



VICTORIA GOVERNMENT GAZETTE.

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No. 205]

THURSDAY, MAY 23.

[1940

Factories and Shops Acts.

DETERMINATION OF THE FUR TRADE BOARD.

Adjusted pursuant to section 21 of the *Factories and Shops Act 1934* (No. 4275).

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 was appointed to determine the lowest prices or rates which may be paid for wholly or partly preparing or manufacturing from furred or haired skins, articles such as coats, jackets, capes, scarfs, collars, cuffs, neckwear, muffs, rugs, or mats, has made the following Determination, namely:—

(1) That on and after 25th May, 1940, the adjusted Determination which came into force as from the beginning of the first pay period to commence in June, 1939, shall be revoked and replaced by this Determination.

(2) APPRENTICES AND IMPROVERS.

(a) WEEKLY WAGES.

Experience.				Males.			Females.			Females Commencing at the Trade between the Ages of 18 and 21 Years.						
				£ s. d.			£ s. d.			£ s. d.						
NOTE.—These rates INCLUDE the additional amount prescribed by clause (16) herein.	{	1st six months		..	..	..	0	13	0	0	9	6	1	4	0	
		2nd "		"	..	..	..	0	13	0	0	12	0	1	10	0
		3rd "		"	..	..	..	0	19	6	0	15	0	1	16	6
		4th "		"	..	..	..	1	2	6	0	18	6	2	2	0
		5th "		"	..	..	..	1	6	6	1	4	0	..	..	..
		6th "		"	..	..	..	1	12	6	1	10	0	..	..	..
		7th "		"	..	..	..	2	1	6	1	16	6	..	..	..
		8th "		"	..	..	..	2	11	6	2	2	0	..	..	..
		9th "		"	..	..	..	2	17	6	..	..	..	..	..	..
		10th "		"	..	..	..	3	5	0	..	..	..	..	..	..
and thereafter the minimum wage or piecework price.																

NOTE.—These rates INCLUDE the additional amounts prescribed by clause (15) herein.

(b) PROPORTION (IN ANY FACTORY OR PLACE).

Males.

One apprentice or improver to every two or fraction of two journeymen.

Females.

Three female apprentices or improvers to every journeywoman.

All apprentices shall be indentured in accordance with the prescribed form of indenture, provided that a minor may serve an employer as a probationer for a period not exceeding three months. During the said three months he or she shall be paid at least the minimum rates prescribed by this Determination for the first six months of apprenticeship. If the probationer becomes indentured, his or her indentures shall be taken to have commenced from the commencement of the period of probation.

In the event of the employer to whom an apprentice is bound ceasing to carry on business, such apprentice may be bound to another employer for the remainder of the term to be served; provided that if such apprentice be over the age of eighteen years at the time of the original employer ceasing to carry on business, such person may complete the time to be served as an improver.

Notwithstanding anything contained in this Determination, any person who at the 1st April, 1938, was employed in the industry and whose engagement or continued employment as an improver is by this Determination forbidden, shall be entitled to be employed and shall be paid the scale of wages prescribed for an apprentice or improver of like experience.

(3) OTHER PERSONS (EXCEPT APPRENTICES AND IMPROVERS).

JOURNYMEN.

	Weekly Wages.		
	£ s. d.		
Cutters	5 4 0
Nailers or Blockers	4 3 0
All others	4 3 0

JOURNEYWOMEN.

Machinists .. .. .	..	..	2 15 3
Finishers .. .. .	..	..	2 15 3
Table hands .. .. .	..	..	2 15 3
All others .. .. .	..	..	2 5 9

NOTE.—The above rates INCLUDE the additional amounts prescribed by Clause (15) herein.

- (4) **DEFINITIONS AND CLASSIFICATION OF EMPLOYEES.**
- A journeyman is a male person other than an apprentice or improver
- A journeywoman is a female person other than an apprentice or improver
- (i) Who has served the term of experience prescribed by this Determination; or
- (ii) Who has attained the age of 21 years; or
- (iii) Who is in receipt of at least the minimum weekly wage prescribed for the class of work on which such person is engaged, whether on weekly wages or piecework.

- (5) **HOURS OF EMPLOYMENT.**
- Forty-four hours shall constitute a week's work within the following hours:—Time of beginning, 8 a.m.; time of ending, 6 p.m.—on five days of the week. Time of beginning, 8 a.m.; time of ending, 1 p.m.—on the other day of the week on which the half-holiday is usually observed. Provided further that if the majority of the employees desire to start at 7.30 a.m., the work may begin at 7.30 a.m.

