

Published by Authority.

No. 3541

**WEDNESDAY, DECEMBER 17.**

**[1941**

## DETERMINATION OF THE BRICK TRADE BOARD.

(2)

The Board has determined that no person shall be taken as an apprentice.

(3) **TIME OF BEGINNING AND ENDING WORK.**—For any persons except burners, machine drivers, machine riggers, and pan or crusher attendants—

Time of Beginning.		Time of Ending.	
7 a.m.	..	12 noon	on Saturdays, or the day on which the half-holiday is locally observed.
7 a.m.	..	5.30 p.m.	on each of the other five working days of the week.

(4) **SPECIAL RATE.**—Burners on night shift shall be paid 5s. per week in addition to the rate mentioned in Clause (2).

(5) **OVERTIME.**—(a) Any employee who works for any time in excess of the maximum number of hours per week fixed by this Determination shall be paid for such extra time at the rate of time and a half.

(b) Any employee (other than a burner, machine driver, machine rigger, or pan or crusher attendant) who works outside the hours fixed in Clause (3) shall be paid for such time at the rate of time and a half.

(c) All work done by machine drivers, machine riggers, and pan or crusher attendants either before the ordinary starting time and after the ordinary finishing time of the factory shall be paid for at the rate of time and a half irrespective of the number of hours worked.

(6) **SUNDAYS AND HOLIDAYS.**—Time and a half shall be the special rate for all work done on Sundays, and double time for all work done on New Year's Day, Australia Day (26th January), Labour Day (21st April), Good Friday, Easter Monday, Anzac Day, King's Birthday, 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, the special rate shall only be payable for work done on the day so substituted.

(7) **PAYMENT FOR HOLIDAYS.**—All employees shall be granted the holidays mentioned in Clause (6) without deduction of pay.

(8) **PAYMENT OF WAGES.**—All wages due shall be paid not later than Friday in each week, except where otherwise mutually agreed between employer and employee.

(9) **ANNUAL LEAVE.**—(a) Any employee who has been in the service of the same employer for a period of not less than twelve months shall be entitled to the days intervening between the gazetted days for Boxing Day and New Year's Day as annual leave and shall be paid at ordinary rates therefor.

(b) Any employee who on 26th December has been continuously employed by the same employer for more than three months but less than twelve months shall be entitled to the annual leave period prescribed in sub-clause (a) hereof and shall be paid *pro rata* according to the number of completed months of service.

(c) Any such employee required to work on any intervening day or days to which he is entitled under sub-clauses (a) or (b), shall be allowed at a time suitable to himself and the employer, an equivalent number of days in lieu thereof as holidays without deduction of pay, or shall be paid double time for such day or days.

(10) **TERMINATION OF EMPLOYMENT.**—In any case where it is intended to close down a kiln or portion of the works, one week's notice of such intention shall be given to employees whose services are to be terminated.

(11) **MORNING TEA INTERVAL.**—A morning tea interval of seven minutes shall be allowed employees each morning during ordinary working hours without deduction of pay, such interval shall be arranged by the employer so as to avoid the necessity for a stoppage of operations in the establishment.

(12) **ASSISTANCE FOR TRUCKERS.**—Persons trucking 75 yards or over shall be supplied with assistance, and any person so assisting shall be paid at truckers rate.

(13) **INJURED EMPLOYEES.**—In all cases of accidents where it is deemed necessary to send the injured person to a hospital or a doctor he shall be accompanied by an attendant.

(14) **FIRST-AID OUTFIT.**—An adequate first-aid kit and a stretcher shall be provided in the clayhole.

#### PIECE-WORK PRICES FOR BRICKS OTHER THAN FIREBRICKS.

(15) The lowest piece-work prices to be paid for bricks, other than firebricks, shall be—

	In Yards where Railway Trucks are used.		In Yards where Railway Trucks are not used.	
	Ordinary Bricks, per 1,000.	Radial or Culvert or Bull-nosed Bricks, per 1,000.	Ordinary Bricks, per 1,000.	Radial or Culvert or Bull-nosed Bricks, per 1,000.
	s. d.	s. d.	s. d.	s. d.
Drawing, wheeling, and stacking where the distance wheeled commencing from the outside wall of kiln at the wicket from which the bricks are drawn is—				
Not more than 26 yards .. .. .	2 9½	3 0½	2 8	2 11½
26 to 36 yards .. .. .	3 1½	3 6	3 0½	3 3½
36 to 46 yards .. .. .	3 4	3 7½	3 2½	3 6
Over 46 yards .. .. .	3 10½	4 1½	3 9½	4 0½

