



# VICTORIA GOVERNMENT GAZETTE.

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Factories and Shops Acts.

## DETERMINATION OF THE WIRE FENCE AND TUBULAR GATE BOARD.

**NOTE.**—This Determination applies to the following parts of Victoria, namely:—The Metropolitan District (excepting the Central and Southern Ridings of the Shire of Braybrook) as defined in the *Factories and Shops Act 1928* (No. 3677); the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; such portion of the city of Sandringham as is not included in the said Metropolitan District; 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 since the 22nd November, 1928, has had the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the trade of making or erecting woven wire fence (other than wire netting) and tubular gates, has made the following Determination, namely:—

1. That on the 19th February, 1942, the last previous Determination of this Board shall be revoked and replaced by this Determination.

### \*2. (a) APPRENTICESHIP.

	Wages per Week of 44 hours. s. d.
Four and five-year terms—	
1st year .. .. .	19 3
2nd year .. .. .	27 0
3rd year .. .. .	40 6
4th year .. .. .	66 3
5th year .. .. .	84 0
Four-year terms—Apprentice commencing after the age of 17 years—	
	s. d.
1st year .. .. .	22 3
2nd year .. .. .	40 0
3rd year .. .. .	66 3
4th year .. .. .	84 0

(b) Subject to the exceptions hereinafter provided, the minimum rates of wage for unapprenticed male juniors employed in occupations for which apprenticeship is not provided by this Determination shall be as follows:—

### MALE JUNIOR LABOUR.

	Wages per Week of 44 hours. s. d.
Under 16 years of age .. .. .	21 0
16 years of age .. .. .	29 9
17 years of age .. .. .	40 6
18 years of age .. .. .	51 0
19 years of age .. .. .	64 0
20 years of age .. .. .	76 6

Provided that the rate payable to any employee shall not, excluding the constant loading, be less than 20s.

\*The Board has determined that on and after 23rd April, 1941, no apprentice shall be taken in the trade.

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(c) The minimum rate payable to a junior employee of 18 years or more with less than six months' experience under this Determination shall until he has had such six months' experience be 10 per cent. less than the amount represented by the percentage of the needs basic wage hereby prescribed for a junior employee of his age, and in addition thereto the constant loading specified for such an employee.

### 3. ADULTS.

	Wages per Week of 44 hours £. s. d.	Plus wartime loading. s. d.
Welder—		
First-class (other than when using Cutler machine .. .. .	6 2 0	6 0
First-class, using Cutler machine .. .. .	5 11 0	4 0
Second-class .. .. .	5 3 0	3 0
Third-class .. .. .	4 19 0	3 0
Tack Welder .. .. .	5 1 0	3 0
Machinists, being those engaged in working on ring-lock, or any other class of fence-making machines, chain netting machines, or picket fabric machines .. .. .	5 3 0	3 0
Paint spray operators .. .. .	4 19 0	3 0
Persons employed in attaching chain netting, fabric, or wire cables to gates or frames .. .. .	5 0 6	3 0
Scroll makers or tubular frame makers .. .. .	5 0 6	3 0
Persons engaged in erecting woven wire fence or tubular gates .. .. .	5 3 0	3 0
Stump hands .. .. .	4 14 0	3 0
All other adult employees .. .. .	4 9 0	—

Provided that any person without previous experience employed in attaching chain netting, fabric, or wire cables to gates or frames, scroll making or tubular frame making, and erectors of woven wire fence or tubular gates, shall be paid 94s. plus 3s. per week of 44 hours for the first six weeks of such employment.

### LEADING HANDS.

4. Leading hands in charge of not less than three and not more than ten employees, 6s. per week extra; more than ten and not more than twenty employees, 12s. per week extra; more than twenty employees, 18s. per week extra.

