



VICTORIA GOVERNMENT GAZETTE

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No. 160]

TUESDAY, JUNE 10.

[1941

Factories and Shops Acts.

DETERMINATION OF THE CYCLE TRADE BOARD.

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

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

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

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

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

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

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

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

(1) That on the 12th June, 1941, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

(a) *Apprentices.				(b) *Improvers.				(c) Other Employees.			
Weekly Wages.				Weekly Wages.				Weekly Wages. Day Shift.			
s. d.				s. d.				s. d.			
1st year	..	..	19 9	1st year	..	..	19 0	Foremen, where over five adults are employed	..	126	6
2nd "	..	..	25 0	2nd "	..	..	24 0	Foremen, where five adults or fewer are employed	..	124	3
3rd "	..	..	39 0	3rd "	..	..	37 6	Lathe hands	..	123	0
4th "	..	..	57 0	4th "	..	..	54 9	Builders and repairers of motor cycle frames and	..	113	3
5th "	..	..	75 6	5th "	..	..	72 6	frames other than cycle frames	..	111	0
And thereafter, until attaining the age of 21 years, four-fifths of the journeyman's rate.				And thereafter four-fifths of the journeyman's rate.				Builders or repairers or brazers of cycle frames	..	111	0
								Other repairers of motor cycles (except lathe hands)	..	113	3
PROPORTION (IN ANY PLACE).				Provided that any improver who commences at the trade after attaining the age of 17 years shall be paid 20 per cent. in addition to the above rates.				Other repairers (except lathe hands)	..	111	0
								Assemblers of motor cycles	..	111	0
One apprentice to every three or fraction of three persons receiving not less than 101s. per week.				PROPORTION (IN ANY PLACE).				Other assemblers	..	105	6
								Filers on motor and other cycles	..	105	6
				One improver to one person receiving not less than 101s. per week, two improvers to two or three such persons, thereafter two additional improvers to every three additional such persons.				Wheel-builders on motor and other cycles	..	105	6
								Foremen in rim-making	..	115	6
								All others employed in rim-making	..	105	6
								Persons cleaning off joints by sand-blasting or by shot-blasting	..	105	6
								Handle-bar benders	..	101	0
								By the mandrel method	..	105	6
								By any other method	..	95	0
								Persons not provided for otherwise	..		

* Except those covered by the Apprenticeship Act.

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

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(4) **SHIFTS.**—

(a) *Day Shift.*—The hours of duty shall not exceed $8\frac{1}{2}$ hours per day for five days, and $4\frac{1}{2}$ hours on the day on which the statutory weekly half-holiday is observed locally, and shall be worked between the hours of 7 a.m. and 1 p.m. on the day upon which the statutory weekly half-holiday is observed locally, and between 7 a.m. and 6 p.m. on the other working days of the week.

(b) *Afternoon, Night, or Other Shift.*—i. *Hours.*—The hours of duty on any shift other than a day shift shall be arranged mutually between the employer and the majority of the employees providing that $9\frac{1}{2}$ hours shall be the maximum duration of such a shift.

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

During the first month's employment on such shift	10 per cent.
Thereafter	$7\frac{1}{2}$ per cent.

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

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

(6) **OVERTIME.**—

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

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

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

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

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

A contract for weekly employment may be terminated by any employer, without liability to pay for more than time actually worked, for misconduct, or for absence from work without reasonable excuse.

If an employee engaged by the week absents himself from duty, except on the public holidays prescribed in clause (9), or for days for which he produces a certificate from a medical practitioner or other proof satisfactory to his employer of sickness (aggregating four days' sickness in each year), a sum proportionate to his time of absence may be deducted from his pay, i.e., one sixth of the weekly wage for each day of absence, including Saturday in establishments working six days and one-fifth in establishments working five days per week. Provided that if an employee is absent with leave on a Saturday, only time actually lost shall be deducted.

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

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

(b) If the contract of employment is for hourly hiring, the total amount of the rates prescribed in clause 2 (c) hereof shall be increased by 5s. per week (with a proportionate amount added to the wages of apprentices and improvers), but such amount shall not be taken into account in computing overtime, Sunday, and holiday rates.

