



# VICTORIA GOVERNMENT GAZETTE.

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[1943

Factories and Shops Acts.

## DETERMINATION OF THE KNITTING TRADE BOARD.

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

(b) Work on Sunday, except in certain prescribed circumstances, is prohibited by the *Factories and Shops (Sundays) Act 1932, No. 4102.*

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which since the 12th February, 1935, 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 process, trade, or business of—

(i) knitting or crocheting fabric, or any article of human wear;

(ii) mending or repairing any knitted or crocheted fabric, or any knitted or crocheted article of human wear;

(iii) spinning or preparing silk yarn."

has made the following Determination, namely:—

(1) That, as from the beginning of the first pay period to commence in May, 1943, the adjusted Determination which came into force as from the beginning of the first pay period to commence in February, 1943, shall be revoked and replaced by this Determination.

(2) (a) JUNIORS.

Males.		Wages per Week of 44 Hours.	Females.		Wages per Week of 44 Hours.
Age.		£ s. d.	Age.		£ s. d.
Under 16 years of age	.. .. .	1 6 0	Under 16 years of age	.. .. .	1 5 6
16 years of age	.. .. .	1 8 6	At 16 years of age	.. .. .	1 8 6
16½ years of age	.. .. .	1 17 6	At 16½ years of age	.. .. .	1 11 6
17 years of age	.. .. .	2 2 6	At 17 years of age	.. .. .	1 14 6
17½ years of age	.. .. .	2 7 0	At 17½ years of age	.. .. .	1 17 6
18 years of age	.. .. .	2 11 6	At 18 years of age	.. .. .	2 0 6
18½ years of age	.. .. .	3 1 0	At 18½ years of age	.. .. .	2 3 6
19 years of age	.. .. .	3 6 6	At 19 years of age	.. .. .	2 7 0
19½ years of age	.. .. .	3 15 6	At 19½ years of age	.. .. .	2 9 6
20 years of age	.. .. .	4 0 0	At 20 years of age	.. .. .	2 12 6
20½ years of age	.. .. .	4 9 6	At 20½ years of age	.. .. .	2 16 0

Until further order junior employees engaged in the outer and under garment section shall be paid 1s. per week in addition to the abovementioned weekly rates as part compensation for lost time.

PROPORTION (within any factory).

The proportion of juniors employed shall not exceed two to each employee receiving not less than the minimum adult rate. In determining the proportion of juniors to employees receiving the adult rate each shift shall be taken into account separately.

Provided that, in the full-fashioned department of the knitting section, the proportion of females shall be one junior female to each female receiving the adult wage, and the proportion of males shall be two junior males to each three males receiving the adult wage.

Provided also that, in computing the proportion of juniors in the full-fashioned department of the knitting section, employees in the silk throwing department shall not be counted, and the count for the remainder of the full-fashioned department shall be taken over all the shifts.

The Board has prescribed a form of apprenticeship indenture.

(b) Changes in rates to be effective from the beginning of the first pay period to commence after the attainment of the prescribed age.

(c) A junior female, after four years' experience in the industry shall be paid the rates prescribed for an adult female in the classification in which she is employed.

(d)

OTHER EMPLOYEES.

Adult Males.	Wages per Week of 44 Hours.
	£ s. d.
Mechanics on full-fashioned machines .. .. .	6 4 0
Mechanics on all other machines .. .. .	5 18 0
Operators of single unit full-fashioned machines .. .. .	6 4 0
Operators of other full-fashioned machines (leggers and footers)—	
First year .. .. .	5 18 0
Thereafter .. .. .	6 4 0
Pliers .. .. .	5 18 0
Welt turners .. .. .	5 9 0
Board and press hands .. .. .	5 8 0
Electric machine cutters .. .. .	5 13 0
Hand cutters .. .. .	5 10 6
Warpers .. .. .	5 8 0
Hand knitters on flat machines .. .. .	5 10 6
Circular machine knitters .. .. .	5 8 0
Millmen, scourers, bleachers, and shrinkers .. .. .	5 7 0
Leading hand employed on dye machines or vats .. .. .	5 11 0
All other employees in dye house operating and/or attending machines .. .. .	5 6 0
All other machine operators and/or attendants .. .. .	5 6 0
Warehousemen .. .. .	5 6 0
Oilers and cleaners .. .. .	5 6 0
Toppers .. .. .	5 6 0
Adult males not elsewhere specified .. .. .	5 0 0

Adult Females.	First Three Months' Experience.	Second Three Months' Experience.	Thereafter.
	£ s. d.	£ s. d.	£ s. d.
Employees using Paramount or similar shapes .. .. .	2 18 0	3 2 0	3 6 0
Operators of steam presses (excepting operatives of manual screw press) .. .. .	2 18 0	3 1 6	3 5 0
Electric machine cutters .. .. .	2 18 0	3 5 0	3 12 0
Hand cutters .. .. .	2 18 0	3 2 0	3 6 0
Hand knitters on flat machines .. .. .	2 18 0	3 2 6	3 7 0
Knitters on other machines .. .. .	2 18 0	3 1 6	3 5 0
Linkers .. .. .	2 18 0	3 2 6	3 7 0
Seamers, welters, overlockers, flat lockers, or interlockers .. .. .	2 18 0	3 2 0	3 6 0
All other machine operators and/or attendants .. .. .	2 18 0	3 1 6	3 5 0
Ironers .. .. .	2 18 0	3 1 6	3 5 0
Clockers .. .. .	2 18 0	3 2 6	3 7 0
Examiners, folders, graders, pairers, sorters, finishers, and parcellers; warehouse women in finished warehouse .. .. .	2 18 0	3 1 0	3 4 0
Menders on full-fashioned hose .. .. .	2 18 0	3 2 6	3 7 0
All other menders .. .. .	2 18 0	3 1 6	3 5 0
Toppers .. .. .	2 18 0	3 1 6	3 5 0
Other female employees not elsewhere specified .. .. .	2 18 0	2 18 0	2 18 0

Until further order all adult employees engaged in the outer and under garment section of the industry shall be paid 2s. per week in addition to the abovementioned weekly rate as part compensation for lost time.

(3) ADDITIONAL PAYMENTS.—An employee who is employed as first-aid man or woman and who holds a first-aid certificate shall be paid 5s. per week extra.