### SPECIAL RATES.

5. In addition to the wages prescribed in clauses 2, 3, and 4 hereof, the following special rates and allowances shall be paid to employees including apprentices and unapprenticed juniors:—

### Wet Places.

(a) An employee working in any place where his clothing or boots became saturated shall be paid 2d. per hour extra: Provided that this extra rate shall not be payable to an employee who is provided by the employer with suitable protective clothing and/or footwear: And provided further that

any employee who becomes entitled to this extra rate shall be paid such extra rate for such part of the day or shift as he is required to work in wet clothing or boots.

#### *Confined Spaces.*

(b) Working in confined space (as defined), 3d. per hour extra.

#### *Special Rates not Cumulative.*

(c) Where more than one of the disabilities 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.

#### *Rates not Subject to Penalty Additions.*

(d) The special rates herein prescribed shall be paid irrespective of the times at which the work is performed, and shall not be subject to any premium or penalty additions.

#### *Travelling Time, Allowance, and Board.*

6. (a) An employee required to work at a job away from his workshop or depot shall, at the direction of his employer, present himself for work at such job at the usual time of starting work. When an employee is required to work away from his workshop or depot, all time reasonably spent in excess of time usually spent in travelling to or from his home to the workshop or depot shall be paid for at ordinary rates (except on Sunday or a holiday when payment shall be at the rate of time and a half), up to a maximum of twelve hours out of every 24 or, where a sleeping berth is provided, a maximum of eight hours out of every 24.

(b) An employee engaged in a capital city to work in the country, or sent from one country centre to work in another, shall be entitled to travelling time, and for a period not exceeding three months, to expenses.

All excess fares and reasonable travelling expenses, including 2s. 6d. for each meal, together with the cost of board and lodging if the employee has to remain away from his home for a night, shall be paid by the employers.

The fares allowed shall be on trains, second class, except where all-night travelling is involved when they shall be first class and sleeping berths shall be provided where available.

(c) A camping allowance of 3s. per day for every day, including Sunday, shall be paid to employees engaged on country jobs at places where ordinary board and residence is not obtainable and camping in tents, cubicles, or other temporary shelter is necessary: Provided that where cooked meals are procurable by the employee at a mess established by the employer, the amount of such country allowance shall be 9d. per day for every day including Sundays.

(d) Until further order an employer shall be free to engage labour on the site of a job carried on away from the workshop, without payment of any travelling time or fares, unless such employee is sent from the workshop:

Provided that if any employee engaged for the erection of a job had previously been engaged by the same employer in the fabrication of the job in a workshop he shall be paid fares in excess of those incurred in travelling to and from the workshop.

#### *HOURS OF EMPLOYMENT.*

##### *Day Workers.*

7. (a) Subject to the exceptions herein set out, the ordinary hours of employment shall be 44 per week, to be worked in five days of eight hours (Monday to Friday inclusive) and one day (Saturday) of four hours; or five days (Monday to Friday inclusive) of 8 hours 48 minutes each continuously, except for meal 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. and noon on Saturday: Provided that the spread of hours herein prescribed may be altered as to all or a section of the employees by mutual agreement between an employer and the representative of the union in that shop.

(b) In localities where the recognized half-holiday is on a day other than Saturday, the day so recognized may be substituted for Saturday for all purposes of this Determination.

#### *SHIFT WORK.*

##### *Continuous Work Shifts.*

8. (1) In this clause—

"Afternoon shift" means any shift finishing after 6 p.m. and at or before midnight.

"Continuous work" means work carried on with consecutive shifts of men throughout the 24 hours of each of at least six consecutive days without interruption except during breakdowns or meal breaks or due to unavoidable causes beyond the control of the employer.

"Night Shift" means any shift of which the employee concerned has had at least 48 hours' notice.

(a) This sub-clause shall apply to shift workers on continuous work as hereinbefore defined.

(b) The ordinary hours of shift workers shall not exceed—

- (i) 8 in any one day; nor
- (ii) 48 in any one week; nor
- (iii) 88 in 14 consecutive days; nor
- (iv) 176 in 28 consecutive days.

