



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 422]

THURSDAY, DECEMBER 19.

[1940

Factories and Shops Acts.

DETERMINATION OF THE ENGINEERS AND BRASSWORKERS (UNSKILLED) 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 now has the power to "determine the lowest prices or rates which may be paid to—

(1) any unskilled persons employed—

- (a) in the process, trade, or business of a brassfounder or brassfinisher, or in the process, trade, or business of a brassfounder or brassfinisher of any electrical apparatus or machinery or parts thereof;
- (b) in the process, trade, or business of a mechanical engineer, including—

- (1) a patternmaker;
- (2) an iron or brass turner;
- (3) a fitter;
- (4) a blacksmith;
- (5) a planer;
- (6) a slotter;
- (7) a borer;
- (8) a milling machiner;

- (c) in the trade of a maker of scientific instruments, fireproof safes, strongroom doors, safe locks (four or more levers), or locks of the same quality;

- (d) in performing any engineering fitting or engineering machining work not already under the jurisdiction of the Board;

- (e) in preparing iron or steel material for reinforcing concrete for building or other purposes;

- (f) in the occupation of a coppersmith, but not including any person or classes of persons subject either to the Determination of the Tinsmiths Board or to the Determination of the Plumbers Board;

- (g) in the trade of moulding, casting, dressing, fitting, or machining any articles made of cast aluminium or from aluminium alloys;

- (h) in the trade of fitting or machining any articles made from sheet aluminium or from aluminium alloy sheets heavier in either case than 10 gauge;

- (i) in the process, trade, or business of making or repairing typewriters, bookkeeping machines, adding machines, calculating machines, cash registers, duplicating machines, and similar machines.

- (2) any person employed in the process, trade, or business of producing rods, bars, sections, angles, sheets, strips, or ingots from brass, copper, or other non-ferrous metals;"

has made the following Determination, namely—

(1) That on the 19th December, 1940, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Adults.	Wages per Week of 44 Hours.	
	Within a Radius of 20 Miles of G.P.O., Melbourne, 10 Miles of G.P.O., Geelong, at Warrnambool, and within Mildura and Gippsland Districts.	Other Parts of Victoria where this Determination Applies.
(a)	£ s. d.	£ s. d.
Blacksmith's striker	4 13 0	4 10 0
Blacksmith's striker on double fires and other assistant	4 15 0	4 12 0
Man attending small rivet heating, bolt heating, or similar type of fires	4 15 0	4 12 0
Men engaged in the erection of block and tackle gear	4 15 0	4 12 0
Hammer drivers	4 15 0	4 12 0
Forger's assistant	4 15 0	4 12 0
Motor car chassis assembler (other than assembler of engines)	4 15 0	4 12 0
Belt repairers	4 13 0	4 10 0
Overhead oilers	4 13 0	4 10 0
Loggers	4 13 0	4 10 0
All workmen engaged directly assisting workmen whose margins above the basic wage are 14s. or more	4 13 0	4 10 0
Persons working with hammer 14 lb. weight or over—		
On repair work	5 3 3	5 0 3
On other work	4 15 3	4 12 3
Persons working on ship or steamer under construction or repair	5 2 0	4 19 0