(4) PIECEWORK.—(a) The lowest piecework price payable to any outside worker for performing any of the undermentioned work shall be as specified in the following schedule, viz. :—

Description of Work.	Price per Garment.		
	Knitting and Crocheting.	Finishing.	Wholly Making up.
	£ s. d.	£ s. d.	£ s. d.
Pullovers, or sweaters, or jumpers, power fabric .. .. .	0 9	2 3	3 0
Cardigans or jackets, power fabric .. .. .	0 9	2 0	3 3
Pullovers, or sweaters, or jumpers, hand flat fabric .. .. .	1 3	2 3	3 6
Cardigans or jackets, hand flat fabric .. .. .	1 3	2 6	3 9

In the case of garments with a chest measurement not exceeding 32", the above prices may be reduced as follow :—

Knitting or crocheting .. .. .	4d. per garment reduction.
Finishing .. .. .	8d. " " "
Wholly making up .. .. .	1s. 0d. " " "

(b) Except as provided in the preceding sub-clause any employer may fix piecework prices for any process provided such prices enable adult employees of average capacity to earn at least the minimum weekly rate prescribed for their respective classes with the addition of 15 per cent. A schedule of such piecework prices shall be posted in the mill or factory and a copy thereof forwarded to the secretary of the local branch of the Union.

(c) Piecework prices now paid may be readjusted by employers to meet new circumstances created by this Determination before the expiry of six months from the date on which this Determination comes into force, but thereafter such prices shall not be altered except by mutual agreement between the employer and pieceworkers concerned or by authority of the Secretary or Labour.

(d) Effect shall be given in piece-work earnings to alterations of the needs basic wage, and the minimum wage for adult females made in accordance with the provisions of clause (28) of this Determination. For that purpose an employer may alter his piece-work rates in accordance with paragraph (c) of this clause, or he may observe the following provisions:—

At the end of each working week the aggregate earnings of each piece-worker for such week shall be ascertained, and where such piece-worker has worked on each and every day ordinarily worked in such week, such aggregate earnings shall be increased or decreased—

- (i) In the case of males, by the sum by which the needs basic wage has been increased or decreased in accordance with the provisions of clause (28); and
- (ii) in the case of females by the sum by which the minimum wage for adult females in accordance with the provisions of clause (28).

but where the piece-worker has not worked on each and every day ordinarily worked in such week, then the aggregate earnings shall be increased or decreased by a part of such sum proportionate to the number of days worked, calculated to the nearest penny.

(e) If any groups of employees in any factory are dissatisfied with alterations made in piece-work rates they shall have the right to refer the matter to the Secretary for Labour for investigation.

(f) Where an employee has worked part of the week on piecework, he or she shall be entitled to his or her earnings in full for the actual time worked on piecework if the earnings are higher than the minimum rate for such time.

(g) Adults and juniors doing the same operations shall be paid the same piecework prices.

(h) As far as practicable, different grades of work shall be equitably divided between pieceworkers.

(i) A pieceworker who also instructs learners shall receive 10s. per week in addition to piecework earnings for the first week, 7s. 6d. for the second week, and 5s. for the third week, but at the end of the third week shall not be called upon to continue instructing a learner unless paid 5s. per week in addition to his piecework earnings.

(j) A pieceworker (adult or junior) called upon to perform work before the usual starting time or after the usual finishing time on any day, Monday to Saturday (inclusive), shall be paid, in addition to his or her normal piecework price.

- (i) for the first three hours on any one of such days—at a rate per hour equivalent to 1/88th of the weekly rate prescribed for an adult employee of the same sex employed on the same work; and
- (ii) for any overtime extending beyond such three hours—at a rate per hour equivalent to 1/44th of the weekly rate prescribed for an adult employee of the same sex employed on the same work.

Youths under 18 years of age and females who work overtime extending over ten hours in any week shall for any overtime beyond such ten hours be paid the rate prescribed by paragraph (ii) above. Provided that in mills or factories where 44 hours are worked in five days, Monday to Friday (inclusive), the maximum daily hours under this sub-clause for Saturday shall be four hours, before the increased overtime rate prescribed by paragraph (ii) shall operate.

(k) Pieceworkers on the employer's premises, at the employer's request, ready and willing to work, shall for each pay period receive at least the time rate prescribed for their occupations.

(5) BONUS PAYMENTS.—(a) In all establishments in which tasks are set and employees are paid for extra production the tasks shall be so set as to permit adults of average capacity and juniors of average capacity in receipt of wages in excess of 25s. per week to earn at least 15 per cent. above the rates prescribed for their occupations, and so as to permit juniors of average capacity in receipt of wages between 17s. and 25s. per week to earn at least 20 per cent. in addition to the rates prescribed for their occupations.

(b) Particulars of the basis of bonus rates shall be supplied to the secretary of the local branch of the Union upon request being made to the employer for same.

(c) Adjustments of the bases of bonus rates shall be subject to mutual agreement between the employer and the bonus workers concerned, and if challenged they may be reviewed by the Secretary for Labour.

(d) If the Union claims that any employer has wrongly based a bonus rate on the time rate for juniors, it may submit such claim to the Secretary for Labour.

(6) MIXED FUNCTIONS.—An employee engaged for more than half of one day, or shift on duties carrying a higher rate than his or her classification shall be paid the higher rate for such day or shift; if for less than half of one day or shift he or she shall be paid the higher rate for the time so worked.

(7) WEEKLY HOURS.—That the number of hours to constitute an ordinary week's work shall be 44.

(8) OVERTIME.—(a) Overtime shall be paid for work performed before the usual starting time and after the usual finishing time of each shift, or after any employee has completed the ordinary hours of duty, at time and a half for the first three hours on any one day, Monday to Saturday inclusive, and double time thereafter;

Provided, however, that in mills or factories where the 44 hours are worked in five days, Monday to Friday inclusive, time worked on Saturday shall be paid for at time and a half for the first four hours and double time thereafter.

(b) The usual starting and/or finishing time in any factory or part thereof shall not be altered, except on seven days' notice to the union.

(c) Employees required to work overtime for more than one hour without being notified the day immediately before that they will be required to work shall either be supplied with a meal by the employer or paid 1s. 6d. each. If the notice is given and overtime is not worked (except as a result of a breakdown in machinery or plant) the tea money prescribed herein shall be paid.

(d) Juniors under eighteen years of age for each period of overtime worked shall be paid 6d. up to two hours and 3d. for each additional hour or part of an hour in addition to their overtime earnings and any tea money to which they might be entitled.

Provided that the said sums of 6d. and 3d. shall not be payable to pieceworkers working overtime.

(e) Youths under eighteen years of age and females required to work overtime shall be paid overtime at the rate of time and a half to a maximum of three hours in any one day, Monday to Saturday inclusive, and ten hours in one week, and double time thereafter:

Provided that in mills or factories where the 44 hours are worked in five days, Monday to Friday inclusive, the maximum daily hours under this sub-clause for Saturday shall be four.