#### Drawing, wheeling, and loading on railway trucks—

	On Level Surface.		On Up-grade Planks.	
	Ordinary Bricks, per 1,000.	Radial or Culvert or Bull-nosed Bricks, per 1,000.	Ordinary Bricks, per 1,000.	Radial or Culvert or Bull-nosed Bricks, per 1,000.
	s. d.	s. d.	s. d.	s. d.
Not more than 26 yards .. .. .	3 11½	4 2½	4 3	4 5½
26 to 36 yards .. .. .	4 4	4 6½	4 7½	4 10
36 to 46 yards .. .. .	4 6½	4 9	4 9½	5 0½
Over 46 yards .. .. .	5 0½	5 3½	5 4	5 6½

Drawing bricks not previously specified in this paragraph the drawer to leave same on barrows outside of wickets .. .. . 2s. 7½d. per 1,000 bricks

	s. d.
Hand-moulding square bricks where material is prepared on the ground within 15 feet of table and off-bearing to grass hacks .. .. .	16 9
" " " " in sheds .. .. .	14 7
" " " " from bowling stool and placing on grass hacks (where material is placed on the table) .. .. .	11 10
" " " " from bowling stool in sheds (where material is placed on the table) .. .. .	10 10
" " " " fancy bricks and off-bearing to hacks or in sheds .. .. .	16 9
" " " " from bowling stool .. .. .	15 2
Setting .. .. .	2 9
Picking blues .. .. .	20 0

#### PIECE-WORK PRICES WHICH MAY BE FIXED BY AN EMPLOYER.

(16) The Board determines under the provisions of Section 150 of the *Factories and Shops Act 1928* that any employer may fix and pay piecework prices to any person employed in fire-brick making, or as a clayholeman, machine driver, machine rigger, wheeler of green bricks, or trucker, provided that any such employer shall base such piecework prices on the earnings of an average worker working under like conditions, and such piecework prices shall be fixed so that an average worker can earn not less than the wages rates that are fixed by the Board for such work.

(17) PERIODICAL ADJUSTMENT OF WAGES.—The wages rates 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 proportionate adjustments to the rates for improvers and to the piecework prices shall be made at the same time as follows:—

(a) In the case of improvers and hand moulding and setting by piecework to the nearest penny, half or less than half of one penny to be disregarded.

(b) In the case of drawers, wheelers, stackers and loaders by piecework, an increase or decrease of one farthing per 1,000 bricks for every increase or decrease in the basic wage.

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 2 0	Melbourne

(18) ADJUSTMENT OF BASIC WAGE.—(a) Until the beginning of the first pay period to commence in February, 1942, 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 a February, a May, an August, or a November, 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 or near a quarter 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.
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

H. L. JACKSON, P.M., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 24th November, 1941.





# VICTORIA GOVERNMENT GAZETTE.

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WEDNESDAY, DECEMBER 17.

[1941

Factories and Shops Acts.

## DETERMINATION OF THE SHOPS BOARD No. 18 (MISCELLANEOUS SHOPS)

NOTE.—This Determination on the 11th December, 1941, applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder, and such portions of the city of Sandringham as are not included 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, which has the power to determine the lowest prices or rates which may be paid to any person (including an outside salesman) employed in or in connexion with any shop other than shops of the following classes, that is to say:—

- (a) A Butcher's shop, a Bookseller's and Newsagent's shop, a Confectionery and Pastry Shop, a Cooked Meat Dealer's shop, a Fish and Oyster shop, a Fruit and Vegetable shop, a Hairdresser's shop, a Tobacconist's shop;
- (b) A Boot Dealer's shop, a Boot Repair shop, a Bread shop, a Chemist's shop, a Dairy Produce Dealer's shop, a Draper's shop, a Dyer's and Clothes Cleaner's shop, a Fuel and Fodder Dealer's shop, a Furniture Dealer's shop, a Grocer's shop, a Haberdasher's shop, a Hardware shop, a Hatter's shop, a Men's Clothing shop, a Mercer's shop, a Milliner's shop, an Underclothing shop, a shop for the sale of petrol, benzine, or other motor spirit, motor oils, or motor car or motor cycle accessories, a shop for the sale of electrical goods or for the sale of wireless (radio) sets, parts, or accessories;

has made the following Determination, namely:—

(1) That on the 11th December, 1941, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

APPRENTICES OR IMPROVERS.

Wages per week of 47 Hours in paint, colour, or wall-paper shops and 46 in any other place.

