



VICTORIA GOVERNMENT GAZETTE.

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No. 195]

MONDAY, JULY 7.

[1941

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 7 (COUNTRY SHOP ASSISTANTS).

NOTE.—This Determination applies to the whole of the State *outside and excepting* the following parts of Victoria, namely :—The Metropolitan District as defined in the *Factories and Shops Act* 1928 (No. 3677) and the Order in Council thereunder, and such portion of the City of Sandringham as is not included within the said District; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

IN accordance with the provisions of the Factories and Shops Acts the Wages Board appointed to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in or in connexion with a shop as a shop assistant, packer, storeman, or carter," has made the following Determination, viz. :—

(1) That on the 7th July, 1941, the last Determination of this Board shall be revoked and replaced by this Determination as to the lowest prices or rates which may be paid to any person employed in or in connexion with a shop as a shop assistant, packer, storeman, or carter, but not including persons subject to the Determinations of the—

Shops Board No. 4 (Butchers, Country),

Shops Board No. 6 (Chemists),

Shops Board No. 13 (Fuel and Fodder, Country), or the

Hotel and Restaurant Board.

(2)

APPRENTICES OR IMPROVERS.

Experience.	WAGES PER WEEK OF 46 HOURS.			PROPORTION. (In or in connexion with any shop.)
	Commencing Age.			
	15 years or under.	16 years.	17 years or over.	
	<i>Males.</i>			
1st year	14s. 6d.	16s.	18s. 6d.	One male apprentice to every three or fraction of three male workers receiving not less than 66s. per week of 46 hours. One female apprentice to every three or fraction of three female workers receiving not less than 39s. 6d. per week of 46 hours. An indenture of apprenticeship prescribed by the Board was approved on 20.12.1923.
2nd "	19s.	23s.	27s. 6d.	
3rd "	23s.	33s.	43s.	
4th "	33s.	43s.	56s. 6d.	<i>Improvers.</i> One male improver to each male worker receiving not less than 66s. per week of 46 hours. One female improver to each female worker receiving not less than 39s. 6d. per week of 46 hours. Provided that a female improver may be employed in lieu of a male improver, or a male improver in lieu of a female improver.
5th "	43s.	56s. 6d.	..	
6th "	56s. 6d.	..	..
	<i>Females.</i>			
1st year	13s.	14s.	16s.	One male improver to each male worker receiving not less than 66s. per week of 46 hours. One female improver to each female worker receiving not less than 39s. 6d. per week of 46 hours. Provided that a female improver may be employed in lieu of a male improver, or a male improver in lieu of a female improver.
2nd "	14s. 6d.	16s. 6d.	21s.	
3rd "	20s.	21s. 6d.	27s. 6d.	
4th "	25s. 6d.	27s. 6d.	36s.	
5th "	31s.	36s.	..	
6th "	36s.	..	..

OTHER EMPLOYEES.

	WAGES PER WEEK OF 46 HOURS.	
	Males.	Females.
Shop assistant—		
In charge of a shop, i.e., the person for the time being entrusted with the control or superintendence of a shop, notwithstanding he or she may be under the orders of a superior who does not devote his or her whole time to supervising such shop—		
(a) working singly	118s. 6d.	101s. 6d.
(b) in charge of one or more persons	133s.	108s. 6d.
In charge of a department, i.e., the person for the time being entrusted with the control or superintendence of a department in which are employed two or more other persons, notwithstanding he or she may be under the orders of a superior who does not devote his or her whole time to supervising such department	111s. 6d.	67s.
21 years of age	60s.	39s. 6d.
22 " "	76s. 6d.	45s. 6d.
Between 23 and 60 years of age	93s.	55s. 6d.
60 years of age or over	84s. 6d.	
Packer or storeman	86s.	..
Carters driving horse-drawn vehicles	87s.	..
Driver of motor vehicle with a carrying capacity of not more than 25 cwt.	88s. 6d.	..
Driver of motor vehicle with a carrying capacity of over 25 cwt.	91s.	..

(3) TIMES OF BEGINNING AND ENDING WORK.—

	Time of Beginning.	Time of Ending.
On the day on which the weekly half-holiday is observed	8 a.m.	12.30 p.m.
On the usual late trading night	8 a.m.	9 p.m.
On the other working days of the week	8 a.m.	6 p.m.

(4) OVERTIME.—The rate of time and a half shall be paid for all work done—

- (a) Outside the hours fixed as the times of beginning and ending work ;
 (b) Within the hours fixed as the times of beginning and ending work in excess of 46 hours in any week.

(5) TIME WAGES.—Any person employed on time wages for less than the number of hours of an ordinary week's work shall for each hour worked up to one-half the number of hours fixed for an ordinary week's work be paid at the ordinary wages rate with an addition of thirty-three per centum, and for each hour worked beyond the one-half aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

(6) SPECIAL RATES.—All work done on Sunday, Good Friday, Easter Saturday (except in localities in which the late trading night is observed on a Saturday), Easter Monday, and the days on which Australia Day, Labour Day, King's Birthday, Christmas Day, Boxing Day, and New Year's Day are observed as public holidays shall be paid for at the rate of double time.