(9) SHIFTS.—Shifts as hereunder set forth may be worked in the industry:—

- (a) A day shift shall be a shift worked between the hours of 7 a.m. and 7 p.m. on Monday to Friday inclusive, and between the hours of 7 a.m. and 12 noon on Saturday.
- (b) A night shift shall be a shift worked between the hours of 7 p.m. and 7 a.m. on Monday to Saturday inclusive.
- (c) By mutual arrangement between an employer and his employees and with the concurrence of the Union, the hours of duty prescribed herein for night shift workers may be worked in four shifts without payment of overtime.

Under any such arrangement, all hours of duty beyond ten hours, even if they come within the starting and finishing times of a shift, shall be paid for at overtime rates.

(d) Subject to the emergency provisions hereafter appearing, females shall be prohibited from working between the hours of 9 p.m. and 7 a.m. Provided that for the duration of the war the following provisions shall apply:—

Female employees and male juniors under seventeen years may be required to work between the hours of 6 a.m. and 10 p.m., subject to the following conditions:—

1. One shilling per shift extra shall be paid for each short shift.
  2. An additional 6d. per shift shall be paid for each shift commencing before 7 a.m.
  3. Time and a half shall be paid for all time worked after noon on Saturday.
  4. No employee under the age of sixteen years shall be employed before 7 a.m.
  5. (i) No short shift of females under these emergency provisions shall be substituted for any existing afternoon or night shift carried on by male labour.
  - (ii) Where two shifts of females are employed by virtue of these provisions, as well as a night shift of males, at least one shift of females shall be dispensed with, if and when it is desired to work only two shifts.
  6. Where junior male employees of seventeen years of age are required to work on an afternoon or night shift, they shall be paid the wage rate for a junior male of eighteen years.
- (e) Except in the case of employees employed under the provisions of sub-clause (d) of this clause, shift workers (adult and junior), whilst working intermediate or night shifts, shall for such shifts be paid at the rate of 10s. per week, in addition to the rates payable to day shift workers.
- (f) Short shifts of male employees over sixteen years of age may be worked at the discretion of the employer. For work done on such shifts (other than work done between noon on Saturday and midnight on Sunday) payment shall be made at the rate of 10s. per week of 44 hours, in addition to the rates payable to dayshift workers.
- (g) As far as practicable employees shall work shifts in rotation.
- (h) Subject to the provisions of sub-clause (d) of this clause for all work done by a shift worker on Saturday afternoon time and a half shall be paid until 5 p.m., and thereafter double time.
- (i) An employee who is required to change from one shift to another without two days' notice of such change of shifts shall be paid 3s. extra as compensation for change.
- (j) Shift workers may be required to work until the completion of their shifts on holidays without the payment of holiday rates, provided they are not required to work on the night shift commencing on a holiday.

Where a holiday prescribed by this Determination is observed on a Monday, shift workers may be given time off on the shift commencing on the Sunday night preceding a holiday, and in such event shall be required to work on the usual night shift commencing on the holiday, without additional pay.

Provided that where an employee works two complete shifts on a holiday both shifts shall be paid for as holiday shifts.

(10) TERMS OF ENGAGEMENT.—(a) Engagement in the industry shall be on an hourly basis, except that notice equivalent to 44 working hours shall be given on either side to terminate employment. Such notice may be given at any time. This shall not affect the right of the employer to stand down employees at any time when no work is offering or to dismiss any employee without notice for malingering, inefficiency, neglect of duty, or misconduct (in which case wages shall be paid up to the time of dismissal only), or to deduct payment for any day the employee cannot usefully be employed because of any strike, or through any breakdown of machinery, or any stoppage of work, or any cause for which the employer cannot reasonably be held responsible.

(b) In lieu of such 44 working hours' notice, except in circumstances referred to in sub-clause (a) hereof, the employer may pay 44 hours' wages and, *vice versa*, the employee leaving his or her employment without notice shall forfeit 44 hours' wages which may be deducted from any wages due.

(c) Where the employer terminates the employment of an employee within two weeks prior to a day on which a holiday occurs, and such employee is re-engaged within a period of two weeks after such holiday or holidays, the employer shall be paid for such holiday or holidays prescribed by this Determination, provided that such employee has been employed by the employer for a period of at least two weeks prior to the termination of employment.

(d) Any day worker starting work shall be entitled to at least half a day's pay, and any pieceworker to half a day's work.

(11) MEAL HOURS.—(a) A meal interval of not less than 45 minutes and not more than one hour shall be allowed each day, provided that, by mutual arrangement between the employees and the employer, a shorter meal time may be fixed, in which case it shall not be less than 30 minutes.

(b) Time and a half rates shall be paid to any employee required to work during his or her meal hour. No employee shall be compelled to work for more than five hours without a break for a meal. Provided, however, that where three shifts are worked in a continuous process and it is mutually arranged, there shall be no break for meals, but employees may take their meals in the employer's time as opportunity offers.

(c) An employee engaged in the maintenance of plant shall, when breakdowns occur, work meal hours at the ordinary rates herein prescribed whenever instructed so to do.

(d) Meal intervals having been fixed shall not be altered except on seven days' notice to the Union.

(12) HOLIDAYS AND SUNDAY WORK.—(a) Subject to the limitations mentioned hereinafter the following days shall be regarded as public holidays under this Determination:—New Year's Day, Good Friday, Easter Saturday (in establishments working a six-day week), Australia Day, Easter Monday, Labour Day, King's Birthday, Anzac Day, Christmas Day, and Boxing Day, or any other day observed in lieu thereof, or observed by local custom and substituted for one of the days hereinbefore mentioned with the consent of the appropriate branch of the Union. Provided that, within the Metropolitan District, Melbourne Cup Day shall be substituted for King's Birthday.

(b) Employees shall be paid for any of such holidays as fall on an ordinary working day of their employer's establishment, such payment to be to the full extent of the ordinary daily wage.

(c) Pieceworkers shall be paid for such holidays even though not worked at the ordinary rates payable to employees on time work doing the same class of work.

(d) Where an employee is absent from his or her employment on the working day or part of the working day before or after a holiday without reasonable excuse, or without the employer's consent, the employee shall not be entitled to payment for such holiday.

(e) When an employee is absent through illness or other reasonable cause from his or her employment for a period exceeding fourteen days the employee shall not be entitled to payment for any holidays occurring during such period of absence:

Provided that where an employer consents to an employee having leave beyond the fourteen days abovementioned, payment shall be made for such holiday or holidays occurring in the period of absence.

(f) Production work in any factory is prohibited on Sundays unless in extraordinary circumstances and then only with the consent of the Secretary for Labour.

(g) All work done by time workers on the holidays prescribed in sub-clause (a) hereof and all work done by time workers on Sundays shall be paid for at the rate of ordinary time in addition to the ordinary rate; all such work done by pieceworkers shall be paid for at the ordinary rate payable to employees on time work doing the same class of work in addition to such piecework earnings.