- (6) **OVERTIME.**
- (a) Any employee who, in any day, has performed any work outside the working hours ordinarily observed in the factory or workshop in which he or she is employed, shall be paid overtime as follows:—
- (1) Weekly workers shall be paid at the rate of time and one-half, and shall also be paid 1s. 6d. meal money when such overtime exceeds 40 minutes on week days or on Saturdays in those factories or workshops where a five and a half day week is worked.
- In those factories or workshops where a five-day week is worked, all work done on Saturdays shall be paid for at the rate of time and a half, and 1s. 6d. meal money shall be paid when such overtime is worked after noon.
- (2) Pieceworkers shall be paid (in addition to the ordinary piecework prices) for work done in the excess time such sum per hour as is equivalent to the weekly wage divided by 88, and shall also be paid 1s. 6d. meal money when such overtime exceeds 40 minutes on week days or on Saturdays in those factories or workshops where a five and a half-day week is worked.
- In those factories or workshops where a five-day week is worked, for all work done on Saturdays pieceworkers shall be paid (in addition to the ordinary piecework prices for work done) such sum per hour as is equivalent to the weekly wage divided by 88, and 1s. 6d. meal money shall be paid when such overtime is worked after noon.
- (b) No employee shall be employed overtime outside the hours fixed, except with his or her consent.
- (c) No employee shall be dismissed, or in any way whatsoever be prejudiced in his or her employment, by reason of his or her refusal to work overtime outside the hours fixed.
- (d) No employee under the age of sixteen years shall be employed overtime.

- (7) **MIDDAY MEAL.**
- (a) An interval of not less than three-quarters of an hour shall be allowed for the midday meal unless a majority of the employees in any place desire it to be otherwise. In no circumstances shall less than thirty minutes be fixed.
- (b) No work shall be performed during such meal time.

- (8) **TASK SYSTEM.**
- No employer shall make a bonus or merit payment which fluctuates from period to period according to the amount of work performed by the employee concerned, and which is based upon a secret or task rate for measuring the output of such employee. No increase in wages granted to any employee, after the date of operation of this Determination, above the rates herein prescribed shall be deemed to be in contravention of this clause if the same be paid for a period of three months, or for the term of employment, whichever period is the shorter; provided, however, that such increased wages may, at the discretion of the employer, be adjusted according to the wages rates prescribed from time to time by this Determination.
- In all factories and workshops where a minimum task is set for a minimum wage the following shall be observed:—
- (a) Until after the termination of six months from the coming into operation of this Determination the minimum task in operation in any workshop or factory on the date on which this Determination becomes operative shall be the minimum task for the minimum wage after the date of operation of this Determination, and shall not during the said period of six months be increased or decreased because of any increase or decrease in wages, and shall not during the said period of six months be increased unless an altered or improved method of working is introduced.
- (b) The task rate in respect of all garments or parts of garments or other articles or parts of articles shall be determined in the manner following:—
- (i) Where there are fewer than twenty employees involved in the work to be performed, the employer or his representative, in conference with one employee chosen by and from such employees, shall fix the rates.
- (ii) Where there are twenty or more employees involved in the work to be performed, the employer or his representative, in conference with two employees so chosen, shall fix the rates.
- (c) The task rates shall be fixed so as to enable the average worker to earn the minimum wage prescribed by this Determination for the class of work to be performed; and any number of garments or parts of garments or other articles or parts of articles made in excess of the minimum weekly task fixed by the task rates for the minimum weekly wage shall be paid for at *pro rata*, plus 10 per cent.
- (d) When any employee is employed for less than a week on the task rates, then the task of the said employee shall be fixed at per day at the weekly rate prescribed.
- (e) Any excess number of garments or parts of garments or other articles or parts of articles made in any day by the employee shall be subject to the same *pro rata* payment as would apply if the employee were engaged for the whole week.
- (f) A copy of all task rate schedules shall, within 24 hours of their being fixed, be displayed by the employer in a conspicuous place in each and every room of the workshop or factory where such tasks respectively are being performed.
- (g) A combination or team shall mean two or more persons working together on the same class of work, employed on weekly wages where a task has been imposed. Where employees work in a combination or team, the additional amount of wages shall be distributed amongst the employees on a percentage basis, according to the amount of their ordinary weekly wages.