(7) 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 one week's holiday, exclusive of the holidays mentioned in clause (6), in each year on full pay and such holiday shall be given within three months of the completion of twelve months' service, provided that, for the purposes of this clause, any service prior to the 6th April, 1937, shall not be taken into account.

(8) SICK PAY.—Any employee not attending for duty shall lose his or her pay for the actual time lost unless such employee has had not less than twelve month's service with the same employer, and he or she produces or forwards within twenty-four hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill-health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the grounds of personal ill-health or accident for more than six days in each year commencing from the 4th July, 1938.

(9) MIDDAY MEAL.—An interval of one hour shall be allowed for the midday meal between the hours of 12 noon and 2 p.m.

(10) GARMENT ALLOWANCE.—Any employee who wears, when at work, a washable outer-garment, the laundering of which is not paid for by the employer, shall be paid 3s. per week in addition to the ordinary wage. Such laundering shall be done in the town in which is situated the shop or branch shop at which the employee works.

(11) BICYCLE ALLOWANCE.—Where an employee uses his or her own bicycle in connexion with the employer's business such employee shall be paid an allowance of 2s. per week in addition to the ordinary wage.

(12) PAYMENT OF WAGES.—Wages shall be paid not later than Thursday in each week, and must be paid during working hours.

(13) REFERENCE.—An employee, on severing his or her connexion with an employer, shall be entitled to and shall receive from such employer a reference in writing, stating his or her period of service and qualifications.

(14) TRANSFER OF EMPLOYEE.—Where any employer transfers an employee from one township to another, the employer shall be responsible for and shall pay the whole of the moving expenses, including fares and transport charges, for the employee and his family.

(15) TERMINATION OF EMPLOYMENT.—Except in a case where an employee has been guilty of a misdemeanour, seven days' notice of termination of employment shall be given by either employer or worker.

(16) RENT OF RESIDENCE.—The employer shall not charge any manager or assistant who resides on the premises in connexion with the shop in which the business of such employer is carried on a greater sum as rent for such premises than 10s. 0d. per week.

(17) TIME AND WAGES RECORD.—The employer shall keep a time and wages record showing the name of each worker, the number of hours worked each week, and the wages and overtime paid each week. Such record shall be open for inspection by a duly accredited representative of the Shop Assistants and Warehouse Employees' Federation of Australia or of the Victorian Storekeepers' Association.

F. W. BOND, Chairman.

H. N. JONES, Secretary.

Melbourne, 18th June, 1941.



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No. 196]

MONDAY, JULY 7.

[1941

Factories and Shops Acts.

DETERMINATION OF THE CEMETERY EMPLOYEES BOARD.

NOTE.—This Determination on the 8th July, 1941, applied to the whole of the State of Victoria.

IN accordance with the provisions of the Factories and Shops Acts, and the Order in Council thereunder, the Wages Board appointed to "determine the lowest price or rates which may be paid to any person employed in or about a cemetery as a grave digger, grave decorator, gatekeeper, labourer, or gardener" has made the following Determination, namely:—

(1) That on the 8th July, 1941, the previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Apprentices or Improvers.					Other Employees.			
					Wages.			
					Within the Metropolitan District.		All other Parts of Victoria.	
					Per Hour.	Per Week of 44 Hours.	Per Hour.	Per Week of 44 Hours.
					s. d.	s. d.	s. d.	s. d.
1st year .. .. .	..	..	..	..	20	6		
2nd " .. .. .	..	..	..	..	24	0		
3rd " .. .. .	..	..	..	..	28	0		
4th " .. .. .	..	..	..	..	33	0		
5th " .. .. .	..	..	..	..	42	6		
Wages per Week of 44 Hours.								
s. d.								
Grave diggers					2	5 ⁷ / ₁₁	107	6
All others					2	1 ⁷ / ₁₁	94	0
Proportion (within any place).								
One apprentice and one improver to every three or fraction of three workers receiving not less than the minimum wage.								

(3) Any employee who is required to handle explosives shall be paid 1s. per day extra for each day or part of a day on which he handles such explosives.

(4) RE-INTERMENTS.—Persons employed on re-interments shall be paid for each such re-interment the sum of £1 in addition to the ordinary rates.

(5) TIME OF BEGINNING AND ENDING WORK—

Time of Beginning. Time of Ending.
7.30 a.m. .. 12 noon on the day on which the half-holiday is locally observed.
7.30 a.m. .. 5.15 p.m. on the other working days of the week.

(6) OVERTIME.—All work done outside the hours specified as the times of beginning and ending work, or for any work done within such hours in excess of 44 hours in any week, shall be paid at the rate of time and a half. Provided that any employee who is required to do any work after 1 p.m. on the day on which the half holiday is locally observed shall receive a minimum payment for four hours work at such overtime rate. Such overtime shall be paid for in cash, and employees shall not be booked time off in lieu thereof.