(c) An employee starting work on hourly hiring shall be entitled to a minimum of four consecutive hours' work or to four hours' pay.

(d) Where the employer terminates the employment, within two weeks prior to a day on which a holiday occurs, of any person employed by the week and such person is re-engaged within a period of two weeks after such holiday or holidays, such person shall be paid for such holiday or holidays prescribed by this Determination, provided that such person has been employed by the employer for a period of at least two weeks prior to the termination of employment.

(9) **SPECIAL RATE FOR SUNDAYS AND PUBLIC HOLIDAYS.**—Double time shall be the rate for all work done on Sunday, New Year's Day, Australia Day (26th January), Good Friday, Easter Monday, Labour Day (21st April), Christmas Day, or Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays the special rate shall be payable only for work done on the day so substituted.

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

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

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

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

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

(12) **ANNUAL LEAVE.**—(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 clause (2) 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, and including in the case of employees whose employment is by the hour the loading prescribed by sub-clause (b) of clause (8) of this 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 20th day of December, 1940, service before the date of this Determination shall be taken into consideration for the purpose of calculating annual leave, and persons in employment on the 20th day of December, 1939, shall, for the purposes of this clause, be deemed to have commenced their service on that date.

(j) For the purposes 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 purposes 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 employer's 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.

(13) MISCELLANEOUS PROVISIONS:—

(a) *Tools.*—The employer shall provide for each employee all necessary tools.

(b) *Sanitation, etc.*—The employer 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 an undertaking is given that the lockers will be properly cared for, a locker shall be installed by the employer for each workman.

(c) *Protective Apparatus.*—Suitable asbestos sheets and coloured glasses shall be provided by the employer for the protection of electric arc and oxy-acetylene operators and their assistants, and suitable mica or other goggles for emery-wheel operators.

(14) DEFINITIONS.—

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

(b) "Night shift" shall mean any shift finishing later than midnight, but not later than 8 a.m.

R. J. EDWARDS, Chairman.

REX L. CECIL, Secretary.

Melbourne, 28th May, 1941.



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TUESDAY, JUNE 10.

[1941

Factories and Shops Acts.

DETERMINATION OF THE TANNERS BOARD.

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

(b) On 21st April, 1925, the Board was deprived of the power to determine the lowest prices or rates which may be paid to any persons employed in the trade of a tanner of all kinds of furred skins, or a dresser or a dyer of such skins, and such power was conferred on the Tanners (Furred Skins) Board.

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 person or persons or classes of persons employed in the trade of a tanner, currier, leather dresser, or dyer of all kinds of skins other than a tanner of sheep skins," has made the following Determination, namely:—

(1) That, as from the beginning of the first pay period to commence in June, 1941, the adjusted Determination which came into force as from the beginning of the first pay period to commence in May, 1941, shall be revoked and replaced by this Determination.

(2) JUNIOR LABOUR.—All employees under the age of 21 years, except as hereinafter provided, shall be paid the following rates:—

				Wages per Week of 44 Hours.
				s. d.
14 to 15 years of age	..	..	..	17 3
15 to 16 years of age	..	..	..	24 9
16 to 17 years of age	..	..	..	33 6
17 to 18 years of age	..	..	..	41 9
18 to 19 years of age	..	..	..	50 3
19 to 20 years of age	..	..	..	59 9
20 to 21 years of age	..	..	..	67 0

The aggregate proportion of juniors (other than those employed as strainers) to adults shall not exceed one junior to three adults or any fraction of three.

In any "department" as hereinafter defined the proportion of juniors shall not exceed two to five adults or a fraction of five. There shall be no limitation of the number of juniors who may be employed as strainers.

No juniors under 19 years of age shall be employed rolling, striking or setting out crop leather.

Other Employees.