Adults.	Wages per Week of 44 Hours.	
	Within a Radius of 20 Miles of G.P.O., Melbourne, 10 Miles of G.P.O., Geelong, at Warrnambool, and within Mildura and Gippsland Districts.	Other Parts of Victoria where this Determination applies.
Dresser, Fettler, and Grinder	£ s. d. 4 15 0	£ s. d. 4 12 0
Forge assistants, i.e., under hand, hammer driver and crane man, employed on work 10 cwt. or over	4 17 0	4 14 0
Heaters, and persons engaged cutting off in connexion with the manufacture of bolts and nuts by machinery	4 13 0	4 10 0
Persons employed in preparing iron or steel material for reinforcing concrete for building or other purposes—		
On bending and cutting machines	4 15 0	4 12 0
On bending and cutting machines (assistants)	4 12 0	4 9 0
On steel fabric machines	4 15 0	4 12 0
On steel fabric machines (assistants)	4 10 0	4 7 0
Assemblers (leading hand)	4 15 0	4 12 0
Assemblers (assistants)	4 10 0	4 7 0
All others	4 4 0	4 1 0
(b)		
Producing rods, bars, sections, angles, sheets, strips, or ingots from brass, copper, or other non-ferrous metals.		
Press Operator	4 18 0	4 15 0
Die Attendant	4 18 0	4 15 0
Hexagon Straightener	4 16 0	4 13 0
Draw Bench operator	4 12 0	4 9 0
Pickler	4 12 0	4 9 0
Other machine operator	4 12 0	4 9 0
Hand straightener	4 10 0	4 7 0
Pointer	4 9 0	4 6 0
Die striker	4 8 0	4 5 0
All others	4 4 0	4 1 0

FEMALE AND UNAPPRENTICED JUNIOR LABOUR.

(3) (a) Adult female labour may be employed in the manufacturing and assembling of small parts of electrical and other machines and appliances, and in core-making, in which females were employed on 15th May, 1935.

The wages of adult females shall be at the following weekly rates of wage—

	Weekly Hiring.	Hourly Hiring.
	s. d.	s. d.
If of less than 12 months' experience	52 0	55 2
If of 12 months' or more experience	59 3	62 10

(b) Junior females may be employed in the occupations set out in sub-clause (a) of this clause at the following weekly rates of wages :—

	Weekly Hiring.	Hourly Hiring.
	s. d.	s. d.
1st year's experience	14 0	15 0
2nd year's experience	18 9	20 1
3rd year's experience	30 6	32 5
4th year's experience	38 6	40 11
5th year's experience	44 0	46 9
Thereafter until reaching 21 years of age	49 3	52 3

(c) Unapprenticed male juniors may be employed in or in connexion with manufacturing (as defined in clause (19) of this Determination) in all occupations, including as to core-making, employment upon all classes of work which before the making of this Determination could be done by female employees under this Determination for which apprenticeship is not provided by the Determination, except also in nut, bolt and spike manufacturing, at the following weekly rates of wages :—

	Weekly Hiring.	Hourly Hiring.
	s. d.	s. d.
1st year's experience	15 6	16 8
2nd year's experience	24 6	26 0
3rd year's experience	33 6	35 7
4th year's experience	45 3	48 1
5th year's experience	57 9	61 4
6th year's experience	67 0	71 2
7th year's experience	71 3	75 8

Juniors employed under this and the immediately preceding sub-clause shall on dismissal receive from their employer a certificate of the period of employment completed. Employers who wilfully employ juniors without taking into account previous experience shall be guilty of a breach of this Determination.

(d) Unapprenticed male juniors may be employed (other than in manufacturing as defined in clause (19) in all occupations covered by this Determination for which apprenticeship is not provided, and in nut, bolt and spike manufacturing, at the following weekly rates of wages :—

	Weekly Hiring.	Hourly Hiring.
	<i>s. d.</i>	<i>s. d.</i>
Under 16 years of age	17 0	18 3
16 and under 17 years of age	27 3	28 11
17 and under 18 years of age	48 3	51 3
18 and under 19 years of age	61 0	64 9
19 and under 21 years of age	73 6	78 0

Juniors under the age of 16 shall not be employed on oil or gas burners or fires used for heating of small articles.

Juniors under the age of 18 shall not be employed as furnacemen or assistants to furnacemen—juniors over the age of 18 so employed shall be paid 3s. per week in addition to the junior rates of wage herein prescribed.

HOURS OF EMPLOYMENT.

(4) With the exceptions herein set out the ordinary hours of employment shall be 44 per week, to be worked in five days of 8 hours and one day (Saturday) of 4 hours, or five days of 8 hours 48 minutes each, continuously except for meal hour breaks at the discretion of the employer between 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.

