



# VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 85]

TUESDAY, APRIL 12.

[1938

Factories and Shops Acts.

## DETERMINATION OF THE OVENMAKERS BOARD.

NOTE.—This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder; such portions of the City of Sandringham as are not included within the said Metropolitan District; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

IN accordance with the provisions of the Factories and Shops Acts the Wages Board which since the 19th October, 1936, 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 moulders) wheresoever employed:—

(a) in the process, trade, or business of a maker of ovens, stoves, or ranges, or parts thereof;

(b) in the process, trade, or business of vitreous enamelling ovens, stoves, or ranges, or parts thereof—

has made the following Determination, namely:—

(1) That on the 16th April, 1938, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

APPRENTICES OR IMPROVERS.				JUNIORS, i.e., persons under 21 years of age (other than apprentices or improvers).			
		Wages per Week of 44 Hours.				Wages per Week of 44 Hours.	
		Weekly Engagement.	Hourly Hiring.*			Weekly Engagement.	Hourly Hiring.*
<i>Males.</i>		<i>s. d.</i>	<i>s. d.</i>	<i>Males.</i>		<i>s. d.</i>	<i>s. d.</i>
1st year's experience	.. ..	15 6	16 8	(a) In blacksmithing, bull-doing, and work associated therewith; furnace work and heating—	.. ..		
2nd "	" "	22 3	23 9	Under 16 years of age	.. ..	17 0	18 3
3rd "	" "	30 6	32 7	16 and under 17 years of age	.. ..	25 0	26 8
4th "	" "	41 3	44 1	17 " " 18 " "	.. ..	44 0	47 0
5th "	" "	52 6	56 1	18 " " 19 " "	.. ..	55 9	59 6
6th "	" "	65 0	69 5	19 " " 21 " "	.. ..	67 0	71 6
<i>Females.</i>				(b) In all occupations except blacksmithing, bull-doing, and work associated therewith; furnace work and heating—	.. ..		
1st year's experience	.. ..	14 0	15 0	1st year's experience	.. ..	15 6	16 8
2nd "	" "	18 9	20 1	2nd "	" "	22 3	23 9
3rd "	" "	28 0	29 11	3rd "	" "	30 6	32 7
4th "	" "	35 3	37 8	4th "	" "	41 3	44 1
5th "	" "	40 3	43 0	5th "	" "	52 6	56 1
Thereafter until reaching the age of 21 years	.. ..	45 0	48 0	6th "	" "	65 0	69 5
<i>PROPORTION (in any Place).</i>				<i>Females.</i>			
<i>Apprentices.</i>				1st year's experience	.. ..	14 0	15 0
One apprentice to every three or fraction of three workers of the same sex receiving not less than the minimum wage.				2nd "	" "	18 9	20 1
<i>Improvers.</i>				3rd "	" "	28 0	29 11
One improver to every two or fraction of two workers of the same sex receiving not less than the minimum wage.				4th "	" "	35 3	37 8
				5th "	" "	40 3	43 0
				Thereafter until reaching the age of 21 years	.. ..	45 0	48 0

\* See Clause (8) (b) re Hourly Hiring.

(2)

## OTHER EMPLOYEES (INCLUDING REPAIRERS).

		Wages per Week of 44 Hours. Weekly Engagement.	
		s. d.	s. d.
If of less than twelve months' experience	.. .. .	47	9
If of twelve months' experience or more	.. .. .	54	0

(4) HOURS OF EMPLOYMENT.—The ordinary hours of employment shall be 44 per week to be worked (except as to shift workers) between the hours of 7 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 7 a.m. to noon on Saturday. Provided that the spread of hours herein prescribed may be altered by mutual agreement between an employer and his employees, and also that the weekly hours may be worked in five days.

(5) OVERTIME.—(a) For all work done outside ordinary hours the rate of wage shall be time and a half for the first four hours, and double time thereafter.

(b) In computing overtime each day's work shall stand alone.

(c) An employee recalled after leaving his workshop to work overtime shall be paid for a minimum of three hours work at the appropriate rate.

(d) An employee occasionally required to hold himself in readiness to work after ordinary hours shall until released be paid standing-by time at ordinary rates from the time from which he is told to hold himself in readiness. Any custom now prevailing under which an employee is required regularly to hold himself in readiness for a call back shall continue.

