



# VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 163]

THURSDAY, JUNE 12.

[1941

## NATIONAL SECURITY (EMERGENCY POWERS) ACTS.

*At the Executive Council Chamber, Melbourne, the  
tenth day of June, 1941.*

### PRESENT:

His Excellency the Governor of Victoria.	
Sir George Goudie	Mr. Martin.
Mr. Pye	

### A.R.P. SCHEME No. 1.

IN pursuance of the powers conferred by the National Security (Air Raid Precautions) Regulations approved by the Governor in Council on the 11th November, 1940, His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, and on the recommendation of State War Advisory Council, doth hereby approve of A.R.P. Scheme No. 1 relating to the Enrolment of Emergency Firemen for Country Fire Brigades and the Conditions of Service of such Firemen, that is to say—

### A.R.P. SCHEME No. 1 PURSUANT TO THE NATIONAL SECURITY (AIR RAID PRECAUTIONS) REGULATIONS.

#### ENROLMENT OF EMERGENCY FIREMEN FOR COUNTRY FIRE BRIGADES AND THE CONDITIONS OF SERVICE OF SUCH FIREMEN.

1. This scheme may be cited as A.R.P. Scheme No. 1, or alternatively, as the A.R.P. (Country Fire Brigades Emergency Firemen) Scheme.
2. In this scheme, unless inconsistent with the context or subject Definitions matter—
  - “Board” means the Country Fire Brigades Board.
  - “Brigade” means any fire brigade registered by the Country Fire Brigades Board.
  - “Chief Officer” means the Chief Officer of the Country Fire Brigades.

3. This scheme shall apply to those parts of the State of Victoria known as the nine country fire districts, as set forth in the Second Schedule to the *Fire Brigades Act 1928*, and enlarged or diminished by proclamations made from time to time under the provisions of section 5 of the aforesaid Act. Application.

Enrolment of  
Emergency  
Firemen.

4. The Board may enrol from time to time so many emergency firemen as the Board deems necessary.

Emergency  
Firemen  
attached to  
Brigades.  
Classification  
of Brigades.

5. Every emergency fireman shall be registered by the Board as an emergency member of a specified brigade.

6. Any brigade may be specially classified by the Board to include a complement of emergency firemen in addition to the registered and reserve firemen referred to in the Regulations under the *Fire Brigades Act 1928*, and these special classifications may fall into one of the under-mentioned groups, viz.:—

A/E A complement of fifteen emergency firemen in addition to the complement of a brigade Class A.

B/E A complement of twenty emergency firemen in addition to the complement of a brigade Class B.

C/E A complement of twenty-five emergency firemen in addition to the complement of a brigade Class C.

D/E A complement of thirty emergency firemen in addition to the complement of a brigade Class D.

E/E Such special additional complement of emergency firemen as may be decided upon from time to time by the Board for the Ballarat City, Ballarat, Bendigo and Geelong City Fire Brigades.

Purpose for  
which  
Emergency  
Firemen  
Appointed.

7. Every emergency fireman shall be appointed for the preservation and protection of life and property within any country fire district from the dangers arising from fires consequent upon hostile air attack and for taking measures in advance in connexion therewith.

Qualifications  
for  
Membership.

8. No person shall be registered on the roll of any brigade as an emergency fireman unless—

(a) he is in good health and sound in body and mind;

(b) he is of good moral character and habits; and

(c) he is over the age of 18 years and under the age of 55 years.

Provided that the Board may register specially any applicant under the age of 18 years or over the age of 55 years who is considered by the Board to be physically fit and who is not disqualified otherwise than by his age.

Applications  
for  
Registration.

9. Every applicant for registration as an emergency fireman shall agree to abide by and conform with all regulations and schemes made, or which may hereafter be made, under the National Security (Emergency Powers) Acts or the National Security (Air Raid Precautions) Regulations relating to emergency firemen, and to the regulations under the *Fire Brigades Act 1928* relating to discipline, and to the rules of the brigade to which he will be attached. The Board may at any time terminate the service of or suspend or dismiss any emergency fireman.

Registration of  
Emergency  
Firemen.