By agreement between any employer and his employees ordinary hours may be worked on the basis of 88 per fortnight with one week of 40 and one of 48 hours.

Exceptions.

(i) The ordinary hours of employment of forger's assistant shall be five shifts per week of nine and a half hours each, including crib time, for which no deduction of pay shall be made.

(ii) Employees working in country towns where Wednesday afternoon is recognized as the usual half working day of the week shall work the Saturday afternoon at ordinary rates: Provided that for work done after noon on a Wednesday overtime rates be paid.

SHIFT WORK.

Continuous Work Shifts.

(5) (a) For the purposes of this clause, the expression "Continuous Work" means work carried on with consecutive shifts of men throughout the twenty-four hours of each of at least six consecutive days without interruption except during breakdowns or meal breaks (if any).

(b) Employees working on continuous work shifts shall work thereon such number of shifts up to six per week as may be required: no such shift to exceed 8 hours inclusive of meal breaks (if any) nor to be discontinuous except for meal breaks (if any).

(c) The ordinary hours of actual work or duty exclusive of meal breaks off duty (if any) of employees working on continuous work shifts shall not exceed—

(i) 8 in any one day; nor

(ii) 48 in any one week; nor

(iii) an average of 44 per week during the period of employment upon such shifts; nor

(iv) such average reduced to 43 hours 5 minutes if such shifts include Sunday shifts; nor

(v) a total of 176 hours during any four weeks of the period of employment upon such shifts; nor

(vi) such total reduced to 172 hours 20 minutes during any such four weeks if such shifts include Sunday shifts.

Provided that such average and total shall not be so reduced to 43 hours 5 minutes and 172 hours 20 minutes if the employees on such shifts are for each ordinary hour worked thereon by them paid in the case of weekly employees at the rate of one forty-third ($\frac{1}{43}$) of the prescribed weekly wage, and in the case of hourly employees, at the rate of forty-four forty-thirds ($\frac{44}{43}$) of the prescribed rate for such employees which payments the employer shall have the option of making; nor shall they be so reduced if, in addition to other holidays (if any) to be given under this Determination to such employees, such employees are given in each year, one week's holiday on full pay, which week's holiday the employer shall have the option of giving.

(d) For all time of duty outside the limits of the ordinary hours prescribed in sub-clause (c) hereof, an employee on continuous work shift shall be paid at double rates. But this shall not apply to arrangements between employees themselves or in cases due to rotation of shift, or when the relief does not come on duty at the proper time: Provided that where not less than 8 hours' notice has been given to the employer by the employee that he will be absent from work, and the employee whom he should relieve is not relieved, such unrelieved employee shall be paid time and a half for all time of duty after he has finished his ordinary shift.

(e) Employees on continuous work shifts, working afternoon and night shifts, shall be paid 5 per cent. more than ordinary rates for such shifts.

(f) Employees on continuous work shifts, working any Sunday or holiday shift, shall be paid at the rate of time and a half for such shift.

Shift Work in other than Continuous Work.

(g) In shift work, not upon continuous work as herein defined, any afternoon or night shift which does not continue for five successive working nights or more in a five day workshop, or six successive working nights or more in a six day workshop, shall be paid for at the rate of time and a half.

(h) Except as hereinafter provided for any afternoon or night shift which has been in operation for five nights or more and 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 $7\frac{1}{2}$ per cent. more than ordinary rates shall be paid.

(i) On ship repair work shifts may be worked for not less than three successive nights at the rate of time and a quarter, but when five or more successive night shifts have been worked the rate shall be 10 per cent. more than ordinary rates, and after such shifts have continued for more than one month $7\frac{1}{2}$ per cent. more than ordinary rates.

(j) Shift workers shall be paid overtime at the rate of time and a half for the first 4 hours and double time thereafter for all time worked in excess of shift hours.