- (9) **HOLIDAYS.**
- (a) All weekly wage 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 Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, and Boxing Day.
- (b) All employees working on piecework or task work shall be granted the same holidays as are granted to weekly wage workers, and, subject as hereinafter provided, they shall be paid for such holidays the amount for each holiday based on the minimum weekly wage prescribed by this Determination for the class of work performed.
- (c) 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, but not otherwise.
- (d) All other weekly 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.
- (e) 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 for payment to such holiday.
- (f) Any weekly 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.
- (g) Any pieceworker employed on a Sunday or any holiday prescribed by this Determination shall be paid, in addition to the prescribed piecework prices, at the rate of time and a half calculated on the minimum wage prescribed for the class of work performed.

(10)

TERMS OF ENGAGEMENT.

(a) The week shall terminate on a day other than Monday or Saturday, and all employees shall be paid all moneys due to them in full during the ordinary working hours not later than two working days following the termination of the week. In order to terminate employment of a weekly employee, two days' notice shall be given on any day, with payment to date of termination, or in lieu thereof two days' pay shall be paid or deducted. When employment is terminated by an employer, the employer, upon the date of such termination, shall pay to the employee (weekly employee or pieceworker) all moneys due to him or her, and, when employment is terminated by an employee in accordance with the terms of this Determination, the employer shall pay to the employee (weekly employee or pieceworker) all moneys due to him or her.

(b) All weekly wages shall be paid to the employees in full, with the following exceptions:—

(1) *Turns to be Observed.*—In slack times the employer shall observe turns of employment for weekly workers and pieceworkers (including outside workers) not engaged on making samples in the respective class or classes of work at which they are engaged, provided always that journeymen and journeywomen having apprentices under their control shall be allowed in their turn extra work equivalent to the wages of the apprentice during the time the turn system is in operation. The employer shall keep in the workroom a true record of every turn, which shall be open to the inspection of the employees.

(2) *Standing Off Employees in Turn.*—Should any employer during slackness of trade desire to stand off his employees in turn, then the employer on any day during any week shall inform every person whom it is proposed to stand off of any day or days in the following week (other than a Saturday or holiday) upon which his or her services will not be required; but an employee shall not, except under the conditions provided in sub-clause (3) of this clause, be stood off for part of a day without being paid for a whole day.

(3) *Employees Working Shortened Hours.*—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 votes 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.

Where an arrangement is made in compliance with this provision the employer shall pay each employee for the actual hours worked on each day on the basis of his or her weekly wage.

(4) *Vacation Periods.*—Nothing contained in this sub-clause shall apply in the case of the usual vacation period at Christmas or Easter.

(c) *Classes of Employees.*—For the purpose of this clause (but subject to the provisions of sub-clause (b) hereof), in operating the turn system the various classes of employees shall be taken separately, and "classes of employees" shall mean each class of employee in respect of which a classification of work has been provided under this Determination, but in all cases, male improvers and journeymen, or female improvers and journeywomen doing the same class of work, shall be deemed to be one class of employee.

(d) *Stoppage of Work re Breakdown of Machinery.*—In the event of the work of a factory or workshop being stopped by a breakdown of machinery or a stoppage of supply of power, or for any cause for which the employer cannot reasonably be held responsible, all weekly hands who present themselves for work shall be found work for that day, or paid one day's wages in lieu thereof, but when such breakdown or stoppage occurs the employer may give notice to an employee that his or her services will not be required on the following day or days, and the employee shall not be entitled to any further payment in respect of any further days on which he or she is out of employment by reason of such breakdown or stoppage.

(e) *Terminating Employment in Relation to a Holiday.*—

(i) Where the employer terminates the employment of an employee within fourteen days of a day on which a holiday occurs and such employee is re-employed within a period of one month after such holiday the employee shall be paid for such holiday or holidays prescribed by this Determination provided that such employee has been employed by the employer for a period of at least one week prior to the termination of the employment.

(ii) Should the employment of an employee be terminated, or should an employee be stood off within fourteen days prior to any holiday or to the commencement of any group of holidays prescribed in this Determination, such employee shall be paid for such holiday or group of holidays provided that such employee has been employed by the employer for a period of at least one week prior to the termination of the employment.

(iii) When any two or more of the holidays prescribed in this Determination occur within two weeks of one another, such holidays shall for the purposes of sub-clause (ii) hereof be deemed to be a group of holidays.

(iv) Where the employer terminates the employment of an employee more than fourteen days, but not exceeding one month prior to a day on which a holiday occurs, and such employee is re-engaged within a period of one month or normal business is resumed within such period of one month after such holiday the employee shall be paid for such holiday or holidays prescribed by this Determination, provided that such employee has been employed by the employer for a period of at least one week prior to the termination of employment.

