



VICTORIA GOVERNMENT GAZETTE.

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[1942

Factories and Shops Acts.

DETERMINATION OF THE ORGAN BOARD.

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

IN accordance with the provisions of the Factories and Shops Acts the Wages Board appointed to "determine the lowest prices or rates which may be paid to any person, or classes of persons, employed in the process, trade, or business of a builder of pipe organs," has made the following Determination, namely:—

(1) That on the 10th March, 1942, the adjusted Determination which came into operation as from the beginning of the first pay period to commence in February, 1942, shall be revoked and replaced by this Determination.

(2)

Apprentices.			Improvers.			Other Employees.		
WEEKLY WAGES.			WEEKLY WAGES.			WEEKLY WAGES.		
	Per Week of 44 Hours.	s. d.		Per Week of 44 Hours.	s. d.		Within 20 Miles of G.P.O., Melbourne, 10 Miles of G.P.O., Geelong, at Warrambool and in the Mildura and Gippsland Districts.	Elsewhere in Victoria.
1st year	18	10	Under 16 years of age	17	0			
2nd "	28	9	16 and under 17 ..	18	10			
3rd "	38	3	17 " " 18 ..	28	9			
4th "	57	1	18 " " 19 ..	38	3			
5th "	75	6	19 " " 20 ..	57	1			
			20 " " 21 ..	75	6			
<i>Proportion (in any Place).</i>			<i>Proportion (in any place).</i>				£ s. d.	£ s. d.
One apprentice to every three or fraction of three workers receiving not less than the minimum wage.			One improver to every six or fraction of six workers receiving not less than the minimum wage. Provided that at least three workers receiving not less than the minimum wage must be employed before an improver can be employed.			Organ builder or persons erecting dismantling, or repairing organs ..	6 2 0	5 19 0
An indenture of apprenticeship prescribed by the Board was approved on 23rd April, 1923.						Woodworkers ..	6 2 0	5 19 0
						Polisher required to spirit and/or acid off ..	6 2 0	5 19 0
						Other polishers ..	5 13 0	5 10 0
						Voicer ..	6 2 0	5 19 0
						Tuner ..	6 2 0	5 19 0
						Metal pipe maker ..	6 2 0	5 19 0
						All others ..	4 12 0	4 9 0

(3) ORDINARY WEEK'S WORK.—The number of hours to constitute a week's work shall be 44, to be worked between the times of beginning and ending work shown below:—

Times of Beginning.

7.30 a.m.

7.30 a.m.

Times of Ending.

5 p.m. Mondays to Fridays.

12 noon Saturdays.

(4) OVERTIME.—Except in the case of shift work all time worked:—

(a) Before or after the usual times of beginning and ending work;

(b) In excess of nine hours per day;

(c) In excess of 44 hours in any week—

shall be paid for at the rate of time and one half for the first four hours and double time thereafter, provided that all time worked between the hours of 9 p.m. and 7.30 a.m. shall be paid for at double time.

All work done outside the times of beginning and ending work on any holiday specified in clause (15) shall be paid for at the rate of double ordinary time.

No person under the age of seventeen years shall be permitted to work more than four hours overtime in any week.

(5) TEA MONEY.—All employees required to work beyond the usual time of ending work shall be allowed 2s. tea money in addition to overtime rates as prescribed for in this Determination when the usual time of ending work is exceeded by two hours.

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(6) **TERMS OF ENGAGEMENT.**—Except as herein in this Determination provided, all employees shall be employed by the week. Employees to become entitled to the weekly wage prescribed by this Determination must be available and ready and willing to perform such work as the employer shall from time to time require on the days and during the hours usually worked by the class of employees affected. Where the majority of the employees of any establishment or of any department of such establishment agree to work part time for any period or to close down for any period on days other than the prescribed holidays, the provisions of the weekly wage shall not apply to any employee of such establishment or department during such periods.

Employment for the first two weeks of service at any time shall be from hour to hour at the weekly rate fixed.

(7) **CASUAL LABOUR.**—Casual labour at hourly rates may be engaged, provided the rates are 10 per cent. higher than those prescribed for weekly hands.

Casual labour means labour where an employer does not provide a full week's work, but does not include a weekly hand whose engagement is terminated in the middle of a week.