(h) All employees engaged on repairs or renewals of the employer's plant or machinery necessary for the 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, if worked on holidays and Sundays be paid at the rate of time and a half.

(13) **SICK LEAVE.**—(a) An employee who is absent from 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 unless he has been in the service of the employer concerned for at least three months immediately prior to such absence.
- (ii) He shall not be entitled to paid leave of absence for any period in respect of which he is entitled to Workers' compensation.
- (iii) He shall within 24 hours of the commencement of such absence inform the employer of his inability to attend for duty, and, as far as practicable, state the nature of the injury or illness and the estimated duration of the absence.
- (iv) He shall prove to the satisfaction of the employer (or, in the event of dispute, to 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. For such purpose the employer may require an employee to make a statutory declaration verifying the cause of his absence.
- (v) He shall not be entitled in any year to leave in excess of 44 hours of working time, nor to payment in excess of 44 hours at ordinary rates, nor in the case of an employee working short shift, payment in excess of a week's wages for such shift.

(b) A piece worker entitled to paid leave of absence under this clause shall be paid at the time-work rate applicable to his classification.

(c) For the purpose of sub-clause (a) of this clause an employer may arrange with the secretary of the local branch of the Union for the recognition of a specified date as the commencing date of each year; and when so arranged such date shall be binding for that purpose on the Union, that employer and all his employees. In the absence of any such arrangement, "year," for the purpose of sub-clause (a) of this clause, shall mean:—

- (i) In the case of an employee in the service of an employer on the 1st May, 1943, a year of service commencing on that date; except in a case where the employer has before that date allowed paid sick leave, when it shall mean the year of service then current.
- (ii) In other cases, a year of service in the employ of the employer concerned.

(14) **ANNUAL LEAVE.**—(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) 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 thereto 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.

(c) 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.

(d) Where leave has been granted to an employee pursuant to sub-clause (c) 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 (12) of this Determination.

(e) 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 complete two months of continuous service in respect of which leave has not been granted hereunder.

(f) Each employee before going on leave shall be paid a week's wages. For the purpose of this sub-clause and sub-clause (e) hereof the week's wage shall be at the rate prescribed by clause 2, 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 piecework or bonus work, or any other system of payment by results, shall be at time rates.

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

(h) Service after the 1st January, 1943, only shall be taken into consideration for the purpose of calculating annual leave.

(i) For the purpose 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.

(j) The annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by clause (12) 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.

(k) 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.

(l) 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 have been in the service of the employer.

(m) Notwithstanding anything elsewhere contained in this Determination, an employer who closes down his plant for the purpose of allowing the annual leave to which employees are entitled under this clause may, at his option, either:—

- (i) stand off without pay during such close-down any employee who has not then qualified for such leave;
- (ii) stand off during such close-down any employee who has not then qualified for a week's leave and pay him *pro rata* for the leave for which he has then qualified, on the basis of one-sixth of a week's wages in respect of each completed two months of continuous service during his current qualifying twelve monthly period; or
- (iii) allow such employee annual leave in advance under the provisions of sub-clause (c) of this clause.

(15) **LIMITATIONS.**—(a) Where practicable, each machine must be stopped when being cleaned, the cleaning to be done in his or her working hours by the employee whose duty it is to do so.

(b) No female shall be required to lift or carry any article or goods weighing more than 30 lb. without one assistant for every 30 lb. weight.

(c) The occupations in which females are employed at the time of the making of this Determination shall not be extended in any factory without the consent of the Secretary for Labour.

(d) No female shall be required to use an iron weighing more than 8½ lb.

(e) No female shall be employed operating a manual screw press other than those now employed, and the rates now paid to females for such work shall be continued. In factories in which other forms of presswork are done exclusively by males, no females shall do such work until the Secretary for Labour certifies that the conditions are suitable for the introduction of female labour.

(f) One operator receiving not less than an adult operator's wage shall be employed on full-fashioned machines totalling eighteen heads or more.

(16) **GENERAL.**—(a) *Hot Water.*—Employees shall be provided with hot water free of charge.

(b) *Seats for Female Employees.*—When requested by employees, and where practicable, suitable seats shall be provided the employer for female employees in positions handy to their work.

(c) *Rest Room.*—In factories where ten or more female employees are employed, a properly ventilated rest room shall be provided by the employer for the use of such female employees. It shall contain a suitable couch, two easy chairs, and a rubber hot water bag.

(d) *Dining Room.*—Proper dining room accommodation shall be provided by the employer when requested to do so by a majority of his employees.

(e) *First Aid Chest.*—The employer shall provide a properly equipped first aid chest at a place or places reasonably accessible to all employees. Such chest shall comply, as to its contents, with the requirements of the Factories and Shops Acts.

(f) *Clothing.*—When requested by the employees concerned, the employer shall provide employees working in the wool scouring dye house, bleach house, milling and scouring, yarn dyeing and piece carbonizing (except piece drying) departments with suitable protective clothing, such as gloves and top boots or clogs, and (when working with acids) aprons. Employees shall take reasonable care of clothing so provided.

(g) *Tools of Trade.*—All materials and appliances required for the cleaning of machinery shall be supplied by the employer free of charge.

(h) *Changing Accommodation.*—Separate dressing accommodation shall be provided by the employer for male and female employees.

(i) *Tea Break.*—Female employees shall be allowed a period of not less than ten minutes for rest and refreshments during each day or shift, to be taken at times to be mutually arranged; reasonable facilities shall be provided by the employer for female employees to have refreshments during such interval, if they so desire—provided:—

(i) that such period shall not be allowed within one hour of commencing or finishing work for the day, or for a meal break; and

(ii) this sub-clause shall not apply to employees working a short shift who are allowed crib time without deduction of pay; and

(iii) that employees shall conform to such arrangements as the employer may make to ensure the continuity of machine operations.

(j) *Floor Coverings.*—Where practicable suitable floor coverings shall be placed before machines, and no employee shall be called to stand on a bare concrete, or brick or stone floor when operating or attending to a machine.

(17) **PAYMENT OF WAGES.**—Wages shall be paid weekly not later than Friday.

Wages shall be paid during working hours, and any employee kept waiting for his or her wages, beyond the ordinary working hours, shall be paid at overtime rates for such waiting time.

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.

Not more than two days' pay of each employee shall be kept in hand by an employer.

(18) **NOTICE BOARD.**—The employer shall permit a notice board to be erected in a prominent position in his establishment upon which representatives of the Union shall be allowed to post notices in connexion with union meetings or other legitimate business of the Union, provided such notices are not objected to by the management. In the event of a conflict of opinion as to whether a notice is objectionable, the matter shall be referred to the Secretary for Labour.