Experience.	Commencing Age.						Experience.	Commencing Age.					
	15 years or under.	16 years.	17 years.	18 years.	19 years.	20 years.		15 years or under.	16 years.	17 years.	18 years.	19 years.	20 years.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.		s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
<b>Males—</b>							<b>Females—</b>						
1st year ..	19 6	19 6	23 0	24 0	24 0	42 0	1st year ..	16 6	17 6	23 0	24 0	25 6	27 0
2nd „ ..	24 0	24 0	29 6	39 0	45 6	56 6	2nd „ ..	19 6	23 6	27 0	28 0	28 6	36 0
3rd „ ..	28 0	32 6	40 0	55 0	65 0	72 6	3rd „ ..	24 6	27 0	29 6	29 6	29 6	41 6
4th „ ..	37 0	43 0	55 0	..	..	..	4th „ ..	27 0	30 0	36 0	..	..	..
5th „ ..	45 0	55 0	..	..	..	..	5th „ ..	29 6	36 0	..	..	..	..
6th „ ..	55 0	..	..	..	..	..	6th „ ..	36 0	..	..	..	..	..

PROPORTION (IN ANY SHOP).

*Apprentices.*

One apprentice to every three or fraction of three persons receiving not less than the minimum wage.

*Improvers (Males).*

One improver to every worker receiving not less than the minimum wage.

*Improvers (Females).*

Two improvers to every worker receiving not less than the minimum wage.

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## OTHER EMPLOYEES.

		Wages per week of 47 hours in paint, colour, or wall-paper shops and 46 in any other place.	
		Males.	Females.
		s. d.	s. d.
<i>Employed in the business of a curio dealer, a feather dealer, a furrier, a jeweller, a pawnbroker, a seller of clocks, watches, perfumery and toilet requisites, optical goods, photographic materials, sports materials, typewriters, business systems, surgical instruments, pianos, organs, piano-players, push cycles, motor cycles and motor cars, and accessories for push cycles, a bird or dog dealer, a stamp dealer, a herbalist, a saddler, a ship chandler, a seller of cork goods, crockery, fancy goods, toys, grindery, leather goods, music, musical instruments (other than pianos, organs, or piano-players), pictures, picture frames, perambulators, paper patterns, rubber goods which are not motor cycle or motor car accessories, florists' goods, seeds, seedlings, tents, flags, umbrellas, or wicker goods, paints, colours, wall-papers, or employed in any business, other than those specially mentioned, to which this Determination applies:—</i>			
Branch manager (i.e., a person entrusted with the control or superintendence of a branch shop, notwithstanding he or she may be under the orders of a superior who does not devote his or her whole time to the management of the said branch shop) .. .. .		124 9	124 9
Departmental manager or manageress (i.e., a person in control of three or more persons 21 years of age or over, notwithstanding he or she may be under the orders of a superior who does not devote his or her whole time to the management of such department)—			
Male .. .. .		116 0	
Female—			
Where one or more adult males are under her control .. .. .			116 0
In other cases .. .. .			63 3
Persons over 21 years of age (not being apprentices or improvers) without previous experience at the trade—			
1st six months' experience .. .. .		59 0	33 6
2nd six months' experience .. .. .		69 0	38 6
Other employees—			
21 years of age .. .. .		81 9	45 3
22 years of age .. .. .		92 6	51 0
23 years of age or over .. .. .		100 9	57 0

## (3) TIMES OF BEGINNING AND ENDING WORK.—

## (a) Employees in paint, colour, or wall-paper shops—

	Time of Beginning. (not earlier than)	Time of Ending. (not later than)
On the usual half-holiday .. .. .	8 a.m. ..	12.45 p.m.
On the usual late trading night, or the night previous to a Public Holiday ..	8 a.m. ..	9 p.m.
On all the other working days of the week .. .. .	8 a.m. ..	6 p.m.

## (b) Employees in any other place—

On the usual half holiday .. .. .	9 a.m. ..	12.45 p.m.
On the usual late trading night, or the night previous to a Public Holiday ..	9 a.m. ..	9 p.m.
On all the other working days of the week .. .. .	9 a.m. ..	6 p.m.

## \*(4) OVERTIME.—The rate of time and a half shall be paid for all time worked by persons employed in—

## (a) Shops and departments of shops where paints, colour, or wall-paper is sold—

## (i) Within the times fixed for beginning and ending work—

- In excess of 3 hours 55 minutes on the usual half-holiday.
- In excess of 10 hours 25 minutes on the usual late trading night of the night previous to a Public Holiday.
- In excess of 8 hours 10 minutes on all other working days of the week.

## (ii) Outside the times of beginning and ending work.

## (b) Other shops and departments of shops—

- (i) Within the times fixed for beginning and ending work in excess of 46 hours.
- (ii) Outside the times of beginning and ending work.