	Per Week of 44 Hours.
	£ s. d.
Currier	5 15 0
Person classing or sorting green hides or sides or skins after being unhaired	5 10 0
Hand flesher	5 7 0
Hand fleshing after machining	5 5 0
Machine flesher	5 5 0
Unhairer, scudder, stoner, puncher, person trimming green hides on tables after being fleshed, person working unhairing and scudding machines	5 0 0
Lime jobber	4 18 0
Drumhand, paddle and/or vat hand, tanpitman, hydraulic presser	4 17 0
Bark bagger	4 17 0
Extract worker in tannery	4 13 0
Barkgrinder in tannery, person boiling down fleshing or rendering down tallow, handling hides, bark or tanning extract	4 13 0
Splitting machinist—	
Operator of big machine	5 13 0
Operator of other machines	5 11 0

Other Employees—continued.

	Per Week of 44 Hours.
	£ s. d.
Man behind splitting machine	4 17 0
Machine shaver—	
New machine—double width	5 5 0
Old machine—single width	5 6 0
Jigger and grainer of bookbinding or furniture leather or japanned or enamelled or morocco leather or person engaged at japanning or enamelling leather or at ovens used for japanning or enamelling leather and operator of spraying machine	5 1 6
Roller, striker and setter out of sole leather	5 0 6
Shedman who applies dressing to sole leather	4 16 0
Whitening machinist and buffing machinist	5 5 6
Fluffing machinist	5 0 0
Fluffing machinist on suede wheel	5 4 0
Leather dresser (table hand)	5 0 0
Person (not otherwise provided for) finishing chamois or fancy leather including ironing by hand	4 19 0
Machinist (not otherwise provided for) working at any machine used for preparing fancy or other leathers	4 18 0
Table hand setting out harness leathers	5 0 6
Table hand and knee staker	5 0 0
Shedman (other than those who apply dressing to sole leather), man unloading hides, bark and other materials used in tanneries	4 13 0
Strainer (over the age of 18 years)	4 16 0
Employee unhairing either on beam or by sweeping	5 0 0
Person classing or sorting hides, sides or skins or splits of leather after tanning	5 9 0
Employee operating measuring machine	4 16 0
Employee operating setting out machine	5 0 0
Employee operating graining machine	4 18 0
Employee operating ironing machine	4 18 0
Employee operating embossing machine	4 18 0
Employee operating squeezing machine	4 18 0
Employee operating bark grinding machine	4 17 0
Assistant on any of the machines 30 to 35	4 16 0
Operator or assistant on any machine used in the industry not otherwise provided for	4 16 0
Glazer	5 0 0
Staker	5 0 0
Person lime jobbing on mechanical reels	4 18 0
Hair washer	4 14 0
All others	4 11 0

Casual employees may be engaged by the day at rates 10 per cent. higher than those prescribed for weekly work.

Clauses (3) to (27) inclusive of the Determination as published in *Government Gazette* No. 255 of 24th June, 1940, shall remain in force.

(3) PAYMENT BY RESULTS.—Subject to the following provisions piece-work or any other system of payment by results may be adopted by an employer so long as such rates permit employees of average capacity to earn at least 10 per cent. in addition to the total wages to which they are entitled under clause 2 hereof.

(a) The piece-work rates now operating shall not be varied except in manner hereinafter provided.

(b) Piece-work rates may be fixed or varied by factory boards consisting of two representatives of any employer, one of his employees and one representative of the Federation. If any such board is unable to agree on any rate or rates proposed by the employer the matter in dispute shall be referred to the Chairman of the Wages Board whose decision shall be final.

(c) If the employees of any factory or the Federation fail to appoint representation to any such board or fail to attend a meeting of such board called by the employer on a date not less than seven days after the service of notice on the State Secretary of the Federation, the employer may adopt such piece-work rates which he deems reasonable without the authority of a board.

(4) CONTRACT OF EMPLOYMENT.—(a) Except as to piece-workers and casual workers and subject to the undermentioned provisos employment shall be by the week. Each employee shall be entitled to a week's notice of dismissal given on any day, or a week's pay in lieu of notice unless such dismissal is for wilful failure to attend for duty, malingering, misconduct or neglect of duty.