10. If an applicant for registration as an emergency fireman complies with the requirements set forth in Clauses 8 and 9 hereof, and if the brigade approves of him, the name and particulars of such applicant shall be submitted to the Board in such form as the Board may from time to time direct for approval or otherwise, and no person shall be recognized as an emergency fireman until registered by the Board.

Provided that in a case of emergency the Chief Officer may forthwith and from time to time enrol as emergency firemen any applicants who are eligible in accordance with this scheme but any such applicants shall within one month from the date of their enrolment by the Chief Officer apply in writing for registration in accordance with this scheme.

Leave of  
Absence.

11. Any emergency fireman desirous of obtaining leave of absence shall apply for the same in writing to his brigade, and in the event of such leave being sought for a period longer than one month, the brigade shall forward such application to the Board with a recommendation by the brigade.

Resignations.

12. Any member desiring to resign from his brigade shall give to the officer in charge of the brigade fourteen days' notice in writing of his intention to resign, and no such resignation shall have effect until accepted by the Board.

Duties.

13. Every emergency fireman shall be allotted by the Chief Officer to a brigade and shall upon an alarm of fire proceed to the fire station of his brigade or any other pre-allotted station. He shall report forthwith on arrival to the senior officer of the brigade present, and shall perform such duty as may be required of him. He shall remain on duty until relieved by the officer in charge of the brigade.

14. Every emergency fireman shall promptly obey the lawful orders of his superior officers whether officers of the Board or officers of brigades and shall conform with this scheme and the Regulations made pursuant to the provisions of the Fire Brigades Acts. The Chief Officer or the Captain of any brigade may suspend any emergency fireman, and shall within forty-eight hours from the time of such suspension report it and the reasons for it to the Board in writing for its decision. The Board shall have power to deal with any emergency fireman who is in its opinion guilty of a breach of this scheme or of the rules of the brigade, or of insubordination, conduct subversive of discipline, intoxication, abusive or obscene language, or other unseemly conduct when on duty, either by reprimanding him or by dismissing him and removing his name from the register of emergency firemen. Discipline.

15. Every emergency fireman shall attend drills and training at such times as the Board, Chief Officer, or Captain of his brigade may direct. Any emergency fireman who fails to attend at least two-thirds of the recognized drills during a period of three months shall be liable to dismissal by the Board. Training.

16. The uniforms for emergency firemen shall consist of such articles of apparel as the Board shall from time to time determine. Emergency firemen must not alter in any way or add to their uniforms without the consent of the Board. Any emergency fireman who is dismissed, or whose service is terminated or whose resignation is accepted by the Board, shall forthwith deliver to the Captain of his brigade all equipment supplied to him for the execution of his duties as an emergency fireman. Uniforms.

17. Every emergency fireman shall forthwith notify the officer in charge of his brigade of impending absence for a period of more than twenty-four (24) hours from his usual place of business or place of abode, or of any other circumstances likely to prejudice his prompt attendance in case of emergency, and in the case of such temporary absence shall inform the officer aforementioned as to his probable temporary location. Temporary Absence.

18. Every emergency fireman shall forthwith notify the officer in charge of his brigade of any change of his place of abode or place of business. Change of Place of Abode or Place of Business.

19. The provisions of regulation No. 36 of the regulations of the Country Fire Brigades Board made by the Governor in Council on the thirteenth day of March, 1935, shall not apply to emergency firemen enrolled in pursuance of this scheme. Exclusion of Compensation Trust Fund.

And the Honorable Albert Eli Lind, for and on behalf of His Majesty's Premier for the State of Victoria, shall give the necessary directions herein accordingly.

C. W. KINSMAN,  
Clerk of the Executive Council.

10. The first two paragraphs of the letter are identical to the first two paragraphs of the letter dated 10/10/2018.

11. The third paragraph of the letter dated 10/10/2018 is identical to the third paragraph of the letter dated 10/10/2018.

12. The fourth paragraph of the letter dated 10/10/2018 is identical to the fourth paragraph of the letter dated 10/10/2018.

13. The fifth paragraph of the letter dated 10/10/2018 is identical to the fifth paragraph of the letter dated 10/10/2018.

14. The sixth paragraph of the letter dated 10/10/2018 is identical to the sixth paragraph of the letter dated 10/10/2018.

