



VICTORIA GOVERNMENT GAZETTE.

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[1942

Factories and Shops Acts.

DETERMINATION OF THE ELECTRO-PLATERS BOARD.

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

(b) On the 7th day of February, 1938, the Tinsmiths Board was deprived of the power to determine the lowest prices or rates which may be paid to any persons employed in the process, trade or business of metal polishing, and such power was conferred exclusively on the Electro-platers 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—

(i) any person or persons or classes of persons employed in the process, trade, or business of—

- (a) Electro-plating;
(b) Metal polishing;
(c) Enamelling or japanning metals—

other than persons subject to the Determination of any one of the following Boards:—

- Bedstead Makers Board,
Brassworkers Board,
Jewellers Board,
Ovenmakers Board,
Tinsmiths Board;

(ii) any person employed electro-plating, grinding, polishing, or finishing articles of tableware"—
has made the following Determination, viz. :—

(1) That on and after the 12th September, 1942, the adjusted Determination which came into force as from the beginning of the first pay period to commence in August, 1942, shall be revoked and replaced by this Determination.

(2)

Apprentices—All Classes of Work other than First Class Electroplating.			Improvers—All Classes of Work other than First Class Electroplating.							
Experience.	Wages Per Week of 44 Hours.		Experience.	Males.						Wages Per Week of 44 Hours.
	Males.	Females.		Wages Per Week of 44 Hours.						
				Commencing Age—						
			15 years or under.	16 years.	17 years.	18 years.	19 years.	20 years.	Females.	
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	
1st year—1st 6 months ..	14 9	14 9	1st year—1st 6 months ..	15 6	18 6	29 3	32 0	46 9	54 9	15 6
2nd ..	14 9	14 9	2nd ..	18 6	29 3	32 0	46 9	54 9	74 0	18 6
2nd year—1st ..	27 0	27 0	2nd year—1st ..	29 3	32 0	46 9	54 9	74 0	..	29 3
2nd ..	27 0	27 0	2nd ..	32 0	46 9	54 9	74 0	86 0	..	32 0
3rd year—1st ..	37 3	37 3	3rd year—1st ..	46 9	54 9	74 0	86 0	..	..	46 9
2nd ..	37 3	37 3	2nd ..	54 9	74 0	86 0	93 0	..	..	52 9
4th year ..	48 3	48 3	4th year ..	74 0	86 0	93 0	..	..	..	..
5th year ..	56 9	..	5th year ..	88 0	93 0	..	..	..	..	..
6th year ..	69 6	..	6th year ..	93 0	..	..	..	..	..	..

PROPORTION (BY ANY EMPLOYER).

Males.

Three male apprentices to every three or fraction of three male workers receiving not less than 94s. per week of 44 hours.

Females.

Two female apprentices to every three or fraction of three female workers receiving not less than 54s. per week of 44 hours.

No. 288.—10561/42.

PROPORTION (BY ANY EMPLOYER).

Males.

One male improver to every three or fraction of three male workers receiving not less than 110s. 6d. per week of 44 hours.

Females.

Two female improvers to each female worker receiving not less than 54s. per week of 44 hours.

APPRENTICESHIP—FIRST CLASS ELECTROPLATING ONLY.

- (a) Minors shall not be engaged in the occupation of First Class Electroplating except under contracts of apprenticeship.
- (b) The proportion of apprentices who may be taken by any employer shall be one apprentice for every three, or fraction of three tradesmen (i.e., male workers receiving not less than 130s. per week).
For the purpose of ascertaining the number of apprentices, the number of tradesmen shall be deemed to be the average number working during the immediately preceding six months, and in ascertaining such proportion, an employer actually working in any workshop shall be deemed to be a tradesman.
- (c) The periods of apprenticeship shall be as follow:—
If the apprentice when articulated is under the age of 17, 5 years; if over the age of 17, 4 or 5 years, at the option of the contracting parties.
- (d) An employer especially qualified to teach apprentices may, with the consent of the Secretary for Labour, on the recommendation of the Wages Board, employ a greater proportion of apprentices to tradesmen than hereinbefore specified.
- (e) Minors may be taken on probation for three months, and if apprenticed, such three months shall count as part of their period of apprenticeship.
- (f) Until further order any contract of apprenticeship hereafter made may contain the following provision:—
If through lack of orders, or through financial difficulties, the employer is unable at any time to find employment and training for an apprentice and if a transfer to another employer cannot be arranged, the obligations and duties imposed by the indenture may with the concurrence of the apprentice and his guardian be suspended for a period agreed upon, or if no such agreement is arrived at may be cancelled by the employer. The onus of proof of circumstances justifying such cancellation shall be on the employer.
This provision shall also be deemed to be included in contracts of apprenticeship entered into after the 25th day of March, 1930.