(j) (i) Employees who, during a period of engagement, work only on night shifts shall be paid at the rate of time and a quarter.

(j) (ii) When employees are called on to work afternoon and night shifts only they shall change over week and week about and shall be paid 10 per cent. above ordinary rates for both shifts.

Where men work day and afternoon shifts only they shall change over week and week about and shall be paid 10 per cent. extra for afternoon shifts.

MIXED FUNCTIONS.

(6) An employee engaged for more than half of one day or shift on duties carrying a higher rate than his ordinary classification shall be paid the higher rate for such day or shift. If for less than half of one day or shift he shall be paid the higher rate for the time so worked.

OVERTIME.

(7) (a) For all work done outside ordinary hours the rates of wage shall be time and a half for the first 4 hours and double time thereafter, such double time to continue to be paid until an employee has been relieved from work for at least 8 hours: Provided that an employee shall not be entitled to payment for such rest period.

(b) Except as provided above 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 so to hold himself in readiness. But 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) Employees shall not work overtime while competent labour is available.

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

(h) An employee working overtime shall be allowed a crib time of twenty minutes without deduction of pay after each 4 hours of work, but this provision shall not prevent any arrangement being made for the taking of a longer meal period without pay.

(i) 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 employer and his employee may mutually agree to any variation of this sub-clause to meet the circumstances of the work in hand.

(j) An employee required to work overtime for more than two hours without being notified the day before that he will be so required 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 work-shop 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.

(k) Subject to the provisions of the second part of sub-clause (g) of this clause an employee shall work during meal breaks at the ordinary rate 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.

(l) 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 his current wage for the time occupied in reaching his home.

HOLIDAYS AND SUNDAY WORK.

(8) (a) Employees shall be entitled to the following public holidays (without pay as hereinafter provided):—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, King's Birthday, Labour Day, Anzac Day, 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.

Exceptions.

By agreement between any employer and his employees, other holidays may be substituted for the said days or any of them as to such employer's undertaking.

(b) Employees not engaged in continuous processes 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 8 hours. Provided that the employee shall not be paid for the time he is resting.

Provided that employees engaged in repairs to or renewals of their employer's plant and machinery necessary for resumption of work the next following working day or for maintaining the continuity of electric light and power (not including the installation of new machinery) shall on holidays or Sundays be paid at the rate of time and a half.

(c) Employees, other than on shift or engaged in maintaining the continuity of electric light and power, required to work on Sundays or public holidays shall be paid for a minimum of three hours work.

PIECE-WORK RATES.

(9) (a) Subject to the minimum wages herein prescribed an employer may remunerate any of his employees under any system of payment by results.

EXTRA RATES NOT CUMULATIVE.

(10) Extra rates in this Determination, including rates prescribed in clause 15, are not cumulative so as to exceed the maximum of double the ordinary rates.

PAYMENT OF WAGES.

(11) (a) Wages shall be paid weekly or fortnightly. 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 for ceasing work shall be paid at overtime rates after that quarter-hour, with a minimum of a quarter of an hour.

CONTRACT OF EMPLOYMENT.

(12) (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 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 4 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 in clause 2 hereof shall be increased by 5s. per week (with a proportionate amount added to the wages of females and juniors), but such amount shall not be taken into account in computing overtime, Sunday, and holiday rates.

(c) Casual employees, i.e., employees for whom a full week's work is not provided shall for any such work be paid 10 per cent. in addition to the total wage prescribed for their occupations.

MISCELLANEOUS PROVISIONS.

(13) (a) *Tools.*—The employer shall provide for each employee such tools as were customarily provided at the time of the making of this Determination.

(b) Employers shall provide proper washing and sanitary conveniences. In any workshop in which employees through a shop steward or committee ask for the provision of lockers and shower baths and an undertaking is given that the baths provided will be used by the majority of the workmen and that the baths and lockers will be properly cared for, a locker shall be installed by the employer for each workman, and hot and cold shower baths (away from lavatories) for all workmen employed in foundries.

