



VICTORIA GOVERNMENT GAZETTE.

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THURSDAY, OCTOBER 6.

[1938

Factories and Shops Acts.

DETERMINATION OF THE GENERAL BOARD.

(Flax Treating Section.)

NOTES.—(a) This Determination applies to the whole of the State of Victoria.

(b) On 18th July, 1938, by Order in Council, the following additional trades and branches of trades were specified to be trades, or branches of trades, for the purposes of section (6) of the *Factories and Shops Act 1936*, that is to say:—

- Gold beating.
- Ornamenting cakes, where such work is not subject to the Determination of the Pastrycooks Board.
- Manufacturing or preparing—
 - Designs for paper patterns or for other paper articles whatsoever.
 - Paper crackers or bon-bons.
 - Lampshades of all types other than those made of silk, parchment, glass, metal, porcelain, earthenware, synthetic resin, casein, or other substance of a nature similar to synthetic resin or casein.
 - Abrasive articles (other than abrasive paper or cloth), including carborundum wheels, emery wheels, and sharpening stones.
 - Articles made of feathers, including dress ornaments and boas.
 - Vinegar and yeast.

IN accordance with the provisions of the *Factories and Shops Acts*, the Wages Board appointed "to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the following trades and branches of trades that is to say:—

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| <ul style="list-style-type: none"> Renovating carpets; Preparing feathers; Treating flax; Treating pyrites and other metalliferous ores; Mixing seed and making poultry foods; Glass badging; Gold stamping; Ivory working; Show-card and ticket-writing; Manufacturing or preparing— <ul style="list-style-type: none"> Abrasive paper or cloth; Asbestos articles; Blue prints; Buttons and buckles other than those subject to the Determination of the Plastic Moulding Board; Button badges; Carbon articles; Chalk, crayons, or other articles from mineral earth; | <ul style="list-style-type: none"> Cinematograph film; Composition flooring; Cutlery; Artificial flowers and bouquets; Paper articles not subject to any Board heretofore appointed; Honey; Ink or adhesives; Lead and shot; Silk or parchment lamp shades; Mica products; Fishing and other nets; Ornaments for cakes; Plaster models; Sporting goods not provided for under any Board heretofore appointed; Surgical instruments; Toys; Watch cases" |
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has made, in respect of the **Treating of Flax**, the following Determination, namely:—

(1) That, on 3rd October, 1938, the adjusted Determination for this Section, which came into force as from the beginning of the first pay period to commence in September, 1938, shall be revoked and replaced by this Determination.

(2) **WAGES PER WEEK OF 44 HOURS (a) (DAY SHIFT).**

(i) Improvers.	(ii) Other Employees.															
<p style="text-align: center;">s. d.</p> <p>Under 17 years of age 20 3</p> <p>17 years of age 25 6</p> <p>18 " " 34 3</p> <p>19 " " 46 6</p> <p>20 " " 56 6</p>	<p style="font-size: small;">Within a Radius of 20 Miles of G.P.O., Melbourne; 10 Miles of G.P.O., Geelong; at Warrnambool, and within Mildura and Gippsland District.</p> <p style="font-size: small;">Other Parts of Victoria where this Determination Applies.</p>															
<p>PROPORTION (in any place).</p> <p>One improver to each adult employee.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"></th> <th style="width: 20%; text-align: center;">£ s. d.</th> <th style="width: 50%; text-align: center;">£ s. d.</th> </tr> </thead> <tbody> <tr> <td>Foreman in charge</td> <td style="text-align: center;">4 10 0</td> <td style="text-align: center;">4 7 0</td> </tr> <tr> <td>Scutcher (hand)</td> <td style="text-align: center;">4 4 0</td> <td style="text-align: center;">4 1 0</td> </tr> <tr> <td>Scutcher (machine)</td> <td style="text-align: center;">4 1 0</td> <td style="text-align: center;">3 18 0</td> </tr> <tr> <td>All others</td> <td style="text-align: center;">3 18 0</td> <td style="text-align: center;">3 15 0</td> </tr> </tbody> </table>		£ s. d.	£ s. d.	Foreman in charge	4 10 0	4 7 0	Scutcher (hand)	4 4 0	4 1 0	Scutcher (machine)	4 1 0	3 18 0	All others	3 18 0	3 15 0
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(b) **NIGHT SHIFT.**—Any employee working on night shift shall be paid 5s. per week in addition to the above rates.

- (3) PROHIBITION OF EMPLOYMENT.—The Board determines that no person shall be employed as an apprentice.
- (4) WEEKLY HOURS.—That the number of hours to constitute an ordinary week's work shall be 44.
- (5) TIMES OF BEGINNING AND ENDING WORK (DAY SHIFT).—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.