		Wages.		Per Week of 44 hours.	
				s. d.	
(g) Five-year terms—					
1st year	20	3
2nd year	28	6
3rd year	42	6
4th year	70	6
5th year	88	6
Four-year terms—when the apprentice enters or has entered his apprenticeship after reaching the age of 17 years—					
s. d.					
1st year	23	6
2nd year	42	0
3rd year	70	6
4th year	88	6

Notwithstanding anything elsewhere in this Determination contained, where an apprentice is under the age of 21 years on the expiry of his apprenticeship, he shall be paid four-fifths of the tradesman's time wage until reaching the age of 21 years.

- (h) All wages shall be paid without deduction for specified holidays or for unavoidable absences through sickness certified as in clause (10) to the number of 44 hours of working time in any year.
- (i) The ordinary hours of employment of apprentices shall be the same in each workshop as those of journeymen.
- (j) An apprentice under the age of 18 years shall not be liable to work overtime unless he so desires.
- (k) An apprentice shall not work under any system of payment by results.
- (l) Any apprentice who cannot complete his full term of apprenticeship before reaching his twenty-second birthday may, by agreement with his master, serve as an apprentice until he reaches the age of 23 years.
- (m) The apprentice at the end of the calendar period of any year in which he has actually given service to the master upon less than the ordinary working days prescribed in the Determination for the trade, or in which he has unlawfully absented himself without the master's consent, shall, for every day short of the said number of working days, and for every day of such absence, serve one day, and the calendar period of the succeeding year of his service shall not be deemed to begin until the said additional day or days shall have been served.
- (n) An employer shall not, either directly or indirectly, or by any pretence or device, receive from any person or require or permit any person to pay or give any consideration in the nature of a premium or bonus for the taking or binding of any probationer or apprentice.
- (o) Apprentices attending technical colleges or schools and presenting reports of satisfactory conduct shall be reimbursed all fees paid by them.
- (p) Where an Apprenticeship Commission or other body under Statutory authority has issued or may hereafter issue any regulations relating to apprentices such regulations so far as they are not inconsistent with this Determination shall operate.
- (q) A person who is for a term not exceeding two years taking practical training in a workshop in continuance of a course of training for professional work shall not be taken into account in calculating the proportion of apprentices to journeymen.

Juvenile Workers, i.e.							Other Employees.			
Experience.	Wages Per Week of 44 Hours.						Wages Per Week.	Hours Per Week.		
	Commencing Age—									
	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.				
Persons under 21 years of age (other than apprentices or improvers) employed at slinging and unslinging, hanging, cleaning, scouring, scratch-brushing, drying-out, or cleaning old enamel off cycle wheels or frames or other old iron or tinware, filling up, rubbing down and firing in connexion with glass enamels for badges or medallions; or polishing legging clips, clips and plugs for rugs, nuts, screws, bolts, washers, or caps, all builders' brass and ironware, up to 1½-in. diameter, and knitting needles—										
1st year—1st six months	15 6	18 6	29 3	32 0	46 9	54 9	Grinders or polishers 118 6 44			
2nd	18 6	29 3	32 0	46 9	54 9	74 0				
2nd year—1st	29 3	32 0	46 9	54 9	74 0	..	Electro-platers— First Class 130 0 44 Second Class 118 0 44 Third Class 105 0 44			
2nd	32 0	46 9	54 9	74 0	86 0	..				
3rd year—1st	46 9	54 9	74 0	86 0	Liners or hand decorators 118 6 44 Coaters 110 6 44 Spray operator 107 0 44 All others 94 0 44			
2nd	54 9	74 0	86 0	93 0	..	..		
4th year	74 0	86 0	Females. Females employed at— (a) Hand burnishing, hand finishing, or lacquering 78 0 44 (b) Polishing—Ash trays, bottle tops, butter dishes, butter knives, children's mugs, dish mounts, egg cups, forks, spoons, match-box slides, pepper shakers, pin trays, salt pourers, serviette rings, tea strainers, vases, or any similar articles 3 inches or less in diameter or 5 inches or less in length 118 6 44 All others 54 0 44			
5th year	86 0	93 0	..	..	..	..
6th year	93 0	..	..	..	..	..