(c) Subject to the following conditions, shift workers shall work at such times as the employer may require:—

- (i) A shift shall consist of eight hours, inclusive of crib time.
- (ii) Except at the regular change-over of shifts, an employee shall not be required to work more than one shift in each 24 hours.
- (iii) Twenty minutes shall be allowed to shift workers each shift for crib, which shall be counted as time worked.

(d) Shift workers on continuous work on afternoon or night shifts shall be paid 7½ per cent. more than ordinary rates for such shifts.

(e) Shift workers for work done on a rostered shift the major portion of which is performed on a Sunday or a holiday shall be paid at the rate of time and a half.

##### *Shift Work in other than Continuous Work.*

(2) (a) This sub-clause shall apply to shift workers not upon continuous work as hereinbefore defined. The ordinary hours of such shift workers shall not exceed—

- (i) 44 in any week, to be worked in five shifts of 8 hours 48 minutes, on Monday to Friday inclusive, or five shifts of eight hours and one shift (Saturday) of four hours; or
- (ii) 88 in fourteen consecutive days, in which case an employee shall not, without payment for overtime, be required to work more than eight consecutive hours on any shift or more than six shifts in any week;
- (iii) 132 in 21 consecutive days, in which case an employee shall not, without payment of overtime, be required to work more than eight consecutive hours on any shift or more than six shifts in any week;

(b) Such ordinary hours shall be worked continuously except for meal breaks at the discretion of the employer. An employee shall not be required to work for more than six hours without a break for a meal.

(c) Except at regular change-over of shifts, an employee shall not be required to work more than one shift in each 24 hours.

(d) Shift workers whilst on afternoon or night shifts shall be paid 10 per cent. more than the ordinary rates for such shifts.

(e) Subject to this sub-clause, shift workers for all time worked on a Sunday or holiday shall be paid at the rates prescribed by clause 11 of this Determination. Where shifts commence between 11 p.m. and midnight on Sundays and/or holidays, the time so worked before midnight shall not entitle the employee to the Sunday or holiday rate: Provided that the time worked by an employee on a shift commencing before midnight on the day preceding a Sunday or holiday and extending into a Sunday or holiday shall be regarded as time worked on such Sunday or holiday.

##### *Shift Work Generally.*

(3) (a) Shift workers for all time worked in excess of or outside the ordinary working hours prescribed by this Determination or on a shift other than a rostered shift shall—

- (i) if employed on continuous work, be paid at the rate of double time; or
- (ii) if employed on other shift work, at the rate of time and a half for the first four hours and double time thereafter—except in each case when the time is worked—
- (iii) by arrangement between the employees themselves;
- (iv) for the purpose of effecting the customary rotation of shifts; or
- (v) is due to the fact that the relief man does not come on duty at the proper time.

Provided that when not less than eight hours' notice has been given to the employer by the relief man that he will be absent from work and the employee whom he should relieve is not relieved, the unrelieved employee shall be paid at the rate of time and a half for the first four hours on duty after he has finished his ordinary shift, and at the rate of double time thereafter, except where the employee is required to continue to work on his rostered day off, when he shall be paid double time.

(b) Shift workers who work on any afternoon or night shift which does not continue for at least five successive afternoons or nights in a five-day workshop, or for at least six successive afternoons or nights in a six-day workshop, shall be paid at the rate of time and a half.

(c) A shift worker who, during a period of engagement on shift, works only on night shift and without some regular rotation with some other shift or with day work, shall be paid at the rate of time and a quarter for all time worked during ordinary working hours.

(d) The method of working shifts may in any case be varied by agreement between the employer and the accredited representative of the union to suit the circumstances of the establishment.

#### MIXED FUNCTIONS.

9. 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.

10. (a) For all work done outside ordinary hours the rates of pay shall be time and a half for the first four hours and double time thereafter, such double time to continue until the completion of the overtime work: Provided that in the case of an apprentice or a junior, the rate for overtime shall be not less than the rate herein prescribed or 1s. 6d. per hour whichever is the higher.

