



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 366]

TUESDAY, DECEMBER 13.

[1938

Factories and Shops Acts.

DETERMINATION OF THE COMMERCIAL CLERKS BOARD.

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

IN accordance with the provisions of the Factories and Shops Acts the Wages Board which since the 21st day of November, 1938, has had the power "to determine the lowest prices or rates which may be paid 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 or 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, bookkeeper or telephone switchboard attendant," has made the following Determination, namely:—

(1) That on the 13th December, 1938, the adjusted Determination 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) APPRENTICES OR IMPROVERS.

| MALES. Wages per Week. | | | | | FEMALES. Wages per Week. | | | |
|--|-----------------|--------------|--------------|-------------------|-----------------------------|--------------|---------------------------|----------------------|
| Experience. | Commencing Age. | | | | Experience. | Apprentices. | Improvers. | |
| | Under 16 Years. | 16 Years. | 17 Years. | 18 Years or Over. | | | Typists or Stenographers. | All Other Improvers. |
| | <i>s. d.</i> | <i>s. d.</i> | <i>s. d.</i> | <i>s. d.</i> | | <i>s. d.</i> | <i>s. d.</i> | <i>s. d.</i> |
| 1st year | 19 0 | 19 0 | 21 0 | 22 6 | 1st year | 19 0 | 25 0 | 19 0 |
| 2nd year | 25 0 | 25 0 | 30 0 | 36 0 | 2nd year | 22 6 | 28 6 | 22 6 |
| 3rd year | 30 0 | 32 0 | 42 6 | 48 6 | 3rd year | 29 0 | 35 0 | 29 0 |
| 4th year— | | | | | 4th year | 36 0 | 40 6 | 36 0 |
| 1st six months .. | 39 6 | 44 3 | 50 0 | 61 9 | 5th year and until 21 | | | |
| 2nd six months .. | 39 6 | 44 3 | 61 9 | 62 9 | years of age .. | 44 3 | 47 6 | 44 3 |
| 5th year— | | | | | | | | |
| 1st six months .. | 53 0 | 55 0 | 73 3 | 77 6 | | | | |
| 2nd six months .. | 53 0 | 71 0 | 73 3 | 77 6 | | | | |
| 6th year and until 21 years of age | 73 3 | 77 6 | .. | .. | | | | |

PROPORTION (in any place).

| APPRENTICES. | IMPROVERS. |
|---|---|
| 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. | 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 minimum wage. |

JUVENILE WORKERS OTHER THAN APPRENTICES AND IMPROVERS.

(a) 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 to an improver, male or female (as the case may be), of the like experience.

(b) Female employees under the age of 21 years (other than apprentices or improvers) employed as telephone switchboard attendants.

| | | | | | Wages per Week. | |
|------------------------------------|----|----|----|----|-----------------|---|
| | | | | | s. d. | |
| 1st year | .. | .. | .. | .. | 20 | 6 |
| 2nd year | .. | .. | .. | .. | 24 | 0 |
| 3rd year | .. | .. | .. | .. | 30 | 6 |
| 4th year | .. | .. | .. | .. | 37 | 6 |
| 5th year and until 21 years of age | .. | .. | .. | .. | 45 | 9 |

OTHER EMPLOYEES.

WAGES PER WEEK.

| | Within the Metropolitan District. | | 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 calculating, or ledger-keeping machines | .. | 58 6 | .. | 54 0 | .. | 49 9 |
| Telephone switchboard attendants | .. | 57 3 | .. | 54 0 | .. | 49 9 |
| All other adults | 91 0 | 55 9 | 88 0 | 52 6 | 85 6 | 49 9 |

(3) WEEKLY HOURS.—The number of hours to constitute an ordinary week's work shall be—

- (a) 48 hours in retail shops within the Metropolitan District;
- (b) 45 hours in retail shops outside the Metropolitan District;
- (c) 42 hours in all other places.