SPECIAL RATES.

- (4) In addition to the wages prescribed in clauses (2) or (3) hereof the following special rates and allowances shall be paid:—
(a) Leading hands in charge of not less than 3 and not more than 10 employees, including apprentices, 6s. per week extra; more than 10 and not more than 20, including apprentices, 12s. per week extra; more than 20, including apprentices, 18s. per week extra.

- (b) Working in wet places—1½d. per hour extra.
 (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.
 (d) Persons engaged at cleaning out plating tanks—1½d. per hour extra whilst so engaged.
 (e) Where more than one of the disabilities mentioned in this clause, entitling a workman to extra rates, exist on the same job the employer shall be bound to pay only one rate, namely, the highest for the disabilities so prevailing.

SPECIAL RATES FOR GRINDERS AND POLISHERS.

- (5) (a) When a person is continuously engaged grinding or polishing any article the size or shape of which does not permit of the hood required by Regulation No. 25, of Chapter IX. of the Regulations made under the Factories and Shops Acts on the 4th day of March, 1930, being kept close up to the wheel in the manner prescribed by the said Regulation, he shall be paid for each week whilst so engaged an additional sum of 3s.
 (b) A person shall be deemed to be continuously engaged within the meaning of this provision if he is so occupied for not less than fifteen hours in any week, and shall be entitled to receive the full sum of three shillings aforementioned.

HOURS OF EMPLOYMENT.

- (6) 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.

SHIFT WORK.

Continuous Work Shifts.

- (7) (a) For the purposes of this clause, the expression "Continuous Work" means work carried on with consecutive shifts of men throughout the twenty four hours of each of at least six consecutive days without interruption except during breakdowns or meal breaks (if any).
 (b) Employees working on continuous work shifts shall work thereon such number of shifts up to six per week as may be required; no such shift to exceed 8 hours inclusive of meal breaks (if any) nor to be discontinuous except for meal breaks (if any).
 (c) The ordinary hours of actual work or duty exclusive of meal breaks off duty (if any) of employees working on continuous work shifts shall not exceed—
 (i) 8 in any one day; nor
 (ii) 48 in any one week; nor
 (iii) an average of 44 per week during the period of employment upon such shifts; nor
 (iv) such average reduced to 43 hours 5 minutes if such shifts include Sunday shifts; nor
 (v) a total of 176 hours during any four weeks of the period of employment upon such shifts; nor
 (vi) such total reduced to 172 hours 20 minutes during any such four weeks if such shifts include Sunday shifts.

Provided that such average and total shall not be so reduced to 43 hours 5 minutes and 172 hours 20 minutes if the employees on such shifts are for each ordinary hour worked thereon by them paid at the rate of one forty-third (1/43) of the prescribed weekly wage.

- (d) For all time of duty outside the limits of the ordinary hours prescribed in sub-clause (c) hereof, an employee on continuous work shift shall be paid at double rates. But this shall not apply to arrangements between employees themselves or in cases due to rotation of shift, or when the relief does not come on duty at the proper time: Provided that where not less than eight hours' notice has been given to the employer by the employee that he will be absent from work, and the employee whom he should relieve is not relieved, such unrelieved employee shall be paid time and a half for all time of duty after he has finished his ordinary shift.
 (e) Employees on continuous work shifts, working afternoon and night shifts, shall be paid 5 per cent. more than ordinary rates for such shifts.
 (f) Employees on continuous work shifts, working any Sunday or holiday shift, shall be paid at the rate of time and a half for such shift.