(b) An employee, other than a casual employee, after the completion of overtime work performed after his usual ceasing time shall be entitled to be absent until he has had eight consecutive hours off duty, without deduction of pay for ordinary time of duty occurring during such absence.

If on the instructions of his employer any employee resumes work without having had such eight hours off duty he shall be paid at double rates until he is relieved from duty to take such rest period, and he shall then be entitled to be absent until he has had eight consecutive hours off duty without deduction of pay for ordinary time of duty occurring during such absence.

(c) Except as otherwise provided in paragraphs (a) and (b) hereof, in computing overtime each day's work shall stand alone.

(d) An employee recalled to work overtime after leaving his employer's business premises shall be paid for a minimum of three hours' work at the appropriate rate for each time he is so recalled: Provided that, except in the case of unforeseen circumstances arising, the employee shall not be required to work the full three hours if the job he was recalled to perform is completed within a shorter period.

(e) Subject to any custom now prevailing under which an employee is required regularly to hold himself in readiness for a call back, an employee 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.

(f) 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.

(g) An employee working overtime shall be allowed a crib-time of twenty minutes without deduction of pay after each four hours of overtime work, if the employee continues work after such crib time.

(h) Before starting overtime after working ordinary hours a meal break of at least forty-five minutes shall be allowed, unless the period of overtime is less than one and a half hours. An employer and employee may agree to any variation of this provision to meet the circumstances of the work in hand.

(i) 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 2s. and 1s. 3d. for each subsequent meal, but such payment need not be made to employees living in the same locality as their workshop 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 as above prescribed for meals so provided.

(j) Subject to the provisions of the second part of sub-clause (f) of this clause, an employee employed as a regular maintenance man shall work during meal breaks at the ordinary rates herein prescribed whenever instructed to do so for the purpose of making good breakdowns of plant or upon routine maintenance of plant which can only be done while such plant is idle.

(k) When an employee working overtime or a shift for which he has not been regularly rostered 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.

11. (a) Employees shall be entitled to the following public holidays without loss of pay as regards employees on weekly hiring:—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.

By agreement between any employer and his employees other days may be substituted for the said days or any of them as to such employer's undertaking.

(b) An employee not engaged on continuous work shall be paid at the rate of double time for work done on Sundays and public holidays, such double time to continue until he is relieved from duty.

Provided that where employees are necessarily 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) work done on Sundays and holidays shall be paid for at the rate of time and a half for the first eight hours and double time thereafter.

(c) An employee, other than a casual employee, not engaged in continuous work who works on a Sunday or a public holiday and (except for meal breaks) immediately thereafter continues such work shall on being relieved from duty be entitled to be absent until he has had eight consecutive hours off duty without deduction of pay for ordinary time of duty occurring during such absence.

(d) 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.

#### EXTRA RATES NOT CUMULATIVE.

12. Extra rates in this Determination, except rates prescribed in clause 5 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.

(b) On the first pay day occurring during his employment, an employee shall be paid whatever wages are due to him up to the completion of his work on the previous day: Provided that this sub-clause shall not apply to employers who make a practice of allowing advances to employees approximating wages due.

(c) Upon determination of the employment wages due to an employee shall be paid to him on the day of such determination, or forwarded to him by post on the next working day.

(d) 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.

(e) On or prior to pay day, the employer shall state to each employee in writing the amount of wages to which he is entitled, the amount of deductions made therefrom, and the net amount being paid to him.

#### 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 employee 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 break-down 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 15 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.

*Sick Leave.*

15. (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.

*ANNUAL LEAVE.*

16. (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 8 of this Determination, 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 wage 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, 3, and 4 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 11 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 the 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 previous Determination.

(k) For the purpose of this clause, service shall be deemed to be continuous notwithstanding—

- (i) any interruption or termination of the employment by the employer if such interruption or termination 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 11 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 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.

(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.