15. The seventh paragraph of the letter dated 10/10/2018 is identical to the seventh paragraph of the letter dated 10/10/2018.

16. The eighth paragraph of the letter dated 10/10/2018 is identical to the eighth paragraph of the letter dated 10/10/2018.

17.

18. The ninth paragraph of the letter dated 10/10/2018 is identical to the ninth paragraph of the letter dated 10/10/2018.

19. The tenth paragraph of the letter dated 10/10/2018 is identical to the tenth paragraph of the letter dated 10/10/2018.

20. The eleventh paragraph of the letter dated 10/10/2018 is identical to the eleventh paragraph of the letter dated 10/10/2018.

21. The twelfth paragraph of the letter dated 10/10/2018 is identical to the twelfth paragraph of the letter dated 10/10/2018.

22. The thirteenth paragraph of the letter dated 10/10/2018 is identical to the thirteenth paragraph of the letter dated 10/10/2018.

23. The fourteenth paragraph of the letter dated 10/10/2018 is identical to the fourteenth paragraph of the letter dated 10/10/2018.

24. The fifteenth paragraph of the letter dated 10/10/2018 is identical to the fifteenth paragraph of the letter dated 10/10/2018.

25.

26.

27.

28.



# VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 164]

THURSDAY, JUNE 12.

[1941

Factories and Shops Acts.

## DETERMINATION OF THE GENERAL BOARD.

### (INDUSTRIAL GASES SECTION.)

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

(b) On 18th July, 1938, and 11th November, 1940, respectively, by Orders in Council, the following additional trades and branches of trades were specified to be trades, or branches of trades, for the purposes of section (6) of the *Factories and Shops Act* 1936, that is to say:—

- Gold beating.
- Ornamenting cakes, where such work is not subject to the Determination of the Pastrycooks Board.
- Manufacturing or preparing—
  - Designs for paper patterns or for other paper articles whatsoever.
  - Paper crackers or bon-bons.
  - Lamp-shades of all types other than those made of silk, parchment, glass, metal, porcelain, earthenware, synthetic resin, casein, or other substance of a nature similar to synthetic resin or casein.
  - Abrasive articles (other than abrasive paper or cloth), including carborundum wheels, emery wheels, and sharpening stones.
  - Articles made of feathers, including dress ornaments and boas.
  - Vinegar and yeast.
  - Carbon dioxide or other industrial gases for trade or sale in gas, liquid, or solid form.

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 following trades and branches of trades, that is to say:—

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>Renovating carpets;</li> <li>Preparing feathers;</li> <li>Treating flax;</li> <li>Treating pyrites and other metalliferous ores;</li> <li>Mixing seed and making poultry foods;</li> <li>Glass badging;</li> <li>Gold stamping;</li> <li>Ivory working;</li> <li>Show-card and ticket-writing;</li> <li>Manufacturing or preparing—               <ul style="list-style-type: none"> <li>Abrasive paper or cloth;</li> <li>Asbestos articles;</li> <li>Blue prints;</li> <li>Buttons and buckles other than those subject to the Determination of the Plastic Moulding Board;</li> <li>Button badges;</li> <li>Carbon articles;</li> <li>Chalk, crayons, or other articles from mineral earth;</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>Cinematograph film;</li> <li>Composition flooring;</li> <li>Cutlery;</li> <li>Artificial flowers and bouquets;</li> <li>Paper articles not subject to any Board heretofore appointed;</li> <li>Honey;</li> <li>Ink or adhesives;</li> <li>Lead and shot;</li> <li>Silk or parchment lamp shades;</li> <li>Mica products;</li> <li>Fishing and other nets;</li> <li>Ornaments for cakes;</li> <li>Plaster models;</li> <li>Sporting goods not provided for under any Board heretofore appointed;</li> <li>Surgical instruments;</li> <li>Toys;</li> <li>Watch cases</li> </ul> |
|--|--|

has made, in respect of the manufacturing or preparing of carbon dioxide or other industrial gases for trade or sale in gas, liquid or solid form, the following Determination, namely:—