(f) *Employees Absenting Themselves.*—No employee shall, without just cause, be absent from his or her place of employment during the prescribed hours whilst there is work ready to be done by such employee, and where weekly wages are fixed the employee to be entitled to the sums so fixed must be available and ready and willing to do the work on the days and during the hours fixed by this Determination.

(11)

OUTSIDE WORKERS.

(a) No person who is or is deemed to be the occupier of a factory within the meaning of section 23 of the *Factories and Shops Act 1928* (No. 3677) shall issue or give out or authorize or permit to be issued or given out any material whatsoever for the purpose of being wholly or partly prepared or manufactured outside a factory as articles of clothing or wearing apparel for trade or sale, except to a person who has been licensed by the Chief Inspector of Factories as an outside worker. Provided that no such outside worker shall employ any other person or persons whatsoever in wholly or partly preparing or manufacturing such articles of clothing or wearing apparel save and except members of such worker's own family.

(b) In factories where a task rate is fixed in respect of the same class of work as that given to outside workers, then, in every such case, the rate so fixed shall be the piecework price to be paid to such outside workers. In factories where no such task rate is fixed for the class of work performed by outside workers, then such outside workers shall be paid such a price as will enable an outside worker to earn at least 1s. 6d. per hour in the case of a female, and 2s. 3d. per hour in the case of a male.

(c) Every outside worker shall be provided, free of charge, with cotton, silk thread, and all other sewing and trimmings used in the manufacture of garments.

(d) In the case of an employer delivering or collecting the work of such outside worker, the same shall be done without charge to such outside worker.

(e) Every employer who has work done elsewhere than in his factory or workshop shall keep a record book, which shall contain a correct account written in ink as follows:—

(i) The name and full address of the outside worker.

(ii) The number of articles and description of work given out.

(iii) The price paid for such work.

(iv) The record book shall be signed each week by each outside worker, verifying the accuracy of the amount of wages received.

(f) 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.

(12)

MISCELLANEOUS PROVISIONS.

(a) *Record of Time Worked and Wages Paid.*—1. The employer shall provide in each factory, workshop, or place where there are fewer than 30 employees, and where work is carried on for him, a time and wages book. Such time and wages book:—

- (i) shall be in the English language and shall contain a correct account of the hours worked each day, and the wage received each week, by each employee;
- (ii) shall be kept correctly entered up in ink; and
- (iii) shall record clearly the actual date of each day, of each week, and also the date of the day on which the week ends.

2. The employer shall provide in each factory, workshop, or place where there are not fewer than 30 employees, and where work is carried on for him, a time book, or sheet, or record. Such time book, or sheet, or record shall be in the English language and shall contain a correct account of the hours worked each day and the wages received each week by each employee. Such time book, or sheet, or record shall be kept correctly and entered up in ink.

(b) *Chairs to have Backs.*—1. Where it is necessary for employees to sit at their work, seats shall be provided for the employee by the employer. Such seats shall be reasonably comfortable seats.

2. A seat provided for any female employee shall have a back to it, unless the work of such employee cannot be conveniently done in such a seat, or unless the employee requests to be allowed to use a seat without a back to it.

(c) *Collecting Logs.*—Where piecework is in operation, the employer shall make arrangements for collecting the logs, and the employees need not leave their places.

(d) *Rest Period.*—When any spell of duty is for more than four hours, an interval of ten minutes, to be selected by the employer, shall be allowed in the second or third hour to females and apprentices for refreshment. The interval shall be as part of the time of duty without deduction of time work pay. During such rest period, the employees may leave their seats, but not the premises.

(e) *Authorized Person May Enter Factory.*—

(i) Any person or persons duly authorized, in writing, by the Secretary for Labour (such authorization to be terminable at the will of the Secretary for Labour) shall have power to inspect any part of a factory, workshop, or place where it is believed that a breach of this Determination is occurring or has occurred.

(ii) At least six hours' notice shall be given by the authorized person or persons (not exceeding two) prior to his or their actually going on the premises, and the employer shall be notified of his or their arrival, and shall in person (accompanied by a nominee, or by his nominees, not exceeding two) be entitled to accompany the authorized person or persons, and shall provide access to the wages book, or time sheet, or records of any employee including outside workers. The work and duties of the employees shall be interfered with as little as possible by the authorized person or persons.

(iii) The Secretary for Labour shall have power to dispense with the said six hours' notice on special application being made for any cause shown and supported by an affidavit setting out the facts. A certificate duly signed by the Secretary for Labour stating that such notice has been dispensed with shall be sufficient proof of such fact.