(e) An employee (other than on shift) who has worked up to or beyond midnight shall not be bound to continue work on the following day.

(f) For all work done during meal hours and thereafter until a meal hour break is allowed time and a half rate shall be paid. An employee shall not be compelled to work for more than six hours without a break for a meal.

(g) An employee working overtime shall be allowed a crib time of 20 minutes without deduction of pay after each four hours of work, but this provision shall not prevent any arrangement being made for the taking of a longer meal period without pay.

(h) Before starting overtime after working ordinary hours, a meal break of at least 45 minutes shall be allowed, unless the period of overtime is less than one and a half hours. An employee and his employer may mutually agree to any variation of this sub-clause to meet the circumstances of the work in hand.

(i) An employee required to work overtime for more than two hours without being notified the day before that he will be required so to work shall either be supplied with a meal by the employer or paid 1s. 6d., or if work extends into a second meal hour 2s. 6d. for the two meals, but such payment need not be made to employees living in the same locality as their workshop who can reasonably return home for meals.

If an employee pursuant to notice has provided a meal or meals, and is not required to work overtime, he shall be paid for each meal so provided.

(j) Subject to the provisions of the second part of sub-clause (f) of this clause an employee shall work during meal breaks at the ordinary rates herein prescribed whenever instructed so to do for the purpose of making good break down of plant or upon routine maintenance of plant which can only be done while such plant is idle.

(k) When an employee working overtime finishes work at a time when reasonable means of transport is not available, the employer shall provide him with a conveyance or pay him ordinary wage rates for the time occupied in reaching his home.

(6) SHIFT WORK.—For any afternoon or night shift, which has been in operation for five nights consecutively, and for less than one month 10 per cent. more than ordinary rates shall be paid and after such shifts have continued for more than one month 5 per cent. more than ordinary rates shall be paid. Shifts which do not continue for five successive nights shall be regarded as overtime.

(7) SPECIAL RATES.—Double time shall be the rate for all work done on Sunday, New Year's Day, 26th January (Australia Day), Good Friday, Easter Monday, Labour Day (21st April), King's Birthday, Christmas Day, or 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.

(8) CONTRACT OF EMPLOYMENT.—(a) With the exceptions hereinafter stated, employment may be by the week or by the hour. If by the week it shall be terminable on either side by one week's notice given on any day or (if the employer terminate it without notice) by payment of one week's wages.

A contract for weekly employment may be terminated by any employer, without liability to pay for more than time actually worked, for misconduct or for absence from work without reasonable excuse. If any employee engaged by the week absents himself from duty, except on public holidays or for days for which he produces a certificate from a medical practitioner, or other proof satisfactory to his employer, of sickness (aggregating four days' sickness in each year), a sum proportionate to his time of absence may be deducted from his pay, i.e., one-sixth of the weekly wage for each day of absence, including Saturday in shops working six days, and one-fifth in shops working five days per week; provided that only time actually lost shall be deducted when an employee is absent with leave on a Saturday.

(b) If the contract of employment is for hourly hiring the total amount of the rates prescribed for males, in clause (3) hereof, shall be increased by 5s. per week, but such amount shall not be taken into account in computing overtime, Sunday, and holiday rates.

(c) An employee starting work on hourly hiring shall be entitled to a minimum of four consecutive hours work or to four hours' pay for the job—such hours may be deemed to be consecutive if worked in ordinary hours at the end of a day and the beginning of the next succeeding day.

(9) **PIECEWORK.**—The Board determines under the provisions of section 150 of the *Factories and Shops Act 1928* (No. 3677) that any employer may fix and pay piecework prices to any person employed in the process, trade, or business of a maker of ovens, stoves, or ranges or parts thereof; or in the process, trade, or business of vitreous enamelling ovens, stoves, or ranges or parts thereof, provided that such employer shall base such piecework prices on the earnings of an average worker working under like conditions, and such piecework prices shall be fixed so that an average worker can earn not less than the wages rate fixed by the Board for such work.

D. GRANT, Chairman

E. G. WILLIAMS, Secretary.

Melbourne, 1st April, 1938.