\* NOTE.—Section 117 (2) Act 3677 provides that:—Any person may, if notice in writing has previously been sent to the chief inspector, be employed in any shop or at any work in connexion with a shop for any time not exceeding three hours in any one day beyond the ordinary working hours, provided that the total number of days in any one year on which in any shop or at any work in connexion with a shop any such person is so employed shall not exceed twenty-one.

Section 105, however, makes it an offence for any employer to detain an employee later than half an hour on a half holiday.

(5) DAY'S WORK TO BE CONTINUOUS.—No employee, except in a case where he has been guilty of a misdemeanour, having commenced work, shall be required to take any time off (exclusive of intervals for meals) until he has completed the full number of hours for that day's work.

(6) TIME RATE.—Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall be paid, for time worked up to one-half the number of hours fixed for such ordinary week's work, as follows:—

- (a) In any week in which two or more Public Holidays occur .. At the ordinary wages rate with an addition of fifty per centum.
- (b) In any other week .. .. . At the ordinary wages rate with an addition of thirty-three and one-third per centum.

and for time 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, together with any overtime rate which is applicable.

(7) SICK PAY.—Any employee not attending for duty who has had not less than twelve months' service with the same employer shall not lose his pay for the actual time lost if such employee produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the employer that his non-attendance was due to personal ill-health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the grounds of personal ill-health or accident for more than five days in each year commencing from the 22nd February, 1938.

(8) MEAL ALLOWANCE.—For each day upon which more than one hour's overtime is worked, each person who works such overtime shall be paid 2s. meal money in addition to the prescribed overtime rate.

(9) MEAL INTERVALS.—All employees shall be allowed the following meal intervals with permission to leave the shop for the whole of such intervals, viz.:—From Monday to Friday, one hour for lunch between noon and 3 p.m. and, in addition, on the usual late shopping night three-quarters of an hour between the hours of 5 p.m. and 7.15 p.m.

(10) REST INTERVALS.—Any employee who works four hours or longer without a meal interval shall be allowed a rest period of not less than ten minutes after two and a half hours' work. Such rest period shall be counted as time worked.

During such rest period the employee shall be permitted to take morning or afternoon tea as the case may be.

NOTE.—Section 117 (3) of the *Factories and Shops Act 1928* (No. 3677) provides that no person shall be employed in any shop more than five hours without an interval for a meal.

(11) CLOTHING ALLOWANCE.—Where any employee is required by his employer to wear any special uniform, dress or clothing, of some colour other than black or black and white it shall be supplied, paid for, and, if necessary, laundered by the employer. Provided that, subject to the approval in writing of an official representative of the Shop Assistants and Warehouse Employees' Federation of Australia, an Employer may substitute some other colour for black, or black and white, for any employee or section of employees, and under such circumstances the employer shall not be required to supply, launder or pay for such special uniform, dress or clothing.

(12) NOTICE OF INTENTION TO RATION.—Where an Employer owing to slackness of trade desires to ration his employees, he shall give at least two clear working days' notice to each employee of his intention to ration such employee.

(13) ANNUAL HOLIDAYS.—(i) Any employee who has been in the service of an employer for a period of twelve months and less than five years shall be granted one week's holiday (exclusive of the holidays mentioned in clause (15), in each year on full pay. Such holiday shall be given within three months of the completion of twelve months' service.

Seven days' notice shall be given by the employer to the employee before the latter commences his week's holiday aforesaid.

(ii) Any employee who has been for not less than six months in an employer's service, and whose engagement is terminated, shall receive one half-day's holiday payment for each month spent in such employer's service.

(iii) Any employee who has been employed by the same employer for not less than five years shall be granted two weeks holiday on full pay.

(14) TERMINATION OF EMPLOYMENT.—Seven days' notice of termination of employment shall be given by either employer or worker.

(15) SPECIAL RATES FOR SUNDAYS AND HOLIDAYS:—

The special rates for all work done on Sundays or the undermentioned Public Holidays shall be—

Sunday	.. .. .	} Double time.
New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday,	.. .. .	
Melbourne Cup Day (Metropolitan District only) Christmas Day, Boxing Day, or after	.. .. .	
12.30 p.m. on Show Day in localities mentioned in the Twelfth Schedule to the Public Service Act 1928, within the area to which this Determination applies	.. .. .	
Easter Saturday	.. .. .	Five times the ordinary rate.

If, by Act of Parliament or Proclamation, any other day be substituted for any of the above-named holidays, the special rate shall be payable only for work done on the day so substituted.

(16) PAYMENT OF WAGES.—Payment of all moneys due shall be made not later than Thursday of each week, and during working hours.

(17) 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 duties performed. This provision shall apply only in the case of an employee who has been employed continuously for three months or more.

D. GRANT, Chairman.

J. B. McINDOE, Secretary.

Melbourne, 25th November, 1941.

