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[1938

Factories and Shops Acts.

DETERMINATION OF THE GENERAL BOARD.

(Chalk and Crayon 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.

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 26th November, 1937, by the General Board, and published in the *Government Gazette* on the 8th December, 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 September, 1938, to any person or persons or classes of persons employed in manufacturing or preparing chalk, crayons, or other articles from mineral earth.

(1) WAGES PER WEEK OF 44 HOURS.

| (a) Improvers. | | | | (b) Other Employees. | | | |
|-----------------------|----|----------|----------------------------|----------------------|---|--|-------|
| Males. | | Females. | | | | | |
| | s. | d. | | | | | s. d. |
| 1st year's experience | 16 | 0 | 1st six months' experience | 13 | 0 | Grinding mill attendant | 82 0 |
| 2nd " | 22 | 6 | 2nd " | 16 | 0 | Person engaged in testing and/or checking formulæ .. | 88 0 |
| 3rd " | 31 | 3 | 3rd " | 19 | 0 | Person in charge of mixing ingredients and making | |
| 4th " | 41 | 9 | 4th " | 22 | 0 | chalks from given formulæ | 83 0 |
| 5th " | 53 | 6 | 5th " | 25 | 0 | Persons not otherwise provided for— | |
| 6th " | 61 | 9 | 6th " | 28 | 6 | Males | 78 0 |
| 7th " | 66 | 0 | 7th " | 31 | 6 | Females | 42 0 |
| | | | 8th " | 35 | 6 | | |

and thereafter the minimum wage.

Proportion.

Three male improvers to each male person receiving not less than the minimum wage.
Three female improvers to each female person receiving not less than the minimum wage.

(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.

(4) TIMES OF BEGINNING AND ENDING WORK.—That the times of beginning and ending work shall be:—

| Time of Beginning (not earlier than). | | | Time of Ending (not later than). | | |
|---------------------------------------|----|----|----------------------------------|----|--|
| 7.30 a.m. . . | .. | .. | .. | .. | 12 noon on Saturday. |
| 7.30 a.m. . . | .. | .. | .. | .. | 5.30 p.m. on the other working days of the week. |

(5) OVERTIME.—That all time worked—

- (a) Outside the times of beginning and ending work prescribed in clause (4); or
- (b) Within such prescribed times, but in excess of 44 hours in any one week—

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.

(6) **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.

(7) **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.

(8) **REST PERIOD FOR FEMALES.**—Females shall be allowed, each morning, an interval of ten minutes for rest, such interval to count as part of time worked.

F. A. MARZORINI,
Secretary for Labour.

Melbourne, 23rd August, 1938.