(8) **SHIFT WORK.**—Shift work may be worked subject to the following conditions:—

- (a) Any afternoon or night shift which does not continue for five successive shifts shall be paid at the rate of time and a half.
- (b) Except as hereinafter provided, for any afternoon or night shift which has been in operation for five successive shifts or more and less than one month ten per cent. more than ordinary rates shall be paid and after such shifts have continued for more than one month seven and one-half per cent. more than ordinary rates shall be paid.
- (c) Shift workers shall be paid overtime at the rate of time and a half for the first four hours and double time thereafter for all time worked in excess of shift hours.
- (d) Employees who during a period of engagements work only on night shifts shall be paid at the rate of time and a quarter.
- (e) When employees are called upon to work afternoon and night shifts only they shall change over week and week about and shall be paid ten per cent. above ordinary rates for both shifts.
- (f) When employees work day and afternoon shifts only they shall change over week and week about and shall be paid ten per cent. extra for afternoon shifts.
- (g) The ordinary hours of actual work or duty exclusive of meal breaks off duty (if any) of employee working on shift shall not exceed—
 - (i) Eight in any one day; or
 - (ii) 48 in any one week; or
 - (iii) an average of 44 per week during any period of three weeks of such employment upon such shifts.

(9) **TERMINATING EMPLOYMENT.**—Employment to be terminated only by a week's notice on either side, and such notice may be given at any time during the week. This shall not affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty, or misconduct, or to deduct payment for any time the employee cannot be usefully employed because of any strike, or through any breakdown of machinery, or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

An employer shall not terminate the employment of an employee for the purpose of evading payment for the holidays prescribed by this Determination.

Where an employee is dismissed within seven days prior to any such holiday the re-engagement of such employee within seven days after such holiday shall be prima facie evidence that the employment was terminated for the purpose of evading payment for such holiday.

Where the employer terminates the employment within one week of a day on which a holiday occurs, the employee shall be paid for such holiday or holidays prescribed by this Determination, provided that such employee had been employed by the employer for a period of at least one week prior to the termination of the employment.

Should an employee be dismissed during the course of a week, any wages due to him shall be paid to him forthwith or shall be posted to him within 24 hours.

(10) **SPECIAL RATES FOR SUNDAYS AND HOLIDAYS.**—Any employee who is employed on any holiday specified in clause (15), shall be paid at the rate of the ordinary time in addition to the usual rate.

All work done on Sundays shall be paid for at the rate of double time.

(11) **MIDDAY MEAL.**—An interval of not less than 30 minutes shall be allowed for the midday meal between the hours of 12 noon and 2 p.m.

(12) **MIXED FUNCTIONS.**—Where an employee is engaged in any one week for more than half of such week at work in a higher class than he is employed to perform, he shall be paid for the full week at the highest rate payable for any such work under this Determination; but if he is engaged for less than half of any such week, he shall only be paid at the rates fixed by this Determination for the work he actually performs.

(13) **MATERIALS TO BE PROVIDED.**—Any person employed in wholly or partly preparing or manufacturing any article shall be paid 6d. per hour in addition to the lowest rate fixed by this Determination, unless the following are provided by the employer if required in the performance of the work:—Benches, wood or iron clamps over 2 ft. 6 in., hand screws (in excess of four), glue pots, and glue brushes and varnish brushes. Any employee engaged at French polishing shall be supplied with all materials, including rags, brushes, and kit-box.

(14) **ALLOWANCES FOR TRAVELLING TIME AND BOARD.**—All time reasonably occupied by an employee in travelling to or from work outside the factory and outside ordinary hours, and in travelling to and from work in a country district, if engaged in the metropolitan district for employment in a country district shall be treated as time of duty and paid for at ordinary rates up to a maximum of eight hours for the journey, except on Sundays, when time and a half rates shall be paid up to a maximum of eight hours for the journey. Provided that, where an employee proceeds direct from his home to a job outside the factory, he shall be paid for all time reasonably occupied in travelling to the job in excess of the time usually taken to go from his home to the factory.

All fares and reasonable travelling expenses incurred by an employee in such travelling, including the cost (if any) incurred for meals—together with the reasonable cost of board and lodging, if the employee has to be away from his home for a night—shall be paid to the employee.

The fares allowed shall be first class, where the employee has to travel all night in connexion with his employer's business, and in other cases the fares shall be second class.