TIME AND WAGES BOOK.

(14) Each employer shall keep a time and wages book showing the name of each employee and his occupation, 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.

SPECIAL RATES.

(15) In addition to the wages prescribed in clause 2 hereof the following special rates and allowances shall be paid :—

- (a) Leading hands in charge of not less than 3 and not more than 10 employees, including apprentices, 6s. per week extra ; more than 10 and not more than 20, including apprentices, 12s. per week extra ; more than 20, including apprentices, 18s. per week extra.
- (b) Working in wet places—1½d. per hour extra.
Working in confined spaces—3d. per hour extra.
Working in ship's bilges or in boiling-down works, lead works, sanitary works or slaughter-yards—1d. 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 Fahr., 1½d. per hour extra ; in places where the temperature exceeds 130 degrees Fahr., 3d. per hour extra. Where work continues for more than 2 hours in temperatures exceeding 130 degrees Fahr., employees shall also be entitled to 20 minutes rest after every 2 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) Working for more than one hour in places where the temperature is reduced by artificial means below zero, 1½d. per hour extra. Where the work continues for more than two hours employees shall be entitled to a rest period of twenty minutes every two hours without loss of pay.
- (e) Working on repairs to smoke-boxes or fire-boxes of locomotives or on repairs to the smoke-box, up-take, funnel, flue, furnace or combustion chamber of marine type boilers or on repairs to smoke boxes, fire-boxes, furnace or flues or other types of boilers, 1d. per hour extra.
- (f) Working on repairs in oil tanks or meat digestors, 1½d. per hour extra.
- (g) Dirty work, i.e., work which a foreman and workman shall agree is of an unusually dirty or offensive nature, 1½d. per hour extra.
- (h) 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.
- (i) 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 only one rate, namely, the highest for the disabilities so prevailing.

TRAVELLING TIME, ALLOWANCE AND BOARD.

(16) (a) When an employee is required to work away from his workshop or depot, all time reasonably spent in excess of time usually spent in travelling to or from his home to the workshop, depot or district centre shall be paid for at ordinary rates up to a maximum of twelve hours out of every twenty-four (except on Sunday when payment shall be at the rate of time and a half, a maximum of eight hours out of each twenty-four). An employee required to work at a job away from his workshop, depot or district centre shall, at the direction of his employer, present himself for work at such job at the usual time for starting work.

(b) An employee engaged in a capital city to work in the country or sent from one country centre to work in another, shall be entitled to travelling time, and, for a period not exceeding three months, to expenses.

All excess fares and reasonable travelling expenses, including board and lodging and 2s. for each meal (if any) incurred in such travelling time, shall be paid by the employer.

The fares allowed shall be first class on coastal boats or on interstate boats where there is no second class as distinct from steerage, and on trains second class, except where all night travelling is involved, when they shall be first class.

(c) On jobs of less than three months duration a camping allowance of 3s. per day for every day, including Sunday, shall be paid to employees engaged on country jobs at places where ordinary board and residence is not obtainable and camping in tents or other temporary shelters is necessary.

(d) An employer shall be free to engage labour on the site of a job carried on away from the workshop, without payment of any travelling time or fares, unless such employee is sent from the workshop.

Provided that if any employee engaged for the erection of a job had previously been engaged by the same employer in the fabrication of the job in a workshop he shall be paid fares in excess of those incurred in travelling to and from the workshop.

ANNUAL LEAVE.

(17) (a) A period of seven consecutive days' leave shall be allowed annually to all employees after twelve months' continuous service (less the period of annual leave) in any one or more of the occupations to which this Determination applies.

(b) Annual leave shall be given at a time fixed by the employer within a period not exceeding six months from the date when the right to annual leave accrued, and after not less than one week's notice to the employee, provided that the giving of annual leave may, with the consent of the Secretary for Labour, be postponed for a period to be specified in cases where the exigencies of the war render it impracticable to give it within the said period of six months.