(19) **POSTING OF DETERMINATION.**—A copy of this Determination shall be posted by each employer in a prominent and accessible place in his establishment.

(20) **SHOP STEWARDS.**—Shop stewards to the number of one in each department shall be recognized by the employer, and not more than three of such shop stewards shall be allowed time off during working hours to interview the employer if there is any legitimate complaint.

(21) **RIGHT OF ENTRY.**—The secretary or branch secretary of the Union, or any person authorized by the Union, shall have the right to enter any factory or workshop for the purpose of interviewing and conversing with employees during the lunch hour or non-working time.

If any official so authorized makes himself objectionable during any such visit his right to visit may be determined by the employer affected. The official shall have the right to bring such refusal before the Secretary for Labour.

(22) **CERTIFICATE OF SERVICE.**—An employee, if he or she asks for it, shall be entitled on termination of service, to a certificate of length of service with an employer and the nature of the work he or she was employed upon.

(23) **TIME AND WAGES BOOK.**—(a) An employer shall keep a time and wages book or record in English showing the name of each employee, the age and/or experience of each employee paid as a junior under clause (2) hereof, the occupation of each employee, the hours worked each day or each week, and the wages and/or allowances paid each week.

(b) (i) When any junior employee is engaged the employer shall obtain and file in his records a Certificate or Declaration as to the age and experience of such junior employee, which shall be open for inspection, as provided herein.

(ii) Any employee giving misleading or false information as to his or her experience and/or age shall be liable to penalties for breach of the Determination.

(c) The time occupied by an employee in filling in time books 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.

(d) The time and wages book or record shall be open for inspection to a duly accredited official of the Union during the usual office hours at the employer's office or other convenient place, provided that no inspection shall be demanded unless the secretary of the Union, or the branch secretary or organizer of any division, suspects that a breach of this Determination is being, or has been, committed. Provided also that only one demand for such inspection shall be made in any one fortnight at the same establishment.

(24) **OUTSIDE WORKERS.**—(a) No work of any description or class covered by this Determination shall be done or performed outside the employer's factory or workshop, except by a person who holds an outside worker's licence issued by the Secretary for Labour: Provided that no such outside worker shall employ any other person or persons whatsoever, save and except members of such worker's own family.

- (b) An employer shall not have more than one outside worker for every twenty inside workers or fraction thereof.
- (c) An outside worker shall be deemed to be a person who works by himself or herself, except as provided in sub-clause (a), and is not employed in a workshop or factory.
- (d) The outside worker shall not work during any part of the day inside a workshop or factory.
- (e) Outside workers shall be paid at the rates provided in this Determination.
- (f) Outside workers shall be provided free of charge with all yarn and/or other materials used in connexion with their work.

(g) Where an employer delivers and/or collects the work of such outside workers the outside workers shall not be charged for such delivery and/or collection.

(h) Every employer who has work done elsewhere than in his factory or workshop shall complete, each calendar month, in respect of each outside worker in his employ, a return in the form prescribed by Schedule "A" to this Determination. Such return shall be lodged with the Secretary for Labour within seven days after the end of the calendar month to which it refers.

Every outside worker shall complete, each calendar month, in respect of the work done by him or her, a return in the form prescribed by Schedule "B" to this Determination. Such return shall be lodged with the Secretary for Labour within seven days after the end of the calendar month to which it refers.

(i) No employer shall, except as provided in this clause, require or order or cause to be performed or contract for the performance of work of any class covered by or referred to in this Determination (including the work of preparing any material for manufacture or materials so prepared)—

- (1) In any place other than his usual workshop or factory; and/or
- (2) By any person or persons other than his employees usually employed at such workshop or factory.

(j) Nothing herein contained shall affect the right of the employer covered by this Determination to contract, sub-contract, let, or sub-let to any person employing not less than four persons (exclusive of members of his or her own family) who conducts a workshop or factory, and is affected by this Determination.

(25) LIMITATION OF EMPLOYER'S LIABILITY.—Where an employer has made a payment to an employee, which payment purports to be a payment of the wages payable under this Determination to the employee for any period such employee shall not recover from his employer any further sums prescribed by this Determination in respect of any services rendered to such employer during such period, unless within a period of three calendar months after the last day of such period a demand in writing of such further sum claimed has been given to the employer by the employee.

(26) DEFINITIONS.—(a) A "leading hand" is an employee who, under the direction of the management, supervises the work of a shift or gang of other employees, not exceeding seven in number.

(b) "Union" means the Victorian branch of the Australian Textile Workers' Union.

(c) "Machine operator and/or attendant" means an employee who in the course of his duty is called upon to operate a machine and does not include an employee whose sole duty is carrying material to and from a machine.

(d) "Continuous process" means the working of three shifts per day between midnight on Sunday and noon on the following Saturday.

(e) "Experience" for the purpose of calculating margins or rates under clause (2) of this Determination shall include all experience in the classification concerned, whether as a junior or an adult.

(27) PERIODICAL ADJUSTMENT OF WAGES.—(a) ADULT MALES.—The wages rates for adult males set out in clause (2) are based upon the following basic wage and, pursuant to the provisions of section 21 of the *Factories and Shops Act 1934*, the Board determines that such rates shall be automatically increased or decreased by the same amounts and at the same time as such basic wage.

The basic wage shown hereunder shall be adjusted as prescribed in clause (28) :—

Place.	Needs Basic Wage (Adjustable).	Constant Loading.	Total Basic Wage.	Index Number Set Assigned.						
	£ s. d.	s. d.	£ s. d.							
Within the area to which this Determinations applies ..	4 12 0	5 0	4 17 0	<table border="0"> <tr> <td>Sydney ..</td> <td rowspan="5">} Weighted average.</td> </tr> <tr> <td>Melbourne ..</td> </tr> <tr> <td>Adelaide ..</td> </tr> <tr> <td>Perth ..</td> </tr> <tr> <td>Hobart ..</td> </tr> </table>	Sydney ..	} Weighted average.	Melbourne ..	Adelaide ..	Perth ..	Hobart ..
Sydney ..	} Weighted average.									
Melbourne ..										
Adelaide ..										
Perth ..										
Hobart ..										

(b) ADULT FEMALES.—The minimum wage for adult females shall be sixty per centum of the needs basic wage and constant loading for males, calculations to be made to the nearest sixpence, any exact threepence in the result to be reckoned as sixpence.

(c) MARGINS, ADULT MALES.—To adult males of the undermentioned classes there shall be paid the total basic wage referred to in clause (27) (a) hereof, with the addition of the marginal additions set opposite such classes respectively.

