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[1938

Factories and Shops Acts.

COMMERCIAL CLERKS BOARD.

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

DETERMINATION OF THE COURT OF INDUSTRIAL APPEALS.

As altered by the above-mentioned Board and 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 16th August, 1937, by the Court of Industrial Appeals, and published in the *Government Gazette* on the 30th August, 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 (other than persons employed by any banking company, insurance company, trustee company, barrister or solicitor, but including persons employed in his practice by a barrister and solicitor as a typewriter or stenographer) employed in connexion with some trade or business as a clerk, collecting clerk, time-keeping clerk, despatch clerk, store clerk, weighing clerk, cashier, typewriter, stenographer, or bookkeeper.

(1) WAGES PER WEEK OF 46 HOURS IN RETAIL SHOPS, AND 43 HOURS IN ALL OTHER PLACES.

APPRENTICES OR IMPROVERS.

MALES.						FEMALES.			
Experience.	Commencing Age.					Experience.	Apprentices.	Improvers.	
	Under 16 Years.	16 Years.	17 Years.	18 Years.	19 Years or Over.			Typists or Stenographers.	All other Improvers.
	s. d.	s. d.	s. d.	s. d.	s. d.			s. d.	s. d.
1st year—						1st year ..	17 3	23 3	17 3
1st six months ..	17 3	17 3	17 3	17 3	23 3	2nd year ..	21 6	27 6	21 6
2nd six months ..	17 3	17 3	20 6	23 9	28 6	3rd year ..	27 6	33 6	27 6
2nd year ..	23 3	23 3	28 6	35 6	39 9	4th year ..	35 6	39 9	35 6
3rd year ..	28 6	30 6	41 6	47 9	52 9	5th year, and until 21 years of age	43 9	46 9	43 9
4th year—									
1st six months ..	37 9	43 9	47 9	61 0	73 3				
2nd six months ..	37 9	43 9	61 0	62 0	73 3				
5th year—									
1st six months ..	60 9	55 0	72 3	76 6	..				
2nd six months ..	61 9	70 0	72 3	76 6	..				
6th year ..	69 0	76 6	..	..	..	
And until 21 years of age ..	72 3	..	..	..	..

PROPORTION (in any place).

APPRENTICES.

One apprentice to every two or fraction of two workers receiving not less than the minimum wage. An indenture of apprenticeship prescribed by the Board was approved on 13th February, 1924.

IMPROVERS.

One improver to one or two
Two improvers to three or four
Three improvers to five or six
And thereafter one improver to every three or fraction of three } Workers receiving not less than the minimum wage.

JUVENILE WORKERS OTHER THAN APPRENTICES AND IMPROVERS.

In cases where only one person coming within the scope of this Determination is employed, and such person is under 21 years of age, and in cases where a person is employed in connexion with copying work for a Directory, and such person is under 21 years of age, the lowest rate of wages per week to be paid to such person in either of such cases shall be the rate fixed for an improver, male or female (as the case may be), of the like experience.

OTHER EMPLOYEES.

WAGES PER WEEK OF 46 HOURS IN RETAIL SHOPS, AND 43 HOURS IN ALL OTHER PLACES.

	Within the Metropolitan District as defined in the Factories and Shops Acts and Order in Council thereunder.		Within the Cities of Ballarat, Bendigo, Geelong, Geelong West and Warrnambool, and such portion of the City of Sandringham as is not included in the Metropolitan District; the Town of Newtown and Chilwell; and the Boroughs of Eaglehawk and Sebastopol.		All other Parts of Victoria where this Determination Applies.	
	Males.	Females.	Males.	Females.	Males.	Females.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Stenographers, typistes, or operators of comptometers, or ledger-keeping machines .. .. .	..	57 6	..	53 3	..	49 0
All other adults	90 0	55 0	87 0	51 9	84 6	49 0

(2) **TIMES OF BEGINNING AND ENDING WORK.**

	Time of Beginning Work.	Time of Ending Work.
On the usual weekly half holiday	8 a.m.	1 p.m.
On all other days of the week	8 a.m.	6.15 p.m.

Provided that for clerks employed in retail shops the time of beginning and ending work on the day on which the usual late trading night is observed or the day immediately preceding a public holiday shall be:—

Time of Beginning Work.	Time of Ending Work.
9 a.m.	9 p.m.

(3) **OVERTIME.**

- (a) Within the hours fixed in clause (2) in excess of the hours fixed for an ordinary week's work ..
 - (b) Outside the hours fixed in clause (2)
- } Time and a half.

(4) **TERMS OF ENGAGEMENT.**

All employees (other than casuals) shall be paid the full weekly wage fixed herein irrespective of the number of hours worked not exceeding 46 in retail shops or 43 in any other place.

(5) **CASUAL LABOUR.**

Casual hands, i.e., persons who are employed during any week for not more than one-half of the maximum number of hours fixed in this Determination as a week's work, shall be paid at the rate of time and a half on the hourly rate calculating *pro rata* by dividing the weekly rate by the number of hours fixed for a week's work.

(6) **SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS.**

The special rate to be paid to a clerk or cashier employed in hotel, guest house, boarding house, coffee palace, or restaurant shall be at the rate of time and a half, and the special rate to be paid to any other persons shall be the rate of double time for all work done on Sundays, New Year's Day, Australia Day (26th January), Good Friday, Easter Monday, Labour Day (21st April) (within the Metropolitan District as defined in the Factories and Shops Acts and Order in Council thereunder, and the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool, and such portion of the city of Sandringham as is not included in the Metropolitan District; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol), Anzac Day, King's Birthday, Melbourne Cup Day (within the said Metropolitan District except in establishments where employees other than clerks are employed and such employees do not observe Cup Day as a holiday), 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 only be payable for work done on the day so substituted.

Provided that this clause shall not apply to:—

Receiving clerks or punch or fare checking clerks, outfit clerks, roster clerks, or other clerks in lieu of or in substitution for any such clerks in connexion with the traffic operations of tramways or employed in tramway sheds or tramway offices; or

Counter clerks, entering clerks, cashiers, label or despatch clerks employed in daily newspaper offices.

(7) **ANNUAL HOLIDAYS.**

Any employee who has been in the service of the same employer for a period of not less than twelve months shall be granted one week's holiday on full pay in each year (exclusive of the holidays specified in clause (6)), and such holidays shall be given within three months of completion of each twelve months' service. Should an employee's services be terminated before the expiration of twelve months' service he shall be entitled to *pro rata* holidays on full pay.

(8) **HOLIDAYS AND SICK LEAVE.**

No deduction shall be made from the wages of employees granted leave for the holidays specified in clause (6) or for unavoidable absence through illness for not more than six days in any year.

(9) **TIME AND WAGES RECORDS.**

Each employer shall keep time and wages records showing the name of each employee, the hours worked each day, and the wages and overtime paid each week. The time and wages record shall be open for inspection to a duly accredited official of the Federated Clerks Union of Australia during the usual office hours at the employer's office, or other convenient place, provided that only one demand for such inspection shall be made at the same establishment in any one fortnight, and such demand shall not be made unless the Secretary of the Union suspects that a breach of this Determination has been committed.

F. A. MARZORINI,
Secretary for Labour.

Melbourne, 16th August, 1938.