(c) An employer may allow annual leave to an employee before the right thereto has accrued due, but where leave is taken in such a case, a further period of annual leave shall not commence to accrue until after the expiration of the twelve months in respect of which annual leave had been taken before it accrued.

(d) If after six months' continuous service, an employee leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid one-sixth of a week's wage in respect of each completed two months of continuous service in respect of which leave has not been granted hereunder.

(e) Each employee before going on leave shall be paid a week's wage. For the purpose of this sub-clause and sub-clause (d) hereof the week's wage shall be at the rate prescribed by clauses (2) and (3) of this Determination for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment, as the case may be, including in the case of leading hands the additional allowance prescribed by clause (15) of the said Determination, but not including any other special rates prescribed by this Determination and including in the case of employees whose employment is by the hour the loading prescribed by sub-clause (b) of clause (12) of the said Determination. Payment in the case of employees employed on piece or bonus work or any other system of payment by results shall be at time rates.

(f) The annual leave provided for by this clause shall be allowed and shall be taken, and except as provided by sub-clause (d) hereof, payment shall not be made or accepted in lieu of annual leave.

(g) Notwithstanding anything herein provided an employer who gives to an employee leave of absence without loss of pay throughout the interval of time—

(i) between the day observed under this Determination as the Christmas Day holiday and the day observed thereunder as the New Year's Day holiday ; or

(ii) between the day immediately preceding the Good Friday holiday and the Monday next after the Easter Monday holiday, shall be deemed thereby to fulfil all obligations to that employee under this clause in respect of the period of twelve months' service referred to in sub-clause (a) hereof. The provision of sub-clause (c) hereof shall apply to this sub-clause.

(h) Where leave has been granted to an employee pursuant to sub-clauses (c) or (g) hereof before the right thereto has accrued due, and the employee subsequently leaves or is discharged from the service of the employer before completing the twelve months' continuous service in respect of which the leave was granted, the employer may, for each two complete months of the qualifying period of twelve months not served by the employee, deduct from whatever remuneration is payable upon the termination of the employment one-sixth of the amount of wage paid on account of the annual leave, which amount shall not include any sums paid for any of the holidays prescribed by this Determination.

(i) In the case of employees in the employment of an employer on the 19th day of December, 1940, service before the date of this Determination shall be taken into consideration for the purposes of calculating annual leave, and persons in employment on the 19th day of December, 1939, shall, for the purposes of this clause, be deemed to have commenced their service on that date.

- (j) For the purpose of this clause service shall be deemed to be continuous notwithstanding—
- (i) any interruption or determination of the employment by the employer, if such interruption or determination has been made merely with the intention of avoiding obligations hereunder in respect of leave of absence;
 - (ii) any absence from work on account of sickness or accident or military service, and in calculating the period of twelve months' continuous service absence on account of sickness or accident to the extent of fourteen days in any twelve months shall be deemed to be part of the period of continuous service;
 - (iii) any termination of employment by the employee if such termination has been made merely with the intention of preventing the operation of sub-clause (g) hereof.
- (k) Except as provided by sub-clause (g) hereof the annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by this Determination, and if any such holiday falls within an employee's period of annual leave, there shall be added to that period one day for each such holiday falling as aforesaid.
- (l) For the purpose of this clause, a month shall be reckoned as commencing with the beginning of the first day of the employment or period of employment in question, and as ending at the beginning of the day which in the latest month in question has the same date number as that which the commencing day had in its month, and if there be no such day in such subsequent month shall be reckoned as ending at the end of such subsequent month.
- (m) Where the employer is a successor or assignee or transferee of a business, if an employee was in the employment of the employers' predecessor at the time when he became such successor or assignee or transferee, the employee in respect of the period during which he was in the service of the predecessor shall, for the purpose of this clause, be deemed to be in the service of the employer.
- The operation of this clause insofar as it may be read as applying to employees engaged in the servicing of motor vehicles in motor garages and service stations, including any garage or service station carried on as an ancillary to a motor distributing business, is suspended until the 31st day of March, 1941, and thereafter until further order.
- This suspension shall not apply to a garage or service station in which general engineering work is carried out, or to a garage or service station carried on as ancillary to another industry or other industries.