*MISCELLANEOUS PROVISIONS.**GENERAL.**Tools.*

17. (a) The employer shall provide for each employee all necessary tools. The employee shall replace or pay for any tools so provided if lost through his negligence.

*Washing and Sanitary Conveniences.*

(b) Employers shall provide proper and sufficient washing and sanitary conveniences.

*Lockers.*

(c) An employer shall provide a suitable locker or suitable hanging facilities for each employee in a workshop: Provided that this sub-clause shall not for such period or periods as the Wages Board may fix apply to any employer who proves to the satisfaction of the Secretary for Labour that he is unable, by reason of lack of space, shortage of material, or labour, or any other difficulties, to provide lockers or hanging facilities as aforesaid. In cases where lockers or hanging facilities are not provided at the date upon which this Determination comes into operation, this clause shall not apply until the 1st day of March, 1942, and the Secretary for Labour may extend the time for providing such lockers as aforesaid.

*Boiling Water.*

(d) Employers shall provide boiling water for employees in workshops at meal times.

*Asbestos Sheets, Glasses, and Screens.*

(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.

Where electric arc operators are working, screens which shall be suitable and sufficient for the purpose shall be provided by the employer for the protection of employees from flash.

*Goggles.*

(f) Employers shall provide suitable mica or other goggles for emery-wheel operators.

*First Aid Outfit.*

(g) In each workshop, and at other places where employees are regularly employed, the employer shall provide and continuously maintain at a place or places reasonably accessible to all employees, an efficient first aid outfit.

*SHOP STEWARDS.*

18. An employee appointed shop steward in the shop or department in which he is employed shall, upon notification thereof to his employer, be recognized as the accredited representative of the union to which he belongs, and he shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees whom he represents.

*RIGHT OF ENTRY OF UNION OFFICIAL.*

19. (a) For the purpose of interviewing employees on legitimate union business, a duly accredited union representative shall have the right to enter employers' premises during the mid-day meal break on the following conditions:—

- (i) That he produces his authority to the gatekeeper or such other person as may be appointed by the employer;
- (ii) That he interviews employees only at places where they are taking their meal;
- (iii) That not more than one representative of each of not more than three unions be on the premises at any one time;
- (iv) That no one representative visit the premises more than once in each week;
- (v) That if any employer alleges that a representative is unduly interfering with his work or is creating dissatisfaction amongst his employees, or is offensive in his methods, or is committing a breach of any of the previous conditions, such employer may refuse the right of entry, but the representative shall have the right to bring such refusal before the Secretary for Labour.

Provided that where certain employees are working under a system of shift work which precludes a representative from interviewing them during the mid-day break, the representative shall have the right to enter the employer's premises for the purpose of interviewing such employees at such time and under such conditions as to notice as may be mutually arranged by the representative and the employer or, failing agreement at such times, and under such conditions as the Secretary for Labour may decide.

(b) For the purpose of investigating complaints concerning the application of this Determination, a duly accredited union representative shall be afforded reasonable facilities for entering an employer's workshop or plant during working hours, subject to the following conditions:—

- (i) That he discloses to the employer or his representative the complaint which he desires to investigate;
- (ii) That he makes his investigations in the presence of the employer or his representative (if the employer so desires);
- (iii) That he does not interfere with work proceeding in the workshop or plant;
- (iv) That he conducts himself properly.

(c) A union representative shall be a duly accredited representative of an organization bound by this Determination if he be the holder for the time being of a certificate, signed by the general secretary of that organization and bearing the seal of that organization, in the following form, or in a form not materially differing therefrom:—

(Name of organization.)

This is to certify that  
is a duly accredited representative of the above-named organization.

Seal.

General Secretary.

Date..

Specimen signature of holder.

Strictly not transferable.

*TIME AND WAGES BOOK.*

20. (a) Each employer shall keep a record from which can be readily ascertained the name of each employee and his occupation, the hours worked each day, and the wages and allowances paid each week.

(b) The time occupied by an employee in filling in any time record 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 when entering or leaving the employer's premises.