(f) *Union Official Visiting Employer's Establishment.*—1. The employer shall permit any official of the Victorian Branch of the Amalgamated Clothing and Allied Trades' Union of Australia (authorized in writing by the Secretary for Labour) to enter from time to time his or her factory or workshop during the midday meal time for the purpose of:—

- (i) collecting members' contributions;
- (ii) posting Union notices and interviewing employees on Union matters relating to this industry and/or this Determination.

2. Such authorized person shall inform the person in charge of his arrival before entering the workshop or factory. Such official shall have reasonable ingress into the factory and access to the employees. If any official so authorized makes himself objectionable during any such visit to the employer or his manager or foreman or any employee his right to visit may be terminated by the Secretary for Labour on the application of the employer.

3. For the purpose of this clause the words "factory or workshop" shall include every room or place where work in respect of which a wage is prescribed by this Determination is carried out, together with the room in which the employees partake of their meals, notwithstanding that such room may be detached from or in a separate building from the main place of business of the employer.

(13)

PIECEWORK.

(a) Subject to the conditions hereinafter set out, the employer, in conjunction with his employees, may fix his own piecework prices, provided such prices enable a journeyman or journeywoman of average capacity working under like conditions to earn at least 10 per cent. more than the minimum weekly wage in their respective classes. The same piecework prices shall be paid to all pieceworkers doing the same operation in the factory or workshop whether they be improvers, apprentices, or juveniles on piecework or otherwise.

(b) All pieceworkers who are available and ready and willing to work during the ordinary working hours, shall be paid in each week:—In the case of journeymen and journeywomen, who at the piecework prices so fixed are unable to earn the rate fixed for "all others" not less than the "all others" rate; and in the case of apprentices or improvers, not less than the amount prescribed by this Determination for an apprentice or improver of like experience.

(c) The piecework price in respect of all garments or parts of garments or other articles or parts of articles shall be determined in the following manner:—

- (i) Where there are fewer than twenty employees involved in the work to be performed, the employer, or his representative, in conference with one employee chosen by and from such employees, shall fix the prices.
- (ii) Where there are twenty or more employees involved in the work to be performed the employer, or his representative, in conference with two employees so chosen, shall fix the prices.

(d) A copy of all piecework schedules shall, within 24 hours of their being fixed, be displayed by the employer in a conspicuous place in each and every room of the workshop or factory where such piecework is being performed.

(14)

PERIODICAL ADJUSTMENT OF RATES, ETC.

(a) Until the beginning of the first pay period to commence in November, 1940, the amounts of wages rates payable shall be those prescribed in Clauses (2) and (3). Pursuant to the provisions of section 21 of the *Factories and Shops Act 1934*, the Board determines that, for work done during each future half-year beginning with the first pay period to commence in a November or a May, the amounts of the wages rates prescribed in Clauses (2) and (3) shall be automatically increased or decreased by the same amounts and at the same time as the original rates set out hereunder, which rates 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 purpose of this Determination the expression "Commonwealth Statistician's 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.

(b) The index number for the six capitals (weighted average) is to be applied.

(c) The index number for the six months ending March or September next preceding the half-year for which the adjustment is made is to be ascertained.

(d) The amount of addition or deduction assigned in the following table (or in any extension thereof) to the index number division comprising such number is to be ascertained.

(e) That assigned amount shall for work done during such half-year be added to or deducted from the originally prescribed amounts of the rates in accordance with that table, and in respect of all wages prescribed at a rate of £4 0s. or more per week the sum of 2s. shall be added to the result.

(f) The division called original in the following table is that for the amount of the basic wage upon which the rates are to be deemed to have been originally prescribed:—

TABLE.
Original Index Number Division, 1081-1092 (88s.).

Index Number Division for Deductions.	Amounts of Additions or Deductions per Week.		Index Number Division for Additions.
	Rates of £4 9s. or More.	Rates less than £4 9s. of Adult Females.	
	£ s. d.	£ s. d.	
1081-1092	NH	NH	1081-1092
1068-1080	0 1 0	0 0 6	1093-1104
1056-1067	0 2 0	0 1 0	1105-1117
994-1006	0 7 0	0 3 6	
957-969	0 10 0	0 5 0	
945-956	0 11 0	0 5 6	
933-944	0 12 0	0 6 0	
920-932	0 13 0	0 6 6	
908-919	0 14 0	0 7 0	
896-907	0 15 0	0 7 6	
883-895	0 16 0	0 8 0	
871-882	0 17 0	0 8 6	
859-870	0 18 0	0 9 0	
846-858	0 19 0	0 9 6	
834-845	1 0 0	0 10 0	
821-833	1 1 0	0 10 6	
809-820	1 2 0	0 11 0	
797-808	1 3 0	0 11 6	
784-796	1 4 0	0 12 0	
772-783	1 5 0	0 12 6	
760-771	1 6 0	0 13 0	

The index number divisions in this table are based upon the equating of index number 1000 with 81s., and any extension of the table must be similarly constituted.