	Margin.
	£ s. d.
Mechanics on full-fashioned machines .. .. .	1 7 0
Mechanics on all other machines .. .. .	1 1 0
Operators of single unit full-fashioned machines .. .. .	1 7 0
Operators of other full-fashioned machines—leggers and footers—	
First year .. .. .	1 1 0
Thereafter .. .. .	1 7 0
Pliers .. .. .	1 1 0
Welt turners .. .. .	0 12 0
Board and press hands .. .. .	0 11 0
Electric machine cutters .. .. .	0 16 0
Hand cutters .. .. .	0 13 6
Warpers .. .. .	0 11 0
Hand knitters on flat machines .. .. .	0 13 6
Circular machine knitters .. .. .	0 11 0
Millmen, scourers, bleachers and shrinkers .. .. .	0 10 0
Leading hand employed on dye machines or vats .. .. .	0 14 0
All other employees in dye house operating and/or attending machines .. .. .	0 9 0
All other machine operators and/or attendants .. .. .	0 9 0
Warehouseman .. .. .	0 9 0
Oilers and cleaners .. .. .	0 9 0
Toppers .. .. .	0 9 0
Adult males not elsewhere specified .. .. .	0 3 0

(d) JUNIOR RATES.—The minimum rates to be paid to junior employees shall be as follows:—

(i) Junior Males—

Age.	Percentage of Needs Basic Wage.	Constant Loading. Per Week.
Under 16 years of age .. .. .	27½	s. d. 0 6
16 years of age .. .. .	30	0 9
16½ years of age .. .. .	40	0 9
17 years of age .. .. .	45	1 0
17½ years of age .. .. .	50	1 0
18 years of age .. .. .	55	1 0
18½ years of age .. .. .	65	1 0
19 years of age .. .. .	70	2 0
19½ years of age .. .. .	80	2 0
20 years of age .. .. .	85	2 0
20½ years of age .. .. .	95	2 0

(ii) Junior Females—

Age.	Percentage of Needs Basic Wage.
Under 16 years of age .. .. .	27½
At 16 years of age .. .. .	31
At 16½ years of age .. .. .	34
At 17 years of age .. .. .	37½
At 17½ years of age .. .. .	41
At 18 years of age .. .. .	44
At 18½ years of age .. .. .	47½
At 19 years of age .. .. .	51
At 19½ years of age .. .. .	54
At 20 years of age .. .. .	57
At 20½ years of age .. .. .	61

(iii) The total wage to be calculated to the nearest sixpence, any exact threepence in the result to be reckoned as sixpence.

(28) (i) ADJUSTMENT OF NEEDS BASIC WAGE.—(a) Until the beginning of the first pay period to commence in August, 1943, the amounts of the basic wage shall be as prescribed in clause (27).

(b) During each future period of or near a quarter beginning with the first pay period to commence in an August, a November, a February, or a May, 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:—

- (1) The Index Number set to be applied to a place is that assigned thereto in clause (27).
- (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 basic wage shall be of that assigned amount during such successive period of or near a quarter.

Table.

Index Number Divisions.	Needs Basic Wage. (Adjustable).	Loading Constant.	Total Basic Wage.
994-1006 .. .. .	£ s. d. 4 1 0	} 5s. Od. per week. }	£ s. d. 4 6 0
1007-1018 .. .. .	4 2 0		4 7 0
1019-1030 .. .. .	4 3 0		4 8 0
1031-1043 .. .. .	4 4 0		4 9 0
1044-1055 .. .. .	4 5 0		4 10 0
1056-1087 .. .. .	4 6 0		4 11 0
1088-1080 .. .. .	4 7 0		4 12 0
1081-1092 .. .. .	4 8 0		4 13 0
1093-1104 .. .. .	4 9 0		4 14 0
1105-1117 .. .. .	4 10 0		4 15 0
1118-1129 .. .. .	4 11 0		4 16 0
1130-1141 .. .. .	4 12 0		4 17 0
1142-1154 .. .. .	4 13 0		4 18 0
1155-1166 .. .. .	4 14 0		4 19 0
1167-1179 .. .. .	4 15 0		5 0 0
1180-1191 .. .. .	4 16 0		5 1 0
1192-1203 .. .. .	4 17 0		5 2 0
1204-1216 .. .. .	4 18 0		5 3 0
1217-1228 .. .. .	4 19 0		5 4 0
1229-1240 .. .. .	5 0 0		5 5 0

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

(ii) ADJUSTMENT OF WAGES OF ADULT FEMALES.—(a) For work done by adult female employees until the beginning of the first pay period to commence in August, 1943, the amounts of wage rates prescribed for them by clause (2) hereof shall be paid.

(b) Thereafter the amounts of wage rates prescribed for them by clause (2) hereof shall be increased or decreased (as the case may be) whenever and wherever there is any alteration in the minimum wage for adult females calculated in accordance with clause (27) hereof and by the amount of the relevant alteration in such minimum wage.



SCHEDULE "A"—See clause 24 (h).  
EMPLOYER'S RETURN IN RESPECT OF OUTSIDE WORKER.

Return for the month of \_\_\_\_\_

Name of employer \_\_\_\_\_

Address \_\_\_\_\_

	Type of Garment.	Weight.	Gauge of Machine.	Quantity.	Price.		
					Knitting.	Finishing.	Total.
Knitted Fabrics .. .. .				Dozen.	£ s. d.	£ s. d.	£ s. d.
Garments .. .. .							
Hose .. .. .							
Half Hose .. .. .							

Weight and description of raw material supplied \_\_\_\_\_

By whom made .. { Name \_\_\_\_\_  
Address \_\_\_\_\_

Signature of employer \_\_\_\_\_

NOTE.—Supplies of this form may be obtained from the Secretary for Labour, Spring-street, Melbourne.  
To be lodged within seven days after the end of each calendar month.

SCHEDULE "B"—See clause 24 (A).  
OUTSIDE WORKER'S RETURN.

For month of \_\_\_\_\_

Name of outside worker \_\_\_\_\_

Address \_\_\_\_\_

	Type of Garment.	Weight.	Gauge of Machine.	Quantity.	Price.		
					Knitting.	Finishing.	Total.
Knitted Fabrics .. .. .				Dozen.	£ s. d.	£ s. d.	£ s. d.
Garments .. .. .							
Hose .. .. .							
Half Hose .. .. .							

Weight and description of raw material supplied \_\_\_\_\_

For whom made .. { Name \_\_\_\_\_  
Address \_\_\_\_\_

Signature of outside worker \_\_\_\_\_

NOTE.—Supplies of this form may be obtained from the Secretary for Labour, Spring-street, Melbourne.  
To be lodged within seven days after the end of each calendar month.

P. A. RANLIES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 14th July, 1943.

By Authority · H. E. DAW, Government Printer, Melbourne.