(b) Absence through sickness shall not be regarded as failure to attend, but an employee shall not be entitled to payment for more than four days in each year on which he is absent by reason of sickness. If the full period of leave as prescribed is not taken in any year, such portion as is not taken shall be cumulative from year to year up to a period not exceeding twelve days, which shall be the maximum amount of leave to which an employee may be entitled in any year without deduction of pay.

(c) An employer may require satisfactory proof of sickness before paying for days of absence on account of sickness.

(d) An employee leaving his employment without giving a week's notice (unless his employer dispenses with such notice) shall forfeit a week's pay.

(e) If the operations of any factory are suspended owing to a stoppage, over which the employer has no control, of the power plant, or of the supply of power or fuel used in generating power, such employer shall be entitled to terminate temporarily employment of all or any of his employees without liability to any payment of wages beyond the time of such termination.

(f) Employees shall be paid for the holidays set out in clause (7) hereof as if worked.

(g) If the engagement of any employee is terminated by his employer within fourteen days preceding any of the prescribed holidays the holiday or holidays occurring during such period shall be paid for unless the employee has started work with another employer with the right of payment for the holiday or holidays.

(h) An employer shall be entitled to close his tannery on Easter Saturday morning and in such case his employees shall not be entitled to payment for such half-day.

(5) HOURS.—The ordinary hours of employment shall be 44 per week, such hours to be worked between 7.30 a.m. and 5.15 p.m. on Monday to Friday inclusive (with 45 minutes' break for meals between the hours of noon and 1 p.m.) and between 7 a.m. and noon on Saturday: Provided that the 44-hour week may, by agreement between the employer and his employees, be worked in five days of 8 hours 48 minutes per day.

(6) OVERTIME.—(a) All time worked on any day before or after the regular working hours or in excess of 8 hours 48 minutes on any one day, or in excess of 44 hours in any one week, shall be paid for at the rate of 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) Any employees required to work overtime for more than two hours in any one day without being notified the day before that they will be so required to work, shall either be supplied with a meal by the employer or paid 2s., but such payment need not be made to employees living in the same locality as their workshop who can reasonably return home for meals.

(d) If any employee pursuant to notice under sub-clause (c) hereof has provided a meal and is not required to work overtime he or she shall be paid 2s. for the meal so provided.

(e) For work done outside ordinary hours piece-work rates shall be increased by 50 per cent. for the first four hours of each period worked and 100 per cent. thereafter.

(f) In cases where a fresh shift of men is brought on to work outside ordinary hours the following rates shall be paid:—

- (i) For work performed before 5.30 p.m.—Ordinary rates.
- (ii) For the first six hours after 5.30 p.m. in the case of a shift commenced before 5.30 p.m.—Time and a quarter.
- (iii) For the first six hours in the case of a shift which commences at 5.30 p.m. or thereafter.—Time and a quarter.
- (iv) After six hours in the case of employees under sub-paragraphs (ii) or (iii) hereof.—Double time.

(g) Any employee called upon to work during a meal hour shall be paid time and a half, and such time and a half shall continue until he has had a meal break.

(7) HOLIDAYS.—(a) All employees shall be entitled to the holidays hereinafter mentioned or any day observed in lieu thereof without deduction of pay:—New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Christmas Day, Boxing Day and Picnic Day if held on a Saturday not preceding a Monday prescribed as a holiday.

(b) In Melbourne, Melbourne Cup Day shall be observed as a holiday in lieu of King's Birthday.

(c) Piece-workers shall be paid for such holidays even though not worked at the ordinary rates payable to employees not on piece-work doing the same class of work. The rate shall be one-sixth of the appropriate weekly wage in factories working six days per week and one-fifth in factories working five days per week.

(d) Where an employee is absent from his or her employment on the working day or part of the working day before or after a holiday without reasonable excuse or without the employer's consent such employee shall not be entitled to payment for such holiday. The amount to be deducted shall be one-sixth or one-fifth as the case may be of the appropriate weekly wage.

(8) ANNUAL LEAVE.—(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).