(g) The amounts of the weekly rates for apprentices and improvers shall be adjusted proportionately to the rate of £4 9s., calculated to the nearest 6d., any broken part of 6d. in the result not exceeding 3d. to be disregarded, and shall conform to those payable from time to time under the terms of the appropriate award of the Commonwealth Arbitration Court.

(h) In all cases where for the same class of work the same rates have been prescribed for journeymen or adult females as are prescribed in this Determination to be paid to journeymen or adult males, the rates for such journeymen or adult females shall be increased or decreased in the same manner as the rates for journeymen or adult males.

(j) Piecework prices shall be increased or decreased in the same proportion as the rate for the journeymen or journeymen in the respective classes.

The adjustment shall be made on the rates provided in the original Federal Award, which are as follow, viz. :—

APPRENTICES OR IMPROVERS.

Experience.	Males.	Females.	Females Commencing at the Trade Between the Ages of 18 and 21 Years.
	£ s. d.	£ s. d.	£ s. d.
1st six months	0 14 0	0 10 0	1 6 6
2nd " "	0 17 6	0 13 3	1 13 3
3rd " "	1 1 3	0 16 6	2 0 0
4th " "	1 4 9	1 0 0	2 6 3
5th " "	1 8 3	1 6 6	..
6th " "	1 15 3	1 13 3	..
7th " "	2 5 9	2 0 0	..
8th " "	2 16 6	2 6 3	..
9th " "	3 3 6	..	..
10th " "	3 12 0	..	..

OTHER PERSONS (EXCEPT APPRENTICES AND IMPROVERS).

JOURNEYMEN.

	Weekly Wages.
	£ s. d.
Cutters	5 10 0
Nailers or Blockers	4 9 0
All others	4 9 0

JOURNEYWOMEN.

Machinists	2 19 0
Finishers	2 19 0
Table hands	2 19 0
All others	2 9 6

(15) ADDITION TO NEEDS BASIC WAGE CONSTITUENT FOR MALES AND TO WAGE FOR ADULT FEMALES, APPRENTICES, AND IMPROVERS.

(a) The weekly wage rates of all adult male employees shall on and after 25th May, 1940, be increased by the constant amount of 5s.

(b) The weekly wage rates of all adult female employees shall on and after 25th May, 1940, be increased by the constant amount of 2s. 9d.

(c) Piecework prices shall be increased in the same proportion at the same time.

(d) On and after 25th May, 1940, the weekly wage rates of all apprentices and improvers shall be increased by the following constant amounts:

Experience.	Males.	Females.	Females Commencing at the Trade Between the Ages of 18 and 21 Years.
	£ s. d.	£ s. d.	£ s. d.
1st six months	0 0 6	0 0 6	0 1 0
2nd " "	0 0 6	0 0 6	0 1 0
3rd " "	0 1 0	0 0 6	0 1 6
4th " "	0 1 0	0 1 0	0 1 6
5th " "	0 1 6	0 1 0	..
6th " "	0 1 6	0 1 0	..
7th " "	0 1 6	0 1 6	..
8th " "	0 2 0	0 1 6	..
9th " "	0 2 0	..	..
10th " "	0 2 0	..	..

NOTE.—The rates set out in Clauses (1) and (2) INCLUDE the above additional amounts.

W. W. HARRIS, Chairman.

REX L. CECIL, Secretary.

Melbourne, 10th May, 1940.



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THURSDAY, MAY 23.

[1940

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 22nd] May, 1940, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

	Wages Per Week of 44 Hours.	
	Within the Metropolitan District and such Portions of the City of Sandringham as are not included within the said District; the Cities of Geelong, Geelong West, and the Town of Newtown and Chilwell, and the City of Warrnambool.	Other Parts of Victoria where this Determination Applies.
	<i>s. d.</i>	<i>s. d.</i>
Fitters making, repairing, assembling, re-assembling, setting, installing (other than electrical installation) or testing fuel cooking stoves, ovens, gas or electric stoves—		
Up to 3 ft. 6 in. in width	94 0	91 0
Between 3 ft. 6 in. and 5 feet in width	97 0	94 0
Fitters making, repairing, setting or installing (other than electrical installation) gas or electric stoves or other cooking or heating appliances over 5 feet in width by jobbing methods	107 0	104 0
Fitters mainly engaged on sheetmetal work and sheetmetal workers preparing material for assembling	99 0	96 0
Testers not engaged as fitters	88 0	85 0
Pattern and moulding box fitters and filers	99 0	96 0
Painters, brush	89 0	86 0
Painters, spray	92 0	89 0
Press operators	90 0	87 0
Other power machinists	87 0	84 0
Polishers and grinders	95 0	92 0
Stove blacksmiths	93 0	90 0
Electroplaters in charge	102 0	99 0
Electroplaters' assistants	91 0	88 0
Labourers delivering material to and taking finished articles from fitters	85 0	82 0
Stove blacksmiths' strikers	88 0	85 0
Labourers directly assisting workmen whose margins exceed 15s. per week	91 0	88 0
All others	82 0	79 0