# VICTORIA GOVERNMENT GAZETTE.

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No. 141]

SATURDAY, JULY 17.

[1943

Factories and Shops Acts.

## DETERMINATION OF THE HOSPITAL AND BENEVOLENT ASYLUM ATTENDANTS BOARD.

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

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which now has power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons (not including professional employees and not including nurses subject to the Hospital Nurses Board) employed in or about—

- (a) a hospital, benevolent asylum or convalescent home doing any kind of work connected with the carrying on of a hospital, benevolent asylum, or convalescent home;
- (b) a sanatorium for the treatment of persons suffering from any form of tuberculosis;
- (c) a hospital or home for the treatment of the mentally afflicted doing any kind of work connected with the carrying on of such hospital or home;

has made the following Determination, namely:—

(1) That on the 28th June, 1943, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

APPRENTICES OR IMPROVERS.

WAGES PER WEEK OF 48 HOURS WITHOUT BOARD AND LODGING.\*

	Employed at Clerical Work.		All Other Classes of Work.		
	Males.	Females.	Males.	Females.	
				Employed in the Metropolitan District; Cities of Ballarat, Bendigo, Geelong or Mildura; or Mooroopna Riding of Shire of Rodney.	Employed in any other part of Victoria.
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
Under 16 years of age .. .. .	28 6	25 0	41 6		
16 years of age .. .. .	33 6	30 0	46 6	} 47 9	} 46 9
17 " .. .. .	38 6	35 0	53 0		
18 " .. .. .	43 6	40 0	60 0		
19 " .. .. .	58 6	47 0	68 0		
20 " .. .. .	78 6	55 0	80 6		

PROPORTION (IN ANY PLACE).

APPRENTICES.	IMPROVERS.
<p><b>MALES.</b></p> <p>One male apprentice to every three or fraction of three male workers receiving not less than 108s. per week of 48 hours.</p> <p><b>FEMALES.</b></p> <p>One female apprentice to every three or fraction of three female workers receiving not less than 58s. per week of 48 hours.</p>	<p><b>MALES.</b></p> <p>One male improver to every eight or fraction of eight male workers receiving not less than 108s. per week of 48 hours.</p> <p><b>FEMALES.</b></p> <p>One female improver to every six or fraction of six female workers receiving not less than 58s. per week of 48 hours.</p>

\* The minimum wage where the employer boards and lodges the employee shall in the case of an adult male employee be 18s. per week less, and in the case of an adult female employee or an apprentice or improver 16s. per week less than the rate fixed without board and lodging.

NOTE.—The Board has determined that as from the 1st December, 1941, no apprentice shall be taken in this occupation.

OTHER EMPLOYEES.

(a) Employed in the Metropolitan District; the Cities of Ballarat, Bendigo, Geelong or Mildura; or the Mooroopna Riding of Shire of Rodney.

<i>Males.</i>		<i>Females.</i>	
WAGES WITHOUT BOARD AND LODGING.*		WAGES WITHOUT BOARD AND LODGING.*	
Per Week of 48 Hours.		Per Week of 48 Hours.	
<i>s. d.</i>		<i>s. d.</i>	
Clerks .. .. .	113 6	Clerks .. .. .	67 6
Cooks—First .. .. .	120 6	Cook; where there is only one employed ..	72 6
Other cooks .. .. .	113 6	Cooks in charge of—	
Dresser, head, where five or more dressers are employed	137 0	One to three kitchen employees .. .. .	72 6
Dressers doing venereal diseases work .. .. .	131 0	Four to seven kitchen employees .. .. .	80 0
Other dressers—		Eight or more kitchen employees .. .. .	90 0
1st year's experience as such .. .. .	111 0	Second cooks .. .. .	70 0
2nd year's experience as such .. .. .	116 0	Other cooks .. .. .	67 6
Thereafter .. .. .	121 0	Head housemaids .. .. .	62 6
Foreman in charge of—		Housekeepers .. .. .	77 6
One to nine employees .. .. .	113 6	Head laundresses in charge of—	
Ten or more employees .. .. .	121 0	One to three persons .. .. .	70 0
Assistant foreman .. .. .	111 0	Four or more persons .. .. .	75 0
Gardeners in charge of one or more gardeners or where there is only one employed .. .. .	110 6	Second laundresses .. .. .	65 0
Other gardeners .. .. .	108 0	Laundresses where only one employed .. .. .	65 0
Incinerator attendants .. .. .	108 0	Sorters .. .. .	65 0
Kitchenmen or scullerymen .. .. .	108 0	Washing machine hands .. .. .	73 0
Laboratory assistants .. .. .	116 6	Storekeeper in charge of one or more store hands or where there is only one employed .. .. .	67 6
Laundrymen .. .. .	111 0	Storekeeper's assistants—	
Mortuary-men employed solely on post-mortem work	126 0	1st year's experience as such .. .. .	58 0
Other mortuary-men .. .. .	111 0	2nd year's experience as such .. .. .	59 0
And 10s. extra for each post-mortem.		Thereafter .. .. .	60 0
Motor of motor ambulance drivers or assistants .. .. .	115 6	Stenographers and typists—	
Operating theatre attendants .. .. .	111 0	1st year's experience as such .. .. .	67 6
Casualty porters engaged on preparations and theatre work .. .. .	111 0	2nd year's experience as such .. .. .	70 0
Dispensary porters .. .. .	111 0	Thereafter .. .. .	72 6
Relieving porters .. .. .	110 6	Telephone attendants .. .. .	75 0
X-ray porters .. .. .	108 0	Waitresses—	
Night porters who in the course of their duties patrol the hospital .. .. .	111 6	1st year's experience as such .. .. .	58 0
Other night porters .. .. .	108 0	2nd year's experience as such .. .. .	59 0
Recording attendants .. .. .	113 6	Thereafter .. .. .	60 0
Splint makers .. .. .	121 0	Wardmaids—	
Splint makers' assistants .. .. .	111 0	1st year's experience as such .. .. .	58 0
Storemen in charge of one or more storemen or where there is only one employed .. .. .	113 6	2nd year's experience as such .. .. .	59 0
Other storemen .. .. .	108 0	Thereafter .. .. .	60 0
Telephone attendants .. .. .	111 0	Registered X-ray technicians—	
Ward cleaners handling sputum mugs .. .. .	121 0	1st year's experience as such .. .. .	37 6
Other ward cleaners .. .. .	108 0	2nd year's experience as such .. .. .	92 6
X-ray attendants .. .. .	116 0	Thereafter .. .. .	97 6
X-ray technicians—		Laboratory assistants .. .. .	73 0
1st year's experience as such .. .. .	108 6	Female attendant employed wholly or partly attending to the comforts and needs of sick, aged, or infirm persons—	
2nd year's experience as such .. .. .	123 6	1st year's experience .. .. .	63 0
Thereafter .. .. .	133 6	2nd year's experience .. .. .	64 0
All others .. .. .	108 0	Thereafter .. .. .	65 0
			Per Week of 44 Hours.
		Seamstresses who cut out and fit garments .. .. .	72 0
		Other seamstresses—	
		1st year's experience as such .. .. .	60 0
		2nd year's experience as such .. .. .	61 0
		Thereafter .. .. .	62 0
			Per Week of 48 Hours.
		All others—	
		1st year's experience as such .. .. .	58 0
		2nd year's experience as such .. .. .	59 0
		Thereafter .. .. .	60 0

(b) Employed in any other part of Victoria.