1. That this Determination shall come into force and be operative on and after 30th June, 1941.
- 2.

#### WAGES PER WEEK.

(a) Juniors.					(b) Other employees.				
				s. d.					s. d.
Under 16 years of age	..	..	..	17	0	Operators of dry-ice machines	..	..	*98 0
16 years of age to 17 years of age	..	..	..	28	3	Cylinder testers	..	..	*98 0
17 " " 18 " " "	..	..	..	50	0	Cylinder fillers	..	..	*98 0
18 " " 19 " " "	..	..	..	63	3	Cylinder packers	..	..	*98 0
19 " " 21 " " "	..	..	..	76	3	Valve hands	..	..	*98 0
						Persons dealing with carbide refuse	..	..	*92 0
						All others	..	..	*90 0

\* Including 3s. war loading.

## HOURS OF EMPLOYMENT.

3. 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.

Provided further that the working hours may be arranged as under:—

- (a) for a period of 26 weeks commencing with the first Sunday in April annually .. .. 40 hours per week
- (b) otherwise than during the period mentioned in (a) above .. .. 48 hours per week.

## SHIFT WORK IN OTHER THAN CONTINUOUS WORK.

4. (a) 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.

(b) 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 7½ per cent. more than ordinary rates shall be paid.

(c) 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.

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

(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.

5. 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.

6. (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) As far as practicable 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 the sub-clause (g) of this clause an employee shall work during meal breaks at the ordinary rates herein prescribed whenever instructed so to do for the purpose of making good break-downs of plant or upon routine maintenance of plant which can only be done while such plant is idle.

(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.

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

## PIECEWORK PRICES.

8. 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.

9. Extra rates in this Determination, including rates prescribed in clause 13, are not cumulative so as to exceed the maximum of double the ordinary rates.

## PAYMENT OF WAGES.

10. (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.

11. (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 (b) hereof shall be increased by 5s. per week (with a proportionate amount added to the wages of 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.

#### TIME AND WAGES BOOK.

12. 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.

13. 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 fewer than 3 and not more than 10 employees, including juniors, 6s. per week extra, more than 10 and not more than 20, including juniors, 12s. per week extra, more than 20, including juniors, 18s. per week extra.

(b) Dirty work, i.e., work which a foreman and workman shall agree is of an unusually dirty or offensive nature, 1½d. per hour extra.

(c) 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.

#### ANNUAL LEAVE.

14. (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, including in the case of leading hands the additional allowance prescribed by clause 13 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 11 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 30th day of June, 1941, 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 30th day of June, 1940, 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 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.

## PERIODICAL ADJUSTMENT OF WAGES.

15. The wages rates set out in clause 2 (b) 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 wages of juniors in receipt of 20s. per week or more shall be adjusted proportionately to adjustments of the basic wage—such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded.

The basic wage rates shown hereunder shall be adjusted as prescribed in clause 16.

*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 .. .. .	4 1 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.

16. (a) Until the beginning of the first pay period to commence in August, 1941, the amounts of the basic wage shall be as prescribed in clause 15.

(b) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, 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 15.
- (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 amount assigned 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

D. GRANT, Chairman.

REX L. CECIL, Secretary.

Melbourne, 9th June, 1941.





# VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 165]

FRIDAY, JUNE 13.

[1941

Factories and Shops\* Acts.

## DETERMINATION OF THE HOSPITAL AND BENEVOLENT ASYLUM ATTENDANTS BOARD.

NOTE.—This Determination on the 9th June, 1941, applied to the whole of the State.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which now has power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons (not including professional employees and not including nurses subject to the Hospital Nurses Board) employed in or about—

- (a) a hospital or benevolent asylum doing any kind of work connected with the carrying on of a hospital or benevolent asylum;
- (b) a sanatorium for the treatment of persons suffering from any form of tuberculosis;
- (c) a hospital or home for the treatment of the mentally afflicted doing any kind of work connected with the carrying on of such a hospital or home;

has made the following Determination, namely:—

(1) That on the 9th June, 1941, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

APPRENTICES OR IMPROVERS.