(2)—continued.

PORCELAIN ENAMELLING SECTION.

	Wages Per Week of 44 Hours.	
	Within the Metropolitan District and such Portions of the City of Sandringham as are not included within the said District; the Cities of Geelong, Geelong West, and the Town of Newtown and Chilwell, and the City of Warrnambool.	Other Parts of Victoria where this Determination Applies.
	<i>s. d.</i>	<i>s. d.</i>
Fusers	100 0	97 0
Mill hands and mixers	91 0	88 0
Sprayers	92 0	89 0
Shot and sand-blast dressers	97 0	94 0
Other dressers	92 0	89 0
Swillers, grippers, and brushers	88 0	85 0
Picklers	88 0	85 0
Racksmen	86 0	83 0
All others	82 0	79 0

(3)

UNAPPRENTICED MALE JUNIORS AND FEMALES.

	Weekly Hiring.	Hourly Hiring.
	<i>s. d.</i>	<i>s. d.</i>
(a) Junior Males—		
Under 16 years of age	17 0	18 3
16 and under 17 years of age	26 9	28 6
17 and under 18 years of age	47 0	50 0
18 and under 19 years of age	59 3	63 3
19 and under 21 years of age	71 6	76 0
Adult Females—		
If of less than twelve months' experience	51 0	54 3
Of twelve months' experience or more	57 9	61 3
Junior Females—		
1st year's experience	14 0	15 0
2nd year's experience	18 9	20 0
3rd year's experience	30 0	32 0
4th year's experience	37 6	40 0
5th year's experience	43 0	45 9
Thereafter until reaching 21 years	48 0	51 0

(4) SPECIAL RATES.—In addition to the wages prescribed in clauses 1 and 3 hereof, the following special rates and allowances shall be paid:—

- (a) Leading hands in charge of not less than three and not more than ten employees, including apprentices, 6s. per week extra; more than ten and not more than twenty employees, including apprentices, 12s. per week extra; more than twenty employees, including apprentices, 18s. per week extra.
- (b) Working in wet places, 1½d. per hour extra. Working in confined spaces, 3d. per hour extra.
- (c) Working for more than one hour in the shade in places where the temperature is raised by artificial means to between 115 and 130 degrees Fahrenheit, 1½d. per hour extra; in places where the temperature exceeds 130 degrees Fahrenheit, 3d. per hour extra. Where work continues for more than two hours in temperatures exceeding 130 degrees Fahrenheit, employees shall also be entitled to twenty minutes rest after every two hours work without deduction of pay. The temperature shall be decided by the foreman of the work after consultation with the employees who claim the extra rate.
- (d) Dirty work, i.e., work which the foreman and workman shall agree is of an unusually dirty or offensive nature, 1½d. per hour extra.
- (e) Compensation to the extent of damage sustained shall be made for work in which clothing or tools are damaged or destroyed by the use of acids.
- (f) Where more than one of the disabilities entitling a workman to extra rates exist on the same job, the employer shall be bound to pay one rate, viz., the highest for the disabilities so prevailing.

(5) 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. and 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.

(6) 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 to hold himself in readiness. Any custom now prevailing under which an employee is required to regularly 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 meals.

(g) An employee working overtime shall be allowed a crib time of twenty 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 the 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 provided.

(j) Subject to the provisions of the second part of sub-clause (f) hereof 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-downs 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.

(7) **SHIFT WORK.**—For any afternoon shift $7\frac{1}{2}$ per cent. and for any night shift 10 per cent. more than ordinary rates shall be paid. Shifts which do not continue for five successive nights shall be regarded as overtime.

(8) **HOLIDAYS AND SUNDAY WORK.**—(a) Employees shall be entitled to the following public holidays (without pay except as hereinafter provided):—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Eight Hours Day (or Labour Day), Anzac Day, and Christmas Day and Boxing Day, or such other day as is generally observed in the locality as a substitute for any of the said days respectively.