<i>Males.</i>		<i>Females.</i>	
WAGES WITHOUT BOARD AND LODGING.*		WAGES WITHOUT BOARD AND LODGING.*	
Per Week of 48 Hours.		Per Week of 48 Hours.	
<i>s. d.</i>		<i>s. d.</i>	
Adults .. .. .	108 0	Clerks .. .. .	63 0
		Cooks—	
		First—or where there is only one employed ..	72 6
		Second .. .. .	67 6
		Head laundress; or where there is only one employed	65 0
		Other laundresses .. .. .	60 0
		Stenographers and typists .. .. .	68 0
		Telephone attendants .. .. .	63 0
		Female attendant employed wholly or partly attending to the comforts and needs of sick, aged, or infirm persons—	
		1st year's experience .. .. .	63 0
		2nd year's experience .. .. .	64 0
		Thereafter .. .. .	65 0
		All others—	
		1st year's experience .. .. .	58 0
		2nd year's experience .. .. .	59 0
		3rd year's experience .. .. .	60 0

\* The minimum wage where the employer boards and lodges the employee shall in the case of an adult male employee be 18s. per week less and in the case of an adult female employee or an apprentice or improver 16s. per week less than the rate fixed without board and lodging.

(3) **TIME OFF.**—All employees shall receive a period of not less than 26 hours off duty in each week provided that employee shall not be required to work more than eight consecutive days without such period off duty.

(4) **OVERTIME.**—The following overtime rates shall be paid for all work done :—

- (a) Within a spread of 12 hours from the time of commencing work on any day but in excess of the number of hours fixed as a week's work . . . . . Time and a half.  
 (b) Outside a spread of 12 hours from the time of commencing work on any day . . . . . Double time.

(5) **A FULL WEEK'S WAGES TO BE PAID.**—Any employee (other than a casual worker) willing to work who works for less than the full working week, viz., 44 hours in the case of seamstresses and 48 hours in all other cases, shall be entitled to the payment of a full week's wage.

(6) **CASUAL LABOUR.**—A casual employee, i.e. a person who is employed for not more than 18 hours per week, shall be paid per hour an amount equal to  $\frac{1}{18}$  of the weekly rate prescribed by this Determination for the work performed divided by 44 in the case of seamstresses and 48 in all other cases.

(7) **RISK RATE.**—Persons (other than dressers doing venereal diseases work for whom provision is already made in clause (2)) shall in addition to the rates prescribed in clause (2) be paid allowances as follows whilst :—

- |  |   |
|--|---|
| (a) Employed in infectious diseases wards or wards wherein less than 25 per cent. of the patients are suffering from venereal diseases, cancer, tuberculosis, typhoid, or meningitis . . . . .                           | 6d. per day.                                  |
| (b) Employed in infectious diseases wards or wards wherein 25 per cent. or more of the patients are suffering from venereal diseases, cancer, tuberculosis, typhoid, or meningitis . . . . .                             | } 2d. per hour with a minimum of 6d. per day. |
| (c) Handling or dressing patients suffering from venereal diseases, cancer, tuberculosis, typhoid or meningitis or patients qualified for admission to infectious diseases hospitals or wards . . . . .                  |   |
| (d) Handling clothes, bedding or linen, rubbish bins or refuse not previously disinfected and used in connexion with any patient, hospital or ward referred to in sub-clauses (a), (b), and (c) of this clause . . . . . |   |
| (e) Handling the bodies of deceased patients who at the time of their death were suffering from any infectious disease or any of the diseases referred to in sub-clause (a) of this clause . . . . .                     |   |
| (f) Engaged in experiments of an infectious nature or handling microscopic slides of an infectious nature or slides used in connexion with any of the complaints referred to in sub-clause (a) of this clause . . . . .  |   |

(8) **NAUSEOUS WORK.**—All male employees not provided for in clause (7) who handle linen of a nauseous nature, other than linen bagged or packed in containers shall be paid at the rate of 5s. per week in addition to the rates prescribed in clause (2).

(9) **ANNUAL LEAVE.**—Any employee who has been in the service of an employer for a period of not less than twelve months shall be granted by such employer fourteen days' leave at least in each year on full pay, without any deduction for board and lodging.

Such payment shall be made before the commencement of the annual leave period concerned.

(10) **PUBLIC HOLIDAYS.**—Employees shall be entitled to the following holidays without deduction of pay :—New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Melbourne Cup Day (within a radius of 20 miles of the General Post Office, Melbourne), Christmas Day, and Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of these holidays employees shall be entitled to the days so substituted.

Provided that if an employee works on any of such holidays or such holiday occurs on his or her rostered day off or during his or her period of annual leave he or she shall be given—

- (a) within four weeks following the date on which such holiday occurred—  
 (1) one extra day's pay, or  
 (2) equal time off in lieu thereof, or  
 (b) one day shall be added to his or her annual leave.

(11) **SICK LEAVE.**—(a) In the event of an employee becoming sick and certified as such by the Medical Superintendent or in an institution where there is no Medical Superintendent by a qualified Medical Practitioner approved by the institution, he or she shall be entitled to sick leave on full pay as follows :—

- (i) During the first year of service in an institution—one day for each month of service.  
 (ii) During the second, third, and fourth years of service in an institution—fourteen days in each year.  
 (iii) Thereafter—twenty-one days in each year.

Sick leave shall be in addition to the annual leave provided in clause (9).

(b) If the full period of sick leave as prescribed in sub-clause (a) hereof is not taken in any year, such portion as is not taken shall be cumulative from year to year up to a period not exceeding forty-two days, which shall be the maximum amount of leave to which an employee shall be entitled in any year without deduction of pay.

For the purposes of this sub-clause year shall be deemed to commence on the 28th June, 1943.

(c) Notwithstanding any other provision in this clause an employee who contracts an infectious disease in the course of his or her duties and same having been certified to by the Medical Superintendent or by a Medical Practitioner approved by