Shift Work in other than Continuous Work.

- (g) In shift work, not upon continuous work as herein defined, any afternoon or night shift which does not continue for five successive working nights or more in a five-day workshop, or six successive working nights or more in a six-day workshop, shall be paid for at the rate of time and a half.
 (h) 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 5 per cent. more than ordinary rates shall be paid.
 (i) 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.

MIXED FUNCTIONS.

- (8) 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.

- (9) (a) For all work done outside ordinary hours the rates of wage shall be time and a half for the first 1 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.

(10) (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.

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

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

PIECEWORK RATES.

(11) 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.

(12) Extra rates in this Determination, including rates prescribed in clause 4, are not cumulative so as to exceed the maximum of double the ordinary rates.

PAYMENT OF WAGES.

(13) (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.

Weekly Employment.

(14) (a) Except as hereinafter provided, employment shall be by the week. Any employee not specifically engaged as a casual employee shall be deemed to be employed by the week.

(b) Employment shall be terminated by a week's notice on either side given at any time during the week or by the payment or forfeiture of a week's wages as the case may be. This shall not affect the right of the employer to dismiss any employees without notice for malingering, inefficiency, neglect of duty or misconduct, and in such cases the wages shall be paid up to the time of dismissal only or to deduct payment for any day the employee cannot be usefully employed because of any strike or through any breakdown in machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

(c) An employee not attending for duty shall, except as provided by clause (19) hereof, lose his pay for the actual time of such non-attendance.

Casual Employment.

(d) A casual employee is one engaged and paid as such. A casual employee for working ordinary time shall be paid per hour one-fortieth of the weekly rate prescribed by this Determination for the work which he or she performs.

MISCELLANEOUS PROVISIONS.

(15) (a) *Tools.*—The employer shall provide for each employee all necessary tools, including micrometer, where used, but excluding other measuring or precision tools less than 13". The employee shall replace or pay for any tools so provided if lost through his negligence.

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

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

SHOP STEWARDS.

(16) 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.

TIME AND WAGES BOOK.

(17) 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.

ANNUAL LEAVE.

(18) (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) In addition to the leave hereinbefore prescribed seven day shift workers, that is shift workers who are rostered to work regularly on Sundays and holidays shall be allowed seven consecutive days' leave including non-working days: Provided that in the case of shift workers whose hours have been reduced or whose wages have been increased in accordance with clause (7) of the Determination hereby repealed service before the date of this Determination shall not be taken into consideration for the purpose of calculating annual leave.

(c) Where an employee with twelve months' continuous service is engaged for part of the twelve monthly period as a seven-day shift worker, he shall be entitled to have the period of seven consecutive days' annual leave prescribed in sub-clause (a) of this clause increased by half a day for each month he is continuously engaged as aforesaid.

(d) 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.

(e) 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.

(f) 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 wages in respect of each completed two months of continuous service in respect of which leave has not been granted hereunder.

(g) Each employee before going on leave shall be paid a week's wage except a seven-day shift worker who shall be paid for the period of additional leave allowed in his case the amount of wages he would have received for that period if he had not been on such leave. For the purpose of this sub-clause and sub-clause (f) hereof the week's wage shall be at the rate prescribed by clauses (2) and (3) of this Determination for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment, as the case may be. 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.

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

(i) Where leave has been granted to an employee pursuant to sub-clause (e) 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 clause (10) of this Determination.

(j) Service before the date of this Determination shall be taken into consideration for the purpose of calculating annual leave provided that an employee shall not be entitled to leave or to payment in lieu thereof for any period in respect of which leave or a payment in lieu thereof has been allowed or made under the Determination hereby rescinded.

(k) 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 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.

(l) The annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by clause (10) of 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.

(m) 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.

(n) 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.

(o) This clause shall not apply to any employer in respect of any employee to whom pursuant to a Determination or agreement—he is required to allow annual leave to an extent equal to or greater than that prescribed herein.

SICK LEAVE.

