employee has been employed by the employer for a period of at least one week prior to the termination of the employment.

Should an employee be dismissed during the course of a week any wages due to him shall be paid to him forthwith, or shall be posted to him within 24 hours.

(8) **PAY DAY.**—All employees shall be paid weekly on any other day than Saturday.

No employer shall hold more than two days' pay in hand.

Any employee kept waiting for his pay on pay day for more than a quarter of an hour after the usual time for ceasing work shall be paid overtime rates after that quarter of an hour and as for a quarter of an hour at least.

(9) **MIDDAY MEAL.**—An interval of not less than 30 minutes shall be allowed for the midday meal between the hours of 12 noon and 2 p.m.

(10) **TEA MONEY.**—All employees required to work beyond the usual time of ending work shall be allowed 2s. tea money in addition to overtime rates as prescribed for in this Determination when the usual time of ending work is exceeded by two hours.

(11) **PIECE-WORK.**—The Board determines under the provisions of the Factories and Shops Act that any employer may fix and pay piece-work prices to any person employed at any work for which the Board has a fixed minimum wage, provided that any such employer shall base such piece-work prices on the earnings of an average worker working under like conditions, and such piece-work prices shall be fixed so that an average worker can earn not less than 10 per centum in addition to the wages rates that are fixed by the Board for such work.

(12) **ALLOWANCES FOR TRAVELLING TIME AND BOARD.**—All time reasonably occupied by an employee in travelling to or from work outside the shop and outside ordinary hours and in travelling to and from work in a country district if engaged in the metropolitan district for employment in a country district, shall be treated as time of duty and paid for at ordinary rates up to a maximum of eight hours for the journey, except on Sundays when time and a half rates shall be paid up to a maximum of eight hours for the journey. Provided that, where an employee proceeds direct from his or her home to a job outside the factory, he or she shall be paid for all time reasonably occupied in travelling to the job in excess of the time usually taken to go from his or her home to the factory.

All fares and reasonable travelling expenses incurred by an employee in such travelling, including the cost (if any) incurred for meals—together with the reasonable cost of board and lodging if the employee has to be away from his home for a night—shall be paid to the employee.

The fares allowed shall be first class where the employee has to travel all night in connexion with his employer's business, and in other cases the fares shall be second class.

The foregoing travelling and accommodation allowances shall be paid additional to the usual rates for the time employees are working.

When it is more convenient for the employee to go direct to the job from his home he shall do so, and start and cease work at the usual times customary at the factory, provided that any extra expense incurred by him in travelling shall be borne by the employer.

(13) **HOLIDAYS.**—All weekly wage employees shall be granted the following holidays without deduction of pay:—The days observed as New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, and Boxing Day.

All employees working on piece-work or task-work shall be granted the same holidays as are granted to weekly wage workers, and they shall, subject as hereinafter provided, be paid for such holidays the amount for each holiday based on the minimum weekly wage as set out in this Determination for the class of work performed.

If any of the above holidays occur on a Sunday or Saturday and are not observed on any other day, then employees shall not be paid for such Sunday, and shall be paid for such Saturday as for a half-day but not otherwise.

All other weekly employees shall be paid for the above holidays an amount for each holiday based on the actual weekly wages paid to them by the employer.

Any employee absenting himself or herself from work on any portion of the working day preceding a holiday provided for herein other than Boxing Day and New Year's Day without permission from the employer or without having reasonable cause for having absented himself or herself from work shall not be entitled to payment for such holiday.

(14) SICKNESS, ACCIDENTS.—Any employee not attending duty shall lose his or her pay for the actual time of non-attendance unless he or she produces or forwards within 24 hours of the beginning of his or her absence evidence satisfactory to the management that his or her non-attendance was due to personal accident arising out of or in the course of his or her employment or to personal ill-health sufficient to incapacitate him or her for his or her usual work.

An employee shall not be entitled to payment for non-attendance on the ground of accident or ill-health for more than six days in each year.

For the purpose of this clause a year shall mean a period of twelve months commencing on the 17th day of August in each year.

(15) SPECIAL RATES.—Double time shall be the rate for all work done on Sundays, New Year's Day, Australia Day (26th January), Good Friday, Labour Day (21st April), Easter Monday, Anzac Day, King's Birthday, Boxing Day, or Christmas 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 only be payable for work done on the day so substituted.

F. A. MARZORINI,
Secretary for Labour.

Melbourne, 14th May, 1938.

