



VICTORIA GOVERNMENT GAZETTE.

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[1939

Factories and Shops Acts.

DETERMINATION OF THE CYCLE TRADE BOARD.

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

(b) RE APPRENTICES OR IMPROVERS.—On the 5th March, 1930, the trade of motor cycle mechanic was proclaimed an Apprenticeship Trade under the Apprenticeship Act 1927, and, so far as the Metropolitan District is concerned, the provisions of that Act and the Regulations thereunder determine the conditions of employment of apprentices indentured after 5th March, 1930, and of improvers permitted to enter the trade after 20th November, 1929.

These provisions, however, do not affect indentures of apprenticeship entered into before 5th March, 1930, or improvers employed prior to 20th November, 1929.

Particulars of such Regulations may be obtained on application to the Secretary, Apprenticeship Commission, Gisborne-street, Melbourne. Price, 3d.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which, since 15th November, 1937, has had the power "to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in any process, trade, or business connected with or incidental to—

(a) the making or repairing of bicycles, tricycles, or motor cycles, or

(b) the making or repairing of any part or parts (other than tyres or engines) of a bicycle, tricycle, or motor cycle,

but not including any process, trade or business subject to the Determination of any Wages Board heretofore appointed, has made the following Determination, namely:—

(1) That on the 21st February, 1939, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

(a) *Apprentices.			(b) *Improvers.			(c) Other Employees.		
Weekly Wages.			Weekly Wages.			Weekly Wages.		
s. d.			s. d.			s. d.		
1st year	..	17 0	1st year	..	17 0	Foremen, where over five adults are employed	..	107 6
2nd "	..	22 0	2nd "	..	22 0	Foremen, where five adults or fewer are employed	..	105 3
3rd "	..	29 6	3rd "	..	29 6	Lathe hands	..	104 0
4th "	..	37 6	4th "	..	37 6	Builders and repairers of motor cycle frames and frames other than cycle frames	..	96 3
5th "	..	49 3	5th "	..	49 3	Builders or repairers or brazers of cycle frames	..	94 0
			6th "	..	59 0	Other repairers of motor cycles (except lathe hands)	..	96 3
And thereafter, until attaining the age of 21 years, four-fifths of the journeyman's rate.			And thereafter the journeyman's rate.			Other repairers (except lathe hands)	..	94 0
PROPORTION (IN ANY PLACE).			Provided that any improver who commences at the trade after attaining the age of 17 years shall be paid 20 per cent. in addition to the above rates.			Assemblers of motor cycles	..	94 0
One apprentice to every three or fraction of three persons receiving not less than 79s. per week.			PROPORTION (IN ANY PLACE).			Other assemblers	..	89 6
			One improver to one journeyman, two improvers to two or three journeymen, thereafter two additional improvers to every three additional journeymen.			Filers on motor and other cycles	..	89 6
						Wheel-builders on motor and other cycles	..	89 6
						Foremen in rim-making	..	98 6
						All others employed in rim-making	..	89 6
						Persons cleaning off joints by sand-blasting or by shot-blasting	..	39 6
						Handle-bar benders	..	..
						By the mandrel method	..	85 0
						By any other method	..	89 6
						Persons not provided for otherwise	..	79 0

* Except those covered by the Apprenticeship Act.

(3) ORDINARY WEEK'S WORK.—The number of hours which shall constitute an ordinary week's work shall be 44. Provided that, in any place where the principal work carried on is incidental to and directly connected with the employer's retail business, not more than two persons may be employed for a maximum of 46 hours per week without payment of overtime rates.

(4) **SHIFTS.**—

(a) *Day Shift.*—The hours of duty shall not exceed 8½ hours per day for five days, and 4½ hours on the day on which the statutory weekly half-holiday is observed locally, and shall be worked between the hours of 7 a.m. and 1 p.m. on the day upon which the statutory weekly half-holiday is observed locally, and between 7 a.m. and 6 p.m. on the other working days of the week.