(7) HOLIDAYS.—(a) Employees shall, as far as practicable, be entitled to the following holidays without deduction of pay:—New Year's Day, Australia Day, Good Friday, Easter Monday, Anzac Day, Labour Day, King's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, this condition shall only apply for the day so substituted, or should any such holiday occur on a Sunday and a day is not so substituted, employees shall be entitled to a holiday in lieu of same on a day to be arranged between the employees and the Trust concerned.

(b) Any employee who having been instructed to report for work on any holiday mentioned in sub-clause (a) hereof shall if he so reports be entitled to payment as follows:—

- (i) An allowance of 5/- if not given a start at work.
- (ii) A full day's wage if required to do any work on any such day.

The allowance or wage provided for in (i) and (ii) hereof are in addition to the payment of a day's pay to which an employee is entitled under sub-clause (a).

(8) SUNDAYS.—All work done on Sundays shall be paid for at double time. Provided that any employee who is required to be on duty solely for the purpose of opening or closing the cemetery and/or for acting as a patrolman or as a supervising attendant shall receive a minimum payment of 6s., and any employee called on duty to do any other work shall receive a minimum payment of one pound for each Sunday he is so required to work.

(9) PICNIC DAY.—The 3rd Wednesday in February in each year shall be observed as a holiday within a radius of 20 miles of the General Post Office, Melbourne, and at Ballarat, Bendigo, and Geelong. Employees (except those required to carry out essential services) shall be entitled to such holiday without deduction of pay.

Employees required to carry out essential services may receive ordinary rates of pay only for work done on such day.

(10) **TERMS OF ENGAGEMENT.**—Any employee (other than a casual employee) willing and available to work shall in respect of each week of his employment be paid the full weekly wage fixed by this determination.

(11) **ANNUAL HOLIDAY.**—Any employee (other than a casual employee) who has been in the service of an employer for a period of not less than twelve months, shall be granted 6½ days (exclusive of Sundays and the days mentioned as holidays in clause (7)) annual holidays in each year on full pay.

(12) **PAYMENT OF WAGES.**—Wages shall be paid not later than Thursday in each week.

(13) **SICK LEAVE.**—Any employee (other than a casual employee) who has not less than twelve months' service with the same employer shall be entitled to leave of absence on account of ill-health or accident, provided he has submitted within 24 hours of the commencement of such absence satisfactory evidence that same is not the result of his own misconduct. If the conditions hereinbefore stated have been complied with, the employee shall also be entitled during such absence in any year to payment as follows:—

(a) For the first two weeks, full pay.

(b) For the next two weeks, half pay.

Provided that where, under any scheme of insurance or an accident relief or provident fund, to secure the benefit of which the employer has paid the necessary premium or under any Workers' Compensation Act, compensation becomes payable for any of such days of absence, the employer shall not be bound to pay more of such wage than is sufficient with such compensation to make up the full or half pay as the case may be.

For the purpose of this clause a year shall mean a period of twelve months commencing on the 1st day of January in each year.

(14) **WET PLACES.**—Employees required to work in wet places shall be provided with leather or rubber knee boots.

(15) **DEFINITION.**—A casual employee is a person who is not required to report for duty on each or every ordinary working day, but who is called upon to do certain specified work at irregular intervals.

(16) **TERMINATION OF EMPLOYMENT.**—Except in a case where an employee has been guilty of a misdemeanour, seven days' notice of termination of employment shall be given by either employer or worker. This clause does not operate in the case of a casual employee.

(17) **PERIODICAL ADJUSTMENT OF WAGES.**—The wages rates for males set out in clause (2) are based upon the following basic wage and, pursuant to and in accordance with 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. Provided that the wages of apprentices or improvers shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 6d., half or less than half of 6d. to be disregarded.

The basic wage shown hereunder shall be adjusted as prescribed in clause (18).

Basic Wage.

Place.	Basic Wage.	Index Number Set Assigned.
Within the area to which this Determination applies	£ s. d. 4 1 0	Melbourne

(18) **ADJUSTMENT OF BASIC WAGE.**—(a) Until the beginning of the first pay period to commence in August, 1941, the amount of the basic wage shall be as prescribed in clause (17).

(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 amount 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:—

(1) The index number set to be applied is that assigned to Melbourne.

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

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

(4) The basic wage shall be of that assigned amount during such successive period.

Table.

Index Number Divisions.	Basic Wage.	Index Number Divisions.	Basic Wage.
	£ s. d.		£ s. d.
772-783	3 3 0	908-919	3 14 0
784-796	3 4 0	920-932	3 15 0
797-808	3 5 0	933-944	3 16 0
809-820	3 6 0	945-956	3 17 0
821-833	3 7 0	957-969	3 18 0
834-845	3 8 0	970-981	3 19 0
846-858	3 9 0	982-993	4 0 0
859-870	3 10 0	994-1006	4 1 0
871-882	3 11 0	1007-1018	4 2 0
883-895	3 12 0	1019-1030	4 3 0
896-907	3 13 0		

H. J. RICHARDSON, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 23rd June, 1941.