The foregoing travelling and accommodation allowances shall be paid additional to the usual rates for the time employees are working.

When it is more convenient for the employee to go direct to the job from his home, he shall do so, and start and cease work at the usual times customary at the factory, provided that any extra expense incurred by him in travelling shall be borne by the employer.

(15) **HOLIDAYS.**—The following days shall be observed as holidays for all weekly wage employees:—The days observed as New Year's Day, the 26th day of January, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, and Boxing Day.

All work done on any of the said holidays shall be paid for at ordinary rates in addition to the provisions of clause (17) hereof.

(16) **ANNUAL LEAVE.**—All weekly wage employees shall be entitled to be absent on the ordinary days between Christmas Day and New Year's Day, but should the employers so require they shall work on such ordinary days and shall be given a full week's leave at some other period of the year after the completion of twelve months' continuous service at a time to be arranged by mutual consent between the employer and employees and shall be paid for such period a sum equal to the difference between three days' pay and one week's pay in addition to the provisions of clause (17) hereof.

(17) **LOADED RATE IN LIEU OF PAYMENT FOR HOLIDAYS, ANNUAL LEAVE BETWEEN CHRISTMAS AND THE NEW YEAR, AND SIX DAYS' SICK PAY PER YEAR.**—Each weekly wage employee shall be credited by the employer with a sum equal to three hours' pay for each week of service, provided that if any such employee be absent for any cause for more than four days in any quarter of a year the employer may reduce the amount to be credited to such employee by an amount *pro rata* to any time so lost in excess of such four days. The amount standing to the credit of each employee on the last pay day of each quarter of a year shall be paid to such employees upon such pay day, provided that in the first quarter of any year in which Good Friday falls before the last pay day in such quarter payment of the amounts standing to the credit of each employee shall be made to such employee on the pay day preceding Good Friday: provided further that should any employee so desire the amount standing to his or her credit on the last pay day in September of any year may be left so standing until the last pay day in December of such year when the full amount then standing to such employee's credit shall be paid to such employee.

(18) **PAY DAY.**—All employees shall be paid weekly on any other day than Saturday. No employer shall hold more than two days' pay in hand.

Any employee kept waiting for his pay on pay day for more than a quarter of an hour after the usual time for ceasing work shall be paid overtime rates after that quarter of an hour, and as for a quarter of an hour at least.

(19) **TIME BOOK OR RECORD.**—(a) Employers shall provide at each shop, factory, or place where work is being carried on a time book or record which shall contain a correct account of the hours worked and the wages received by each employee. Such time book or record shall be kept correctly entered up in ink and shall be open for inspection by a duly accredited official of the Federated Furnishing Trade Society of Australasia during the usual office hours at the office or other convenient place.

Provided that no inspection shall be demanded unless the accredited official of the said Society suspects that a breach of this Determination has been or is being committed and provided also that only one demand for such inspection shall be made in any one fortnight at the same establishment. The official making such inspection shall be entitled to take a copy of entries in any time and wages book relating to the suspected breach of this Determination.

(b) The time occupied by an employee in filling in any time book or cards, or in making any records, shall be treated as time of duty; but this clause does not apply to "checking" in or out at beginning or end of duty.

(20) **RIGHT OF ENTRY OF UNION OFFICIAL.**—A duly accredited representative of the Federated Furnishing Trade Society of Australasia shall have the right to enter employers' workshops during the midday meal hour for the purpose of interviewing employees on legitimate union business on the following conditions:—

- (a) That he produces his authority to the gatekeeper or such other person as may be appointed by the employer;
- (b) That he interview employees only at the places where they are taking their meal;
- (c) That not more than one representative in all be in any workshop at any one time;
- (d) That no one representative visit a workshop more than once in each week;
- (e) That if any employer alleges that a representative is unduly interfering with his workshop or is creating disaffection 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 this Wages Board.

(21) **PIECEWORK.**—The employer may fix his own piecework prices or task rates, provided such prices or rates enable an employee of average capacity working under like conditions to earn at least 10 per cent. more than the minimum weekly wage prescribed for the class of work performed. The same piecework prices shall be paid to all pieceworkers doing the same operation in the factory whether they be apprentices or improvers on piecework or otherwise.

All pieceworkers who are available and ready and willing to work during the ordinary working hours shall be paid in each week, not less than 92s.