(b) *Afternoon, Night, or Other Shift.*—i. *Hours.*—The hours of duty on any shift other than a day shift shall be arranged mutually between the employer and the majority of the employees, providing that 9½ hours shall be the maximum duration of such a shift.

ii. *Wages.*—The following percentages shall be added to the rates fixed for the day shift:—

During the first month's employment on such shift..	..	..	..	..	..	10 per cent.
Thereafter	..	..	..	..	..	7½ per cent.

A statement, setting out the ordinary daily working hours, shall be displayed conspicuously in the workshop.

(5) **CRIB TIME.**—Where three shifts are worked, shift workers shall be allowed, after four hours' work, a crib time of twenty minutes without deduction of pay therefor.

(6) **OVERTIME.**—

(a) For all work done (i) outside the ordinary working hours on any day or shift, or (ii) within the ordinary working hours on any day or shift but in excess of the number of hours fixed in clause (3), the rate of wages shall be time and a half for the first four hours and double time thereafter, such double time to continue to be paid until an employee has been relieved from work for at least eight hours.

(b) Except as provided in the preceding sub-clause, in computing overtime each day's work shall stand alone.

(c) Any employee working overtime for a longer period than two hours shall be allowed twenty minutes' crib time (without deduction of pay) after the completion of his ordinary shift and after each additional four hours of work, unless a mutual agreement has been made for the taking of a longer period of rest without pay.

(7) **FIVE-DAYS' WEEK.**—Notwithstanding anything contained in clause (4) the ordinary week's work may be completed in five days, provided that the employer and the majority of his employees concerned mutually agree in writing.

(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 such 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 an employee engaged by the week absents himself from duty, except on the public holidays prescribed in clause (9), 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 establishments working six days and one-fifth in establishments working five days per week. Provided that if an employee is absent with leave on a Saturday, only time actually lost shall be deducted.

If it is desired to work a week of shorter hours in slack times, instead of standing the employees off in turn, the employer may make an arrangement to work his employees for shortened hours, but such arrangement shall be made only where, on the vote of the employees being taken, a majority of the whole of the employees vote in favour of such arrangement.

Where such an arrangement is made, the employees shall be informed on the day ending each week of the shortened hours to be worked in the following week and the employer shall pay each employee for the actual hours worked on each day on the basis of his or her weekly wage.

(b) If the contract of employment is for hourly hiring, the total amount of the rates prescribed in clause 2 (c) hereof shall be increased by 5s. per week (with a proportionate amount added to the wages of apprentices and improvers), 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.

(9) **SPECIAL RATE FOR SUNDAYS AND PUBLIC HOLIDAYS.**—Double time shall be the rate for all work done on Sunday, New Year's Day, Australia Day (26th January), Good Friday, Easter Monday, Labour Day (21st April), 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 be payable only for work done on the day so substituted.

(10) **WORK GIVEN OUT.**—(a) For the purposes of this Determination, every person or body of persons who issues, gives out, or authorizes or permits to be issued or given out any material whatsoever for the purpose of being wholly or partly prepared or manufactured by any process or processes subject to the jurisdiction of this Board, notwithstanding the fact that the person to whom the material is issued or given out supplies additional material, shall be deemed to be the employer of the person to whom such material is issued or given out.

(b) Every employer within the meaning of this clause shall keep a record book, which shall contain a correct account written in ink as follows:—

- (i) The name and full address of the person to whom material is issued or given out;
- (ii) The number of articles and description of work issued or given out;
- (iii) The time spent in carrying out and the price paid for such work;
- (iv) The record book shall be signed each week by each person to whom material is issued or given out, verifying the accuracy of the amount of wages received.

(c) The record book mentioned in the preceding sub-clause shall be open for inspection at any time by any authorized officer of the Department of Labour.

(11) **SUPPLY OF MILK.**—Any person engaged for the greater part of his day's work at cleaning off joints by any method other than filing, shall be supplied free of charge by the employer with one pint of milk each day he is so engaged.

(12) **DEFINITIONS.**—

- (a) "Afternoon Shift" shall mean any shift finishing after 6 p.m., but not later than midnight.
- (b) "Night Shift" shall mean any shift finishing later than midnight, but not later than 8 a.m.

R. J. EDWARDS, Chairman.

REX L. CECIL, Secretary.

Melbourne, 6th February, 1939.