RIGHT OF ENTRY OF UNION OFFICIALS.

- (18) A duly accredited representative of the Federated Ironworkers' Association of Australia not more than once a week shall have the right to enter the portion of any employer's establishment in which any of the classes of labour covered by this Determination are employed during the midday meal hour for the purpose of interviewing employees on legitimate union business.
- If any representative is unduly interfering or is creating disaffection amongst his employees or is offensive in his methods, such employer may refuse the right of entry.

GENERAL DEFINITIONS.

- (19) For the purposes of this Determination the following definitions shall apply:—
- "Manufacture and/or manufacturing" means the making and assembling in quantities of interchangeable or standardized parts used in or in connexion with machinery and mechanical apparatus and of locks, scales, and other metallic articles.
 - "Continuous process" means a process in which work is carried on, except for breakdowns, with successive shifts of men throughout the days and nights for at least six days in each week.
 - "Year" means each period of 365 consecutive days, starting from the 15th day of May, 1935.
 - "Shift work"—afternoon shift means any shift finishing after 6 p.m. and at or before midnight. Night shift means any shift finishing subsequent to midnight and at or before 8 a.m.
 - "Sunday" means all time between midnight Saturday and midnight Sunday.
 - "Wet place" means a place in which water is continually dripping from overhead to such an extent as to saturate the clothing of a workman, or a place where water accumulates underfoot to a depth exceeding two inches.
 - "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.

SPECIAL EXEMPTION.

- (20) *Agricultural Implement and Bedstead Making*.—Employers engaged in the making of agricultural and dairying implements and bedsteads shall, as to employees engaged in the making of such agricultural and dairying implements (including engines used for agricultural purposes) and bedsteads, be exempt from this Determination.

PERIODICAL ADJUSTMENT OF WAGES.

- (21) The wages rates set out in clause (2) are based upon the following basic wage rates and, pursuant to the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically increased or decreased by the same amount, and at the same time as such basic wage rates.

The basic wage rates shown hereunder shall be adjusted as prescribed in clause (22).

Basic Wage.

Place.	Basic Wage.	Index Number Set Assigned.
Victoria—	£ s. d.	
Within 20 miles of G.P.O., Melbourne, 10 miles of G.P.O., Geelong, at Warrnambool, and within Mildura, and Gippsland Districts	3 18 0	Melbourne
Yallourn—6s. 6d. in excess of basic wage for Melbourne.		
Elsewhere—3s. less than the contemporaneous basic wage for Melbourne.		

ADJUSTMENT OF BASIC WAGE.

- (22) (a) Until the beginning of the first pay period to commence in February, 1941, the amounts of the basic wage shall be as prescribed in clause (21).
- (b) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, the amounts 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:—

- (i) The index number set to be applied to a place is that assigned thereto in clause (21).
- (ii) The index number for the calendar quarter next preceding the period of thirteen weeks for which the adjustment is made is to be ascertained.
- (iii) The amount assigned in the following table (or in any extension thereof) to the index number division comprising that number is to be ascertained.
- (iv) 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	883- 895	..	..	..	3 12 0
747-759	..	..	..	3 1 0	896- 907	..	..	..	3 13 0
760-771	..	..	..	3 2 0	908- 919	..	..	..	3 14 0
772-783	..	..	..	3 3 0	920- 932	..	..	..	3 15 0
784-796	..	..	..	3 4 0	933- 944	..	..	..	3 16 0
797-808	..	..	..	3 5 0	945- 956	..	..	..	3 17 0
809-820	..	..	..	3 6 0	957- 969	..	..	..	3 18 0
821-833	..	..	..	3 7 0	970- 981	..	..	..	3 19 0
834-845	..	..	..	3 8 0	982- 993	..	..	..	4 0 0
846-858	..	..	..	3 9 0	994-1006	..	..	..	4 1 0
859-870	..	..	..	3 10 0	1007-1018	..	..	..	4 2 0
871-882	..	..	..	3 11 0	1019-1030	..	..	..	4 3 0

The wages of females and juniors in receipt of 20s. per week or more shall be adjusted proportionately to adjustments of the basic wage in terms of clause (22)—such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded.