(22) **DILUTION OF LABOUR.**—For the period of the war employers may engage unskilled adult male labour at operations for which this Determination provides margins, subject to the following conditions:—

- (a) Dilutees may be introduced into the industry to a maximum extent of 10 per cent. of all adult male employees in any factory.
- (b) Dilutees shall be called trainees.
- (c) The basic wage shall be paid to trainees for the first three months of their employment and thereafter they shall be classified according to the particular work for which they appear most suitable and be paid as follows:—
Second three months—Basic wage and 25 per cent. of the appropriate margin.
Third three months—Basic wage and 50 per cent. of the appropriate margin.
Fourth three months—Basic wage and 75 per cent. of the appropriate margin.
- (d) At the end of twelve months, trainees shall be paid the full Determination rates unless the employer desires to extend the period of training. In such case he shall have the right of appeal to a joint committee composed of four representatives respectively of employees and employers, appointed under the provisions of the Federal Award for the Federated Furnishing Trade Society of Australasia. In the event of such committee failing to agree on any matter, the members thereof shall have the right to submit any matter in dispute to this Wages Board.

(23) **PERIODICAL ADJUSTMENT OF WAGES.**—The wages rates set out in clause (2) are based upon the following basic wage for adult males, 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.

The basic wage rates shown hereunder shall be adjusted as prescribed in clause (24).

Place.	Needs Basic Wage for Adult Males (adjustable).	Loading (Constant).	Total Basic Wage for Adult Males.	Index Number Set Assigned.
Within 20 miles of G.P.O., Melbourne—	£ s. d.	£ s. d.	£ s. d.	
Males	4 3 0	0 6 0	4 9 0	Melbourne
Within 10 miles of G.P.O., Geelong—same as the contemporaneous basic wage for Melbourne.				
Warrnambool—same as the contemporaneous basic wage for Melbourne.				
Mildura and Gippsland districts—same as the contemporaneous basic wage for Melbourne.				
Yallourn—until further order the same amount in excess of Melbourne as at present, viz., 6s. 6d. per week.				
Elsewhere—3s. less than the contemporaneous basic wage for Melbourne.				

(24) **ADJUSTMENT OF BASIC WAGE FOR ADULT MALES.**—(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 period of or near a quarter beginning with the first pay period to commence in a May, an August, a November, or a February, the amounts of the needs 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 to a place is that assigned thereto in clause (23).

(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 amounts assigned in the following table (or any extension thereof) to the Index Number Division comprising that Number are to be ascertained.

(4) The needs basic wage shall be those assigned amounts during such period of or near a quarter.

Index Number Divisions.				Needs Basic Wage.	Index Number Divisions.				Needs Basic Wage.
				£ s. d.					£ s. d.
735-746	..	..	..	3 0 0	896-907	..	..	..	3 13 0
747-759	..	..	..	3 1 0	908-919	..	..	..	3 14 0
760-771	..	..	..	3 2 0	920-932	..	..	..	3 15 0
772-783	..	..	..	3 3 0	933-944	..	..	..	3 16 0
784-796	..	..	..	3 4 0	945-956	..	..	..	3 17 0
797-808	..	..	..	3 5 0	957-969	..	..	..	3 18 0
809-820	..	..	..	3 6 0	970-981	..	..	..	3 19 0
821-833	..	..	..	3 7 0	982-993	..	..	..	4 0 0
834-845	..	..	..	3 8 0	994-1006	..	..	..	4 1 0
846-858	..	..	..	3 9 0	1007-1018	..	..	..	4 2 0
859-870	..	..	..	3 10 0	1019-1030	..	..	..	4 3 0
871-882	..	..	..	3 11 0	1031-1143	..	..	..	4 4 0
883-895	..	..	..	3 12 0					

The Index Number Divisions in this table are based upon the equating of the Index Number 1,000 with a basic wage of 81s. per week, and any extension of the table must be of the same construction as the table.

(c) The amounts of the weekly rates for Apprentices and Improvers shall be adjusted proportionately to the basic wage, and shall accord with the rates payable from time to time under the appropriate Award of the Commonwealth Court of Conciliation and Arbitration.

(d) The rates for pieceworkers shall be increased or decreased in the same proportion as the rate for the journeymen in the respective classes.

D. F. GERITY, Chairman.

GEO. E. PARR, Secretary.

Melbourne, 23rd February, 1942.