WAGES PER WEEK OF 48 HOURS WITHOUT BOARD AND LODGING.\*

	Employed at Clerical Work.		All Other Classes of Work		
	Males.	Females.	Males.	Females.	
				Employed in the Metropolitan District; Cities of Ballarat, Bendigo or Geelong; Town of Mildura; or Mooroopna Riding of Shire of Rodney.	Employed in any other part of Victoria.
	s. d.	s. d.	s. d.	s. d.	s. d.
Under 16 years of age .. .. .	23 0	22 0	36 0	} 44 9	} 43 9
16 years of age .. .. .	28 0	27 0	41 0		
17 " .. .. .	33 0	32 0	47 6		
18 " .. .. .	38 0	37 0	54 6		
19 " .. .. .	53 0	44 0	62 6		
20 " .. .. .	73 0	52 0	75 0		

PROPORTION (IN ANY PLACE).

APPRENTICES.	IMPROVERS.
<p style="text-align: center;">MALES.</p> <p>One male apprentice to every three or fraction of three male workers receiving not less than 97s. 0d. per week of 48 hours.</p> <p style="text-align: center;">FEMALES.</p> <p>One female apprentice to every three or fraction of three female workers receiving not less than 52s. 6d. per week of 48 hours.</p>	<p style="text-align: center;">MALES.</p> <p>One male improver to every eight or fraction of eight male workers receiving not less than 97s. 0d. per week of 48 hours.</p> <p style="text-align: center;">FEMALES.</p> <p>One female improver to every six or fraction of six female workers receiving not less than 52s. 6d. per week of 48 hours.</p>

\* The minimum wage where the employer boards and lodges the employee shall in the case of an adult male employee be 18s. per week less, and in the case of an adult female employee or an apprentice or improver 16s. per week less than the rate fixed without board and lodging.

## OTHER EMPLOYEES.

(a) Employed in the Metropolitan District; the Cities of Ballarat, Bendigo or Geelong; the Town of Mildura; or the Mooropna Riding of Shire of Rodney.

<i>Males.</i>		<i>Females.</i>	
WAGES WITHOUT BOARD AND LODGING.*		WAGES WITHOUT BOARD AND LODGING.*	
	Per week of 48 hours. s. d.		Per week of 48 hours. s. d.
Clerks .. .. .	100 0	Clerks .. .. .	62 0
Cooks—First .. .. .	104 6	Cooks in charge of—	
Other cooks .. .. .	99 6	One to three kitchen employees .. .. .	67 0
Dresser, head, where five or more dressers are employed	126 0	Four to seven kitchen employees .. .. .	74 6
Dressers doing venereal diseases work .. .. .	120 0	Eight or more kitchen employees .. .. .	84 6
Other dressers—		Second cooks .. .. .	64 6
1st year's experience as such .. .. .	100 0	Other cooks .. .. .	62 0
2nd year's experience as such .. .. .	105 0	Head housemaids .. .. .	57 0
Thereafter .. .. .	110 0	Housekeepers .. .. .	72 0
Foreman in charge of—		Head laundresses in charge of—	
One to nine employees .. .. .	102 6	One to three persons .. .. .	64 6
Ten or more employees .. .. .	110 0	Four or more persons .. .. .	69 6
Assistant foreman .. .. .	100 0	Second laundresses .. .. .	59 6
Gardeners in charge of one or more gardeners or where		Laundresses where only one employed .. .. .	59 6
there is only one employed .. .. .	99 6	Sorters .. .. .	59 6
Other gardeners .. .. .	97 0	Washing machine hands .. .. .	67 6
Incinerator attendants .. .. .	97 0	Storekeeper in charge of one or more store hands or	
Kitchenmen or scullerymen .. .. .	97 0	where there is only one employed .. .. .	62 0
Laboratory assistants .. .. .	105 6	Storekeeper's assistants—	
Laundrymen .. .. .	97 0	1st year's experience as such .. .. .	52 6
Mortuary-men employed solely on post-mortem work	115 0	2nd year's experience as such .. .. .	53 6
Other mortuary-men .. .. .	100 0	Thereafter .. .. .	54 6
And 10s. extra for each post-mortem.		Stenographers and typistes—	
Motor or motor ambulance drivers or assistants .. .. .	99 6	1st year's experience as such .. .. .	62 0
Operating theatre attendants .. .. .	100 0	2nd year's experience as such .. .. .	64 6
Casualty porters engaged on preparations and theatre		Thereafter .. .. .	67 0
work .. .. .	100 0	Telephone attendants .. .. .	69 6
Dispensary porters .. .. .	100 0	Waitresses—	
Relieving porters .. .. .	99 6	1st year's experience as such .. .. .	52 6
X-ray porters .. .. .	97 0	2nd year's experience as such .. .. .	53 6
Night porters, i.e., a porter who works at least three hours		Thereafter .. .. .	54 6
between 6 p.m. and 8 a.m.—		Wardmaids—	
Night porters who in the course of their duties patrol		1st year's experience as such .. .. .	52 6
the hospital .. .. .	103 0	2nd year's experience as such .. .. .	53 6
Other night porters .. .. .	99 6	Thereafter .. .. .	54 6
Recording attendants .. .. .	100 0	Registered X-ray technicians—	
Splint makers .. .. .	110 0	1st year's experience as such .. .. .	82 0
Splint makers' assistants .. .. .	100 0	2nd year's experience as such .. .. .	87 0
Storemen in charge of one or more storemen or where		Thereafter .. .. .	92 0
there is only one employed .. .. .	102 6	Laboratory assistants .. .. .	67 6
Other storemen .. .. .	97 0		
Telephone attendants .. .. .	100 0		
Ward cleaners handling sputum raugs .. .. .	110 0		
Other ward cleaners .. .. .	97 0		
X-ray attendants .. .. .	105 0		
X-ray technicians—			
1st year's experience as such .. .. .	97 6		
2nd year's experience as such .. .. .	112 6		
Thereafter .. .. .	122 6		
All others .. .. .	97 0		

