



# VICTORIA GOVERNMENT GAZETTE.

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[1940

Factories and Shops Acts.

## DETERMINATION OF THE SHOPS BOARD No. 16 (HARDWARE).

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, and such portions of the City of Sandringham as are not included in the said 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 appointed to "determine the lowest prices or rates which may be paid to any persons employed in the business of a seller of hardware—wholesale or retail"—but not including:—

- (a) persons employed in assembling ordered goods kept in a bulk store or iron yard;
  - (b) persons employed as storemen, packers, or sorters—
- has made the following Determination, namely:—

(1) That on the 26th July, 1940, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Apprentices or Improvers. (The Masculine to include the Feminine.)			Other Employees. (The Masculine to include the Feminine.)			Metropolitan District.	Outside Metropolitan District where Determination Applies.
WAGES.			WAGES.			Per week of 46 hours.	Per week of 46 hours.
						£ s. d.	£ s. d.
Under 16 years of age	..	..	15	0			
16 years of age	..	..	17	0			
17 "	..	..	21	9			
18 "	..	..	27	6			
19 "	..	..	32	9			
20 "	..	..	47	3			
Provided that if any apprentice or improver 19 years of age or over is employed as an outside salesman, he shall be paid an addition of ten per centum.			Departmental managers, or branch managers, having under their control—				
			5 or more salesmen, 23 years of age or over			6 8 3	6 4 3
			4 salesmen	"	"	6 2 0	5 18 3
			3 salesmen	"	"	5 14 9	5 11 0
			2 salesmen	"	"	5 8 9	5 5 0
			1 salesman	"	"	5 5 9	5 2 0
			Other Branch Managers			5 5 9	5 2 0
			Outside salesmen—				
			21 years of age	..	..	3 10 9	3 8 9
			22 "	..	..	4 3 3	4 0 9
			23 " and over	..	..	5 5 0	5 1 6
			Salesmen or Buyers:—				
			21 years of age	..	..	3 10 9	3 8 9
			22 "	..	..	4 3 0	4 0 9
			23 " and over	..	..	5 0 0	4 17 0
			Assemblers of Ordered Goods:—				
			21 years of age	..	..	3 8 9	3 8 9
			22 "	..	..	3 19 0	3 19 0
			23 " and over	..	..	4 12 9	4 12 9
			NOTE.—See Clause 19 re Definitions.				

(3) TIMES OF BEGINNING AND ENDING WORK:—

	Time of Beginning.	Time of Ending.
On the usual Half Holiday	.. 8 a.m.	12.45 p.m.
On the usual Late Trading Night or the night previous to a Public Holiday	.. 8 a.m.	9 p.m.
On all the other working days of the week	.. 8 a.m.	6 p.m.

## (4) OVERTIME :—

Within the times fixed for beginning and ending work in excess of 46 hours .. .. } Time and a half.  
 Outside the times of beginning and ending work .. .. }

(5) MEAL MONEY.—Where overtime, as in the preceding clause, is performed on any day in the week, an allowance of 1s. 6d. shall be made for meal money, and shall be paid on the day when such work is performed.

(6) SPECIAL RATES.—Double time shall be the rate payable for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, King's Birthday, Christmas Day, Boxing Day and on Cup Day (Metropolitan District only), or after 12.30 p.m. on Show Day (in localities mentioned in the Twelfth Schedule to the *Public Service Act 1928*), 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.

(7) TIME RATE.—Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall for each hour worked up to 23 hours be paid—

(a) In any week in which two or more Public Holidays occur .. At the ordinary wages rate with an addition of fifty per centum.

(b) In any other week .. .. At the ordinary wages rate with an addition of thirty-three and one-third per centum.

and for each hour worked beyond the 23 hours aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

(8) TERMINATION OF EMPLOYMENT.—Except where the conduct of an employee justifies instant dismissal, seven days' notice of termination of employment shall be given by either employer or employee, or one week's wages shall be paid or forfeited in lieu thereof. This provision shall only apply in the case of an employee who has been employed continuously for three months or more.

(9) PAY DAY.—All wages, overtime, &c., shall be paid not later than Thursday of each week.

(10) NOTICE TO WORK OVERTIME.—At least 24 hours' notice shall be given when overtime is required to be worked.

(11) NOTICE OF INTENTION TO RATION.—Where an employer owing to slackness of trade desires to ration his employees, he shall give at least one clear working day's notice to each employee of his intention to ration such employee.

(12) ANNUAL HOLIDAYS.—Any employee who has been in the service of an employer for a period of not less than twelve months shall be granted one week's holiday (exclusive of the holidays mentioned in clause 4) in respect of each year on full pay.

Provided that after the expiration of six months, but before the completion of twelve months' service, an employee on leaving or being dismissed from his employment shall be paid one day's pay for each two months' service.

(13) SICK PAY.—Any employee not attending for duty who has had not less than twelve months' service with the same employer shall not lose his pay for the actual time lost if such employee produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the employer that his non-attendance was due to personal ill-health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the grounds of personal ill-health or accident for more than six days in each year commencing from the 1st December.

(14) MEAL INTERVALS.—Not less than one hour shall be given for each meal, between the hours of 12 noon and 3 p.m. for lunch, and between the hours of 5 p.m. and 7 p.m. for the evening meal.

NOTE.—Section 117 (3) of the *Factories and Shops Act 1928* (No. 3877) provides that no person shall be employed in any shop more than five hours without an interval for a meal.

(15) BICYCLE ALLOWANCE.—Where a bicycle is provided by an employee and is required to be used in connexion with his employer's business, an allowance of 2s. 6d. per week in addition to the ordinary wage shall be paid by the employer.

(16) GARMENT ALLOWANCE.—Any employee who is required to wear, when at work, a washable outer garment, dust coat, or overall, shall be paid 2s. 6d. per week in addition to the ordinary wage, unless the garment is both provided and laundered by the employer.

(17) REFERENCE.—On an employee being dismissed or leaving his employment he shall be entitled to a reference showing his period of service and qualifications.

(18) TIME AND WAGES RECORDS.—Time and wages records showing the name of each employee, the hours worked each week by, and the wages and overtime paid to each employee, shall be kept by an employer and completed weekly.

## DEFINITIONS.

(19) "Departmental manager" shall mean a person having the control of one or more salesmen, 23 years of age or over, notwithstanding he may be under the orders of a general manager.

"Branch manager" shall mean a person for the time being entrusted with the control or superintendence of a branch shop (the proprietor of which is trading under his own or a different name), notwithstanding such manager may be under the orders of a superior who does not devote the whole of his time to the management of the said branch shop.

"Outside salesman" shall mean an employee who regularly solicits or receives orders for goods while absent from the shop where he is employed, whether such goods are kept in stock or have to be procured in order to fulfil such orders.

"Assembler" shall mean an employee 21 years of age or over who is engaged in assembling goods for order and despatch from salesmen's and/or travellers' lists or invoices.

C. McLEAN, P.M., Chairman.

GEO. E. PARR, Secretary.

Melbourne, 11th July, 1940.