(b) Annual leave shall be given at a time fixed by the employer within a period not exceeding six months from the day 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 in any qualifying twelve-monthly period 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 at ordinary rates for the occupation in which the employee was ordinarily employed immediately prior to the end of the engagement in respect of which leave has not been granted hereunder.

(e) Each employee before going on leave shall be paid a week's wage at ordinary rates for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave. 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 from and after the day observed as Boxing Day to the 31st day of December inclusive 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 provisions 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 prescribed public holidays.

(i) For the purposes of this clause service shall be deemed to be continuous notwithstanding—

- (i) any interruption or determination of the employment by the employer of 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 the employment by the employee if such termination has been made merely with the intention of preventing the operating of sub-clause (g) hereof; and
- (iv) breaks arising from slackness of work.

(j) Except as provided by sub-clause (g) hereof the annual leave prescribed by this clause shall be exclusive of any of the public 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.

(k) 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.

(l) Any employee who leaves his employment without giving the notice prescribed by this determination shall forfeit his right to annual leave or payment under sub-clause (d) hereof.

(9) PAYMENT FOR WORK ON SUNDAYS AND HOLIDAYS.—(a) All work performed on Sundays and holidays shall be paid for at the rate of not less than double time.

(b) An employee called upon to work on a Sunday shall be entitled to a minimum of two hour's pay and on public holidays to a minimum of four hour's pay, unless work is prevented by rain, in which event he shall receive a payment of 4s.

(10) MIXED FUNCTIONS.—Where an employee is engaged on any day on mixed functions or on work carrying a higher rate of pay than his ordinary classification he shall be paid at the higher rate for the time so worked on such higher classification. If the aggregate hours worked by an employee on such higher classification exceed sixteen in the week he shall be paid at the higher rate for the week.

Provided further that an employee employed at any two or more of the operations of buffing, fluffing, or fluffing on the suede wheel not entitled to the higher rate for any week shall for each day on which he is called on to do any two or more of such operations be paid the higher rate of pay.

(11) PAYMENT OF WAGES.—(a) Wages shall be paid not later than Thursday of each week in the employer's time or within five minutes of knock off time. Time waiting for payment after such five minutes shall be paid for at overtime rates.

(b) Any employee who has worked only a portion of a week and who is dismissed by his employer shall be paid on ceasing work for all time worked during that week, less any deductions that the employer may be lawfully entitled to make.

(c) Each employer shall be entitled to retain in hand from each employee an amount equal to one day's wages of such employee.

(12) **TOOLS OF TRADE.**—(a) The employer shall provide all tools, leggings, gloves (rubber and other), aprons, respirators and other tools and implements of trade necessarily required by an employee in the performance of his duties.

(b) Employees working outdoor in wet weather shall be provided by the employer with waterproof capes for use whilst so working.

(13) **PUTTING ON AND TAKING OFF COVERINGS.**—Each employer shall allow his employees a reasonable period in the employer's time not exceeding five minutes either at the commencement or termination of work each day for putting on or removing (as the case may be) leggings, gloves and aprons. In the event of any disagreement between an employer and his employees as to whether the period shall be at the commencement or termination of work or as to whether the time allowed is reasonable the dispute shall be referred to the Secretary for Labour.

(14) **TIME AND WAGES BOOKS, CARDS, ETC.**—(a) Each employer shall keep in each factory, workshop or place where work is carried on by him, some card or check used in connexion with a mechanical clock or a time and wages book showing the name of each employee and his or her occupation, the hours worked each day and the wages and allowances paid each week.

(b) 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.

(c) The time and wages book shall be open for inspection to an officer of the Federation duly accredited in writing by the Federation bound by this Determination during the midday meal hour at the employer's office or other convenient place: Provided that an inspection shall not be demanded unless the Secretary of the Federation or the district secretary or organizer of any division suspects that a breach of this Determination has been or is being committed: Provided also that only one demand for such inspection shall be made in any one fortnight at the same establishment: And provided further that if the meal hour shall not be a convenient time for any employer he may fix some other time of at least one hour for any such inspection.

(d) The official making such inspection shall be entitled to take a copy of entries in a time and wages book relating to the suspected breach of this Determination.