(4) OVERTIME.—(a) Time worked in excess of the number of hours fixed for an ordinary week's work as defined in clause (3) shall be paid at the rate of time and a half.

(b) Time worked in retail shops in the Metropolitan District after 8 p.m. from Monday to Thursday, and after 9 p.m. on Friday, shall be paid at the rate of time and a half.

(c) The minimum period for which an employee shall be paid overtime shall be one-half hour per week.

(5) 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 in the Metropolitan District, 45 in retail shops outside the Metropolitan District, or 42 in any other place. The provisions of this clause shall not apply in any instance where an employee is dismissed for misconduct.

(6) 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 the 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.

(7) 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 Saturday (except in localities in which the late trading night is observed on Saturday), Easter Monday, Labour Day (21st April) (within the Metropolitan District 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 the majority of 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.

(8) 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 holidays on full pay for a period of nine consecutive working days in each year (exclusive of the holidays specified in clause (7), 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; but should an employee be dismissed at any time for misconduct before the expiration of any period of twelve months of such employment, he shall not be entitled to any annual leave or any *pro rata* payment in lieu thereof.

(9) HOLIDAYS AND SICK LEAVE.—No deduction shall be made from the wages of employees granted leave for the holidays specified in clause (7) or for unavoidable absence through illness for not more than six days in any year.

(10) 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.

(11) MEAL ALLOWANCE.—Any employee who is required to work after the usual finishing hour of work beyond one hour, shall be paid a meal allowance of 2s. This provision shall apply to the Metropolitan District only.

(12) REST PERIOD.—An interval of ten minutes each day shall be allowed for all employees—such interval to be counted as part of time worked.

(13) DEFINITION.—The expression "Metropolitan District" wherever occurring herein, shall be deemed to mean the Metropolitan District as defined in the Factories and Shops Acts or any Order in Council made thereunder.

(14) PERIODICAL ADJUSTMENT OF WAGES.—The wages rates set out in clause (2) are based upon the following basic wage, and pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Act 1934*, this Board hereby determines that the rates for male adults shall be automatically increased or decreased by the same amount, and at the same time as such basic wage, provided that the wages of female adults, apprentices, improvers, and juvenile workers shall be adjusted proportionately to adjustments of the basic wage—such adjustments to be made to the nearest 3d.

The basic wage shown hereunder shall be adjusted as prescribed in clause (15).

Basic Wage.

| Place. | Basic Wage. | Index Number Set Assigned. |
|---|-------------|----------------------------|
| | £ s. d. | |
| Within the area to which this Determination applies | 3 13 0 | Melbourne |

(15) ADJUSTMENT OF BASIC WAGE.—(a) Until the 13th March, 1939, the amount of the basic wage shall be as prescribed in clause (14).

(b) During each future successive period beginning on the 13th March, the 13th June, the 13th September, or the 13th December, the amount 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 is that assigned to Melbourne.
- (2) The index number for the calendar quarter next preceding the period of thirteen weeks for which the adjustment is made 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 | 871-882 | 3 11 0 |
| 747-759 | 3 1 0 | 883-895 | 3 12 0 |
| 760-771 | 3 2 0 | 896-907 | 3 13 0 |
| 772-783 | 3 3 0 | 908-919 | 3 14 0 |
| 784-796 | 3 4 0 | 920-932 | 3 15 0 |
| 797-808 | 3 5 0 | 933-944 | 3 16 0 |
| 809-820 | 3 6 0 | 945-956 | 3 17 0 |
| 821-833 | 3 7 0 | 957-969 | 3 18 0 |
| 834-845 | 3 8 0 | 970-981 | 3 19 0 |
| 846-858 | 3 9 0 | 982-993 | 4 0 0 |
| 859-870 | 3 10 0 | | |

A. C. TINGATE, P.M., Chairman.

W. J. WHEELLOCK, Secretary.

Melbourne, 29th November, 1938.