(b) Employed in any other part of Victoria.

<i>Males.</i>		<i>Females.</i>	
WAGES WITHOUT BOARD AND LODGING.*		WAGES WITHOUT BOARD AND LODGING.*	
	Per week of 48 hours. s. d.		Per week of 48 hours. s. d.
Adults .. .. .	97 0	Clerks .. .. .	57 6
		Cooks—	
		First—or where there is only one employed .. .. .	67 0
		Second .. .. .	62 0
		Head laundress .. .. .	59 6
		Other laundresses .. .. .	54 6
		Stenographers and typistes .. .. .	62 6
		Telephone attendants .. .. .	57 6
		All others—	
		1st year's experience .. .. .	52 6
		2nd year's experience .. .. .	53 6
		3rd year's experience .. .. .	54 6

\* The minimum wage where the employer boards and lodges the employee shall in the case of an adult male employee be 18s. per week less, and in the case of an adult female employee or an apprentice or improver 16s. per week less than the rate fixed without board and lodging.

(3) **DAY OFF IN EACH WEEK.**—All employees shall receive at least one clear day off in each week in the case of day shift employees and one clear night off in each week in the case of night shift employees.

(4) **OVERTIME.**—The following overtime rates shall be paid for all work done:—

(a) Within a spread of 12 hours from the time of commencing work on any day but in excess of the number of hours fixed as a week's work . . . . . Time and a half.

(b) Outside a spread of 12 hours from the time of commencing work on any day . . . . . Double time.

(5) **RISK RATE.**—Persons (other than dressers doing venereal diseases work who are already provided for in clause (2)), handling or dressing patients suffering from venereal diseases, cancer, tuberculosis, typhoid, or patients qualified for admission to an infectious diseases hospital or ward, or handling clothes, bedding or linen not previously disinfected that are used in connexion with the cases aforesaid or engaged in experiments of an infectious nature, or handling microscopic slides of an infectious nature shall be paid at the rate of 7s. 6d. per week in addition to the rates provided in clause (2) of the Determination.

(6) **NAUSEOUS WORK.**—All male employees not provided for in clause (5) who handle linen of a nauseous nature, other than linen bagged or packed in containers shall be paid at the rate of 5s. per week in addition to the rates prescribed in clause (2).

(7) **PUBLIC HOLIDAYS.**—Employees shall be entitled to the following holidays without deduction of pay:—New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Melbourne Cup Day (within a radius of 20 miles of the General Post Office, Melbourne), Christmas Day, and Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of these holidays employees shall be entitled to the days so substituted.