(19) (a) An employee on weekly hiring who is absent from his work on account of personal illness, or on account of injury by accident arising out of and in the course of his employment, shall be entitled to leave of absence, without deduction of pay, subject to the following conditions and limitations:—

- (i) He shall not be entitled to paid leave of absence for any period in respect of which he is entitled to Workers' Compensation.
- (ii) He shall prove to the satisfaction of his employer (or in the event of dispute the Secretary for Labour) that he was unable on account of such illness or injury to attend for duty on the day or days for which sick leave is claimed.
- (iii) He shall not be entitled in any year (whether in the employ of one employer or of several) to leave in excess of 44 hours of working time.

For the purpose of administering paragraph (iii) of this sub-clause, an employer may, within one month of this Determination coming into operation or within two weeks of the employee entering his employment, require an employee to make a sworn declaration or other written statement as to what paid leave of absence he has had from any employer during the then current year; and upon such statement the employer shall be entitled to rely and act.

(b) Notwithstanding anything contained in sub-clause (a) hereof, an employee suffering injury through an accident arising out of and in the course of his employment (not being an injury in respect of which he is entitled to Workers' Compensation) necessitating his attendance during working hours on a doctor, chemist, or trained nurse, or at a hospital, shall not suffer any deduction from his pay for the time (not exceeding four hours) so occupied on the day of the accident, and shall be reimbursed by the employer all expenses reasonably incurred in connexion with such attendance.

DEFINITIONS.

(20) "First Class Electroplater" means an adult employee who maintains the solutions used and is responsible for the electroplating of ware.

"Second Class Electroplater" means an adult employee not responsible for the solutions used and engaged mainly on nickel plating.

"Third Class Electroplater" means an adult employee engaged in electroplating on the barrel-plating system.

"Shift work"—afternoon shift means any shift finishing after 6 p.m. and at or before midnight. Night shift means any shift finishing subsequent to midnight and at or before 8 a.m.

"Sunday" means all time between midnight Saturday and midnight Sunday.

"Wet place" means a place in which water is continually dripping from overhead to such an extent as to saturate the clothing of a workman, or a place where water accumulates underfoot to a depth exceeding two inches.

"Year" means the period between the 1st day of June in each year and the next 31st day of May.

PERIODICAL ADJUSTMENT OF WAGES.

(21) The wages rates set out in clause (3) 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*, this 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 in receipt of 25s. per week or more and females, improvers and juvenile workers 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 shown hereunder shall be adjusted as prescribed in clause (22):—

Basic Wage.

Place.	Basic Wage	Index Number Set Assigned.
	£ s. d.	
Within the area to which this Determination applies	4 8 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

(22) (a) For work done before the beginning of the first pay period to commence in November, 1942, the amount of the basic wage prescribed in clause (21) shall be paid.

(b) For work done during each future successive period beginning with the first pay period to commence in a November, a February, a May, or an August, 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	920-932	.. .. .	3 15 0
747-759	.. .. .	3 1 0	933-944	.. .. .	3 16 0
760-771	.. .. .	3 2 0	945-956	.. .. .	3 17 0
772-783	.. .. .	3 3 0	957-969	.. .. .	3 18 0
784-796	.. .. .	3 4 0	970-981	.. .. .	3 19 0
797-808	.. .. .	3 5 0	982-993	.. .. .	4 0 0
809-820	.. .. .	3 6 0	994-1006	.. .. .	4 1 0
821-833	.. .. .	3 7 0	1007-1018	.. .. .	4 2 0
834-845	.. .. .	3 8 0	1019-1030	.. .. .	4 3 0
846-858	.. .. .	3 9 0	1031-1043	.. .. .	4 4 0
859-870	.. .. .	3 10 0	1044-1055	.. .. .	4 5 0
871-882	.. .. .	3 11 0	1056-1067	.. .. .	4 6 0
883-895	.. .. .	3 12 0	1068-1080	.. .. .	4 7 0
896-907	.. .. .	3 13 0	1081-1092	.. .. .	4 8 0
908-919	.. .. .	3 14 0			

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

A. V. BARNES, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 8th September, 1942.