(b) Employees shall be paid at the rate of double ordinary time for work done on Sundays and public holidays, such double time to continue until the employee has been relieved from duty for at least eight hours. Provided that the employee shall not be paid for the time he is resting.

(8A) **ANNUAL HOLIDAYS.**—(a) Except as hereinafter provided employers shall in each year give their employees continuously employed as defined a holiday from and after the day observed as Boxing Day to the 31st day of December inclusive, and shall pay full wages for ordinary working days included in that period. Piece-workers and bonus-workers receiving such holiday shall be paid time-work rates.

(b) Employees entitled to such holiday and entitled to work during that period shall be given a week's holiday on full pay at some other time during the year, or if dismissed from employment before receiving such holiday shall be paid an extra week's wages on dismissal.

(c) "Continuously employed" for the purpose of this clause means employed (except as to breaks arising from slackening of work) for the three months immediately preceding the 25th day of each December. Any employee dismissed during the two weeks immediately preceding the 25th day of December shall be entitled to payment of one week's wages for such annual holiday.

(9) **SHOP STEWARDS.**—Shop stewards appointed by employees in each workshop shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees whom they represent.

(10) **TRAVELLING TIME, ALLOWANCE, AND BOARD.**—(a) All fares and reasonable travelling expenses—including the cost, it incurred, for meals—incurred by an employee during travelling shall be paid by the employer. The fares shall be first class on coastal boats, or on inter-State boats where there is no second class distinct from steerage. On trains where the employee has to travel all night, sleeping accommodation shall be provided where available.

(b) Time occupied in travelling during ordinary hours of employment shall be paid for at ordinary rates.

(c) If such employee has to be away from his home overnight he shall be allowed reasonable costs of board and lodging.

(d) When it is more convenient for the employee in the city or town in which his employer's factory is situated to go direct to the job from his home he shall do so, and start and cease work at the usual time customary at the shop. Provided that any extra expense incurred by him in travelling shall be borne by the employer.

(11) **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 an 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 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 per week 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 in clauses 1 and 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 hours' consecutive 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.

(12) **PAYMENT OF WAGES.**—(a) Wages shall be paid weekly. Where the services of an employee are dispensed with, wages shall be paid to him on the day of dismissal or forwarded to him by post on the day following.

(b) An employee kept waiting for his wages on pay day for more than a quarter of an hour after the usual time of ceasing work shall be paid at overtime rates after that quarter of an hour with a minimum of a quarter of an hour.

(13) **TIME AND WAGES BOOK.**—Each employer shall keep a time and wages book showing the name of each employee and his occupation, and the hours worked each day and the wages and allowances paid each week.

The time occupied by an employee in filling in any time books or cards, or in the making of records shall be treated as time of duty, but this does not apply to checking in or out at the beginning or end of duty.

(14) **PAYMENT BY RESULTS.**—Subject to the minimum wages herein prescribed, an employer may remunerate any of his employees under any system of payment by results based on rates which will enable workers of average capacity to earn at least 10 per cent. in excess of their hourly or weekly rates.

(15) **MISCELLANEOUS.**—(a) **Tools.**—The employer shall provide for each employee such tools as were customarily provided at the time of the making of this Determination, and for sheet metalworkers, snips used in the cutting of stainless steel, monel metal, and similar hard metals. The employer shall replace or pay for any tools so provided if lost through his negligence.

(b) Suitable mica or other goggles for emery-wheel operators shall be provided by the employer.

(c) Suitable canvas or leather gloves shall be provided by employers for the operators of pneumatic tools and/or punch and shearing machines.

(d) Employers shall provide proper washing and sanitary conveniences for the use of their employees.

(16) **DEFINITIONS.**—(a) "Wet place" means a place in which water is continually dripping from overhead to such an extent as to saturate the clothing of an employee, or a place where water accumulates under foot to a depth exceeding 2 inches.

(b) "Confined space" means a working place, the dimensions of which necessitate an employee working in a stooped or otherwise cramped position, or without proper ventilation, or where confinement within a limited space is productive of unusual discomfort.

(17) **MIXED FUNCTIONS.**—An employee engaged on any day in different grades of work shall be paid at the rates prescribed for the time actually worked in each grade.

(18) **EXTRA RATES NOT CUMULATIVE.**—Extra rates prescribed in this Determination are not cumulative so as to exceed the maximum of double the ordinary rates.

D. GRANT, Chairman.

E. G. WILLIAMS, Secretary.

Melbourne, 7th May, 1940.

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