MARGINAL RATES.

(23) In addition to the basic wage provided in clause (21), the margins set out in this clause, plus 6s., shall be the minimum rate payable to employees therein named:—

										Per week.
										£ s. d.
(a)										
Blacksmiths' striker	..	..	..	..	..	..	..	..	..	9 0
Blacksmith's striker on double fires and other assistant	..	..	..	..	..	..	..	..	..	11 0
Man attending small rivet heating, bolt heating or similar type of fires	..	..	..	..	..	..	..	..	..	11 0
Men engaged in the erection of block and tackle gear	..	..	..	..	..	..	..	..	..	11 0
Hammer drivers	..	..	..	..	..	..	..	..	..	11 0
Forger's assistant	..	..	..	..	..	..	..	..	..	11 0
Motor-car chassis assembler (other than assembler of engines)	..	..	..	..	..	..	..	..	..	11 0
Bolt repairers	..	..	..	..	..	..	..	..	..	9 0
Overhead oilers	..	..	..	..	..	..	..	..	..	9 0
Laggers	..	..	..	..	..	..	..	..	..	9 0
Persons working with hammer 14 lb. weight or over—										
On repair work	..	..	..	..	..	..	..	..	..	19 3
On other work	..	..	..	..	..	..	..	..	..	11 3
Persons working on ship or steamer under construction or repair	..	..	..	..	..	..	..	..	..	18 0
Dresser, fettler, and grinder	..	..	..	..	..	..	..	..	..	11 0
Forge assistants, i.e., underhand, hammer driver and crane man, employed on work 10 cwt. or over	..	..	..	..	..	..	..	..	..	13 0
Heaters, and persons engaged cutting off in connexion with the manufacture of bolts and nuts by machinery	..	..	..	..	..	..	..	..	..	9 0
Persons employed in preparing iron or steel material for reinforcing concrete for building or other purposes—										
On bending and cutting machines	..	..	..	..	..	..	..	..	..	11 0
On bending and cutting machines (assistants)	..	..	..	..	..	..	..	..	..	8 0
On steel fabric machines	..	..	..	..	..	..	..	..	..	11 0
On steel fabric machines (assistants)	..	..	..	..	..	..	..	..	..	6 0
Assemblers (loading hand)	..	..	..	..	..	..	..	..	..	11 0
Assemblers (assistants)	..	..	..	..	..	..	..	..	..	6 0
All workmen engaged directly assisting workmen whose margins above the basic wage are 14s. or more	..	..	..	..	..	..	..	..	..	9 0
(b)										
Producing rods, bars, sections, angles, sheets, strips, or ingots from brass, copper, or other non-ferrous metals—										
Press operator	..	..	..	..	..	..	..	..	..	14 0
Die attendant	..	..	..	..	..	..	..	..	..	14 0
Hexagon straightener	..	..	..	..	..	..	..	..	..	12 0
Draw Bench operator	..	..	..	..	..	..	..	..	..	8 0
Pickler	..	..	..	..	..	..	..	..	..	8 0
Other machine operator	..	..	..	..	..	..	..	..	..	8 0
Hand straightener	..	..	..	..	..	..	..	..	..	6 0
Pointer	..	..	..	..	..	..	..	..	..	5 0
Die striker	..	..	..	..	..	..	..	..	..	4 0

W. W. HARRIS, Chairman.

J. V. WILLOX, Secretary.

Melbourne, 4th December, 1940.