15. **RIGHT OF ENTRY OF UNION OFFICIAL.**—A duly accredited representative of the Federation bound by this Determination shall have the right to enter employers' workshops during the midday meal hour for the purpose of interviewing employees on legitimate Federation business on the following conditions:—

(i) that he produces his authority to the gatekeeper or such other person as may be appointed by the employer;

(ii) that he interviews employees only at the place where they are taking their meal;

(iii) that not more than one representative in all be in any workshop at any one time;

(iv) that no one representative visit a workshop more than once in each week; and

(v) that if any employer alleges that a representative is unduly interfering with his workshop or is creating disaffection amongst his employees or is offensive in his methods or is committing a breach of any of the previous conditions, such employer may refuse the right of entry, but the representative shall have the right to bring such refusal before the Secretary for Labour.

(16) **UNION BUSINESS.**—Officers or members of the Federation or any branch thereof may leave their work to attend to the business of the Federation after at least three days' notice has been given to the employer but without being paid while absent.

(17) **SHOP STEWARD.**—(a) Shop stewards or Federation representatives shall be granted every facility in carrying out their duties.

(b) 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.

(18) **POSTING NOTICES.**—(a) An employer shall permit notice boards to be erected in his establishment for the purpose of posting any notices thereon in connexion with meetings or other business of the Federation.

(b) Such notice boards shall be in a prominent position, and notices exhibited thereon shall be signed by the branch secretary, president or shop steward of the Federation.

(c) Every employer shall post and keep posted a copy of this Determination and variations thereof in a place accessible to all employees.

(19) **ACCIDENT PAY.**—When an employee meets with an accident whilst at work which accident necessitates his absence from work he shall, for the period not exceeding one week for which he does not receive any payment under the provisions of the appropriate State laws, be paid at the rate of half the payment prescribed by this Determination for the class of work on which he was engaged prior to being so absent.

(20) **ACCOMMODATION.**—(a) Boiling water shall be supplied by the employer for tea for the employees at lunch time.

(b) Suitable washing facilities shall be provided by the employer for all employees.

(21) **FIRST-AID OUTFIT.**—(a) The employer shall provide and continuously maintain an efficient first-aid outfit in each factory controlled by him.

(b) An efficient first-aid outfit shall be that prescribed by the laws and regulations of the State in which the factory is situated, but, where there is no legislation on the subject, the first-aid outfit shall contain the following equipment:—

Article.	Quantities to be kept in Ambulance Chest.	
	Factories and Workshops in which not more than 30 persons are employed.	Factories and Workshops in which more than 30 persons are employed.
Antiseptic solution	1 bottle	1 bottle
Bandages, cotton and gauze	$\frac{1}{2}$ doz. assorted sizes	$\frac{1}{2}$ doz. assorted sizes
Iodine, tincture of	1 oz.	2 oz.
Castor oil	1 oz.	2 oz.
Manual first aid.		
Petrolatum, carbolized	1 jar	1 jar
Picric acid solution, made according to the following recipe or prescription:— 1 $\frac{1}{2}$ teaspoonsful of powdered picric acid; 3 oz. absolute alcohol; 2 pints distilled water.		
Pins, safety	1 packet	1 packet
Sal volatile	1 oz.	6 oz.
Scissors	1 pair	1 pair
Tourniquet	1	1
Cotton, absorbent	An adequate assortment	An adequate assortment
Gauze, sterilized and plain		
Lint, absorbent		
Plaster, adhesive		

(22) MEMBERS SHALL NOT BE COMPELLED TO RESIGN MEMBERSHIP.—An employer shall not compel an employee to resign his membership of the Federation through the fact of such member being made a foreman or being placed on the staff.

(23) FORMALDEHYDE.—(a) Where formaldehyde is used so as to create obnoxious or injurious fumes there shall be sufficient ventilation to take the fumes away.

(b) Suitable goggle protectors shall be provided by the employer, if requested, for employees using formaldehyde or breaking down sulphide.

(24) DEFINITIONS.—(a) "Currier" is a person who in his work uses a whitening knife, skiver, slicker, whitening slicker, or shaving knife, or buffing knife, or buffing slicker.