(c) The time and wages record shall be open for inspection to a duly accredited union official during the usual office hours at the employer's office or other convenient place: Provided that an inspection shall not be demanded unless the secretary of the union or the district secretary or organizer of any division suspects that a breach of the Determination has been committed: Provided also that only one demand for such inspection shall be made in any one fortnight at the same establishment.

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

*NOTICE BOARD.*

21. The employer shall permit a notice board of reasonable dimensions to be erected in a prominent position in his establishment, upon which an accredited union representative shall be permitted to post formal union notices, signed or countersigned by the representative posting same.

*DEFINITIONS.*

22. "Confined space" means a compartment or space, access to which is through a manhole or similar opening, or a place the dimensions of which necessitate an employee working in a stooped or otherwise cramped position, or without proper ventilation.

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

*Welding.*

"Welder—1st class" means a tradesman using electric arc and/or oxy-acetylene blowpipe and/or coal gas cutting plant who is required to apply general trade experience as a welder.

"Welder—2nd class" means an adult employee using an electric arc or oxy-acetylene blowpipe who is not a welder 1st class or welder 3rd class.

"Welder—3rd class" means an adult employee using an electric spot or butt welding machine or cutting scrap with an oxy-acetylene blowpipe.

*PERIODICAL ADJUSTMENT OF WAGES.*

23. The wages rates set out in clauses 2 and 3 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 basic wage rates shown hereunder shall be adjusted as prescribed in clauses 24.

*Basic Wage.*

Place	Basic Wage. £ s. d.	Index Number Set Assigned.
Victoria—		
Within the area to which this Determination applies	4 3 0	Melbourne.

*ADJUSTMENT OF BASIC WAGE.*

24. (a) Until the beginning of the first pay period to commence in May, 1942, the amounts of the basic wage shall be as prescribed in clause 23.

(b) During each future successive period beginning with the first pay period to commence in a May, an August, a November, or a February, 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 23.
- (ii) 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.
- (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

The minimum weekly rates of wage for apprentices shall be the under-mentioned percentages of the contemporaneous needs basic wage prescribed for the area in which they are employed, and in addition thereto the constant and war loadings specified.

Four and five year terms.	Percentage of needs basic wage per week.	Constant loading per week.	War loading per week.
		s. d.	s. d.
1st year	.. 22½	.. 0 0	.. 0 9
2nd year	.. 30	.. 1 0	.. 1 0
3rd year	.. 45	.. 1 6	.. 1 6
4th year	.. 75	.. 2 0	.. 2 3
5th year	.. 95	.. 2 0	.. 3 0

Four-year terms—apprenticeship commencing after the age of 17 years:—

Four and five year terms.	Percentage of needs basic wage per week.	Constant loading per week.	War loading per week.
		s. d.	s. d.
1st year	.. 26	.. 0 0	.. 0 9
2nd year	.. 45	.. 1 0	.. 1 6
3rd year	.. 75	.. 2 0	.. 2 3
4th year	.. 95	.. 2 0	.. 3 0

The total wages of apprentices shall be calculated to the nearest six pence, any broken part of six pence in the result not exceeding three pence to be disregarded.

The wages of unapprenticed male juniors shall be the under-mentioned percentages of the contemporaneous needs basic wage prescribed for the area in which they are employed, and in addition thereto the constant and war loadings specified.

#### Male Junior Labour.

	Percentage of Needs Basic Wage.	Constant Loading Per Week.
		s. d.
Under 16 years of age	.. 25	.. 0 6
16 years of age	.. 35	.. 0 9
17 years of age	.. 47½	.. 1 0
18 years of age	.. 60	.. 1 0
19 years of age	.. 75	.. 2 0
20 years of age	.. 90	.. 2 0

The total wage shall be calculated to the nearest six pence, any broken part of six pence in the result not exceeding three pence to be disregarded.

D. GRANT, Chairman.

E. LAITY, Secretary.

Melbourne, 4th February, 1942.