- (6) OVERTIME (DAY SHIFT).—That all time worked—
 - (a) Outside the times of beginning and ending work prescribed in clause (5); 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.

- (7) HOURS AND SPECIAL CONDITIONS FOR NIGHT SHIFT.—(a) The hours of work on night shift shall be 44 per week.
 (b) An employee transferred from day work to night work shall be guaranteed his position on day work after he has completed his work on the night shift.
 (c) A night shift shall be deemed to be any shift where the majority of the hours of the shift are worked outside the ordinary hours of day work.
 (d) No improver under the age of 18 years shall be required to work at night.
 (e) No female employee shall be employed on night shift.
 (f) The employment on night shifts of adult workers who are not eligible for transfer to day work may be terminated by 24 hours' notice on either side.
 (g) The employment of male improvers between 18 and 21 years of age on night shift may be terminated without notice.
 (h) For work done outside the recognized hours of duty in any establishment on night shift, overtime shall be paid, after 44 hours have been worked, at the rate of time and a half for the first four hours and double time thereafter.

(8) HOLIDAYS.—(a) All employees, whether in a city or elsewhere, shall be granted the following holidays without deduction of pay:—The days observed as New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, and Boxing Day.

(b) If any of the above holidays occurs on a Sunday or Saturday and is 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 only when the working week consists of five and a half days.

(c) All employees, whether in a city or elsewhere, shall be paid for the above holidays an amount for each holiday based on the actual weekly wage paid to them by the employer.

(d) Any employee absenting himself or herself from work on any portion of the working day preceding, or any portion of the working day succeeding 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.

(e) Any employee who is employed on a Sunday or any holiday provided for herein shall be paid for that day at the rate of time and a half in addition to his or her weekly wage.

(9) 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.

(10) MARGINAL RATES.—In addition to the current basic wage the margins set out in this clause, plus 6s., shall be the minimum rate payable to employees therein named:—

	Per Week.	
	s.	d.
Foreman in charge of factory	12	0
Scutcher (hand)	6	0
Scutcher (machine)	3	0

(11) PERIODICAL ADJUSTMENT OF WAGES.—The wages rates set out in clause 2 (ii) are based upon the following basic wage rates and, pursuant to the provisions of section 21 of the *Factories and Shops Act 1934*, the Board determines that such rates shall be automatically increased or decreased by the same amount, and at the same time as such basic wage rates.

Provided that the wages of improvers shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded.

The basic wage rates shown hereunder shall be adjusted as prescribed in clause 12.

Basic Wage.

Place.	Basic Wage.	Index Number Set Assigned.
Victoria—	£ s. d.	
Within 20 miles of G.P.O., Melbourne, 10 miles of G.P.O., Geelong, at Warrnambool, and within Mildura and Gippsland Districts	3 12 0	Melbourne
Elsewhere—3s. less than the contemporaneous basic wage for Melbourne.		

(12) ADJUSTMENT OF BASIC WAGE.—(a) Until the beginning of the first pay period to commence in December, 1938, the amounts of the basic wage shall be as prescribed in clause 11.

(b) During each future successive period beginning with the first pay period to commence in a December, a March, a June, or a September, the amounts of the basic wage shall be adjusted by the following method according to the position and fluctuations (if any) of the Commonwealth Statistician's "All Items" retail price index numbers.

For the purposes of this Determination the expression "Commonwealth Statistician's retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician:—

- (1) The index number set to be applied to a place is that assigned thereto in clause 11.
- (2) The index number for the calendar quarter next preceding the period of thirteen weeks for which the adjustment is made is to be ascertained.
- (3) The amount assigned in the following table (or in any extension thereof) to the index number division comprising that number is to be ascertained.
- (4) The basic wage shall be of that assigned amount during such successive period.

Table.

Index Number Divisions.	Basic Wage.	Index Number Divisions.	Basic Wage.
	£ s. d.		£ s. d.
735-746	3 0 0	834-845	3 8 0
747-759	3 1 0	846-858	3 9 0
760-771	3 2 0	859-870	3 10 0
772-783	3 3 0	871-882	3 11 0
784-796	3 4 0	883-895	3 12 0
797-808	3 5 0	896-907	3 13 0
809-820	3 6 0	908-919	3 14 0
821-833	3 7 0	920-932	3 15 0

D. GRANT, Chairman.

REX L. CECIL, Secretary.

Melbourne, 16th September, 1938.