(b) "Handflesher" is a person who uses in his work a knife for the purpose of fleshing green hides or cutting down hides or skins or pieces before or after being fleshed by a machine.

(c) "Table hand" is a person engaged on any class of work done on tables, except in sole leather or as otherwise provided.

(d) "Slab work" shall mean the pasting of pieces of split leather together for sale or use as soles, insoles, heel or toe pieces, or stiffeners, or any purpose whatsoever.

(e) "Strainer" shall mean a person engaged at straining or tacking out or stripping or toggling or carrying boards or frames used for straining or tacking out or toggling.

(f) "Federation" shall mean the Australian Saddlery Leather Sail Canvas Tanning Leather Dressing and Allied Workers Employees Federation.

(25) DEPARTMENTS.—"Departments" of a tannery or leather-dressing establishment refer only to each of the following departments:—

Beamshed department;

Tanning department (including all wet work);

Curriers' department (including rolling);

Finishing department (other than rolling).

"Japan shop."—Japan shop means places where persons japanning or enamelling leather are engaged.

(26) BASIC WAGE.—The minimum amount to be paid as a weekly wage to adult employees, subject to adjustment as provided in clause (27) hereof, shall be £4 7s. per week.

26A. PERIODICAL ADJUSTMENT OF WAGES.—The wages rates, for adults, set out in clause (2) are based upon the basic wage rate as prescribed in clause (26), and, pursuant to the provisions of section 21 of the *Factories and Shops Act 1934*, the Board determines that such wage rates shall be automatically increased or decreased by the same amounts and at the same time as such basic wage rate.

(27) ADJUSTMENT OF BASIC WAGE.—(a) The needs basic wage prescribed in clause (26) hereof shall be payable before the beginning of the first pay period to commence in the month of August, 1941.

(b) During each future period of or near a quarter beginning with the first pay period to commence in an August, a November, a February, or a May, the amount of the needs 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 'All Items' 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.

(1) The index number set to be applied is that for the six capital cities (weighted average).

(2) The index number for the calendar quarter next preceding the period of or near a quarter for which the adjustment is made is to be ascertained.

(3) The amounts assigned in the following table (or in any extension thereof) to the index number division comprising that number are to be ascertained.

(4) The basic wage shall be of those assigned amounts during such period of or near a quarter.

Table.

Index Number Divisions.	Needs Basic Wage (Adjustable).		Loading (Constant).		Total Basic Wage.	
	Per week. £ s. d.		Per week. £ s. d.		Per week. £ s. d.	
797- 808	3	5 0	0	5 0	3	10 0
809- 820	3	6 0	0	5 0	3	11 0
821- 833	3	7 0	0	5 0	3	12 0
834- 845	3	8 0	0	5 0	3	13 0
846- 858	3	9 0	0	5 0	3	14 0
859- 870	3	10 0	0	5 0	3	15 0
871- 882	3	11 0	0	5 0	3	16 0
883- 895	3	12 0	0	5 0	3	17 0
896- 907	3	13 0	0	5 0	3	18 0
908- 919	3	14 0	0	5 0	3	19 0
920- 932	3	15 0	0	5 0	4	0 0
933- 944	3	16 0	0	5 0	4	1 0
945- 956	3	17 0	0	5 0	4	2 0
957- 969	3	18 0	0	5 0	4	3 0
970- 981	3	19 0	0	5 0	4	4 0
982- 993	4	0 0	0	5 0	4	5 0
994-1006	4	1 0	0	5 0	4	6 0
1007-1018	4	2 0	0	5 0	4	7 0
1019-1030	4	3 0	0	5 0	4	8 0
1031-1043	4	4 0	0	5 0	4	9 0

Any extension of this table must be of the same construction as the table.

(5) The rates for junior labour shall be adjusted (to the nearest threepence) in proportion to the adjustment of the basic wage prescribed.

W. W. HARRIS, Chairman.

E. G. WILLIAMS, Secretary.

Melbourne, 22nd May, 1941.