Provided that if an employee works on any of such holidays or such holiday occurs on his or her rostered day off he or she shall be given—

(a) within four weeks following the date on which such holiday occurred—

(1) one extra day's pay, or  
(2) equal time off in lieu thereof, or

(b) one day shall be added to his or her annual leave.

(8) **ANNUAL LEAVE.**—Any employee who has been in the service of an employer for a period of not less than twelve months shall be granted by such employer seven day's leave at least in each year on full pay, without any deduction for board and lodging.

(9) **SICK LEAVE.**—In the event of an employee becoming sick and certified as such by the Medical Superintendent, or in an institution where there is no Medical Superintendent by a qualified Medical Practitioner approved by the institution, he or she shall be entitled to sick leave on full pay as follows:—

(a) During the first year of service in an institution—one day for each month of service.

(b) During the second, third, and fourth years of service in an institution—fourteen days in each year.

(c) Thereafter—twenty-one days in each year.

Sick leave shall be in addition to the annual leave provided in clause (8).

Notwithstanding any other provision in this clause an employee who contracts an infectious disease in the course of his other duties and same having been certified to by the Medical Superintendent or by a Medical Practitioner approved by the institution shall receive full pay during the necessary period off duty up to but not exceeding a period of three months.

(10) **FEMALES ENGAGED ON NIGHT DUTY.**—For any period of not less than 3 hours worked by females between the hours of 8 p.m. and 8 a.m. an amount of 5d. for each such period shall be paid in addition to the rates prescribed in clause (2) of this Determination.

(11) **EARLY MORNING DUTY.**—Employees (other than "night porters" and "females engaged on night duty") who commence duty on any day between the hours of 5 a.m. and 6.30 a.m. shall be paid an amount of 5d. for each of such days in addition to the rates prescribed in clause (2) of this Determination.

(12) **TIME BOOK.**—Every employer shall provide and cause to be kept a time book or other record in which each employee shall daily enter his or her starting and finishing times.

Such time book or other record shall be available for inspection to the General Secretary of The Hospital, Dispensary, and Asylum Employees' and Allied Government Officers' Federation.

(13) **A FULL WEEK'S WAGES TO BE PAID.**—Any employee (other than a casual worker) willing to work who works for less than the full working week, viz., 44 hours in the case of seamstresses and 48 hours in all other cases, shall be entitled to the payment of a full week's wage.

(14) **DRESSING ROOMS, ETC.**—Dressing rooms, rest rooms, bathrooms or shower rooms, and lunch rooms, shall be provided for non-resident employees, and suitable healthy accommodation for resident employees.

(15) **UNIFORMS, ETC.**—Uniforms, overalls, caps, and aprons, shall be provided and laundered free of cost for employees required to wear same.

(16) **RUBBER GLOVES, ETC.**—Rubber gloves and all necessary safety appliances shall be provided free of cost for the use of employees and an adequate supply of same shall be maintained.

(17) **TERMINATION OF EMPLOYMENT.**—Except where the conduct of an employee justifies instant dismissal, seven day's notice of termination of employment shall be given by either employer or employee, and any employee failing to give such notice shall be liable to forfeit one week's pay in lieu thereof.

(18) **UNION INTERVIEWS.**—During working hours employees of any Public Institution subject to this Determination may, with the consent of the Secretary or Superintendent of such institution (which consent shall not be unreasonably withheld) be interviewed by the Secretary of the Hospital, Dispensary, and Asylum Employees and Allied Government Officers' Federation of Australia, No. 1 Victorian Branch, or have their Union contributions collected by the steward of the said organization.

(19) **DEFINITION.**—For the purpose of this Determination "experience" referred to in clause (2) means experience at such work in any hospital or institution subject to this Determination.

**NOTE.**—Section 174 of the Factories and Shops Acts provides: Where any person is employed to perform two or more classes of work to which a rate fixed by a Wages Board is applicable then such person shall be paid in respect of the time occupied in each class of work at the rate fixed by the Board for such work.

D. BERRIMAN, Chairman.

D. B. MORGAN, Secretary.

Melbourne. 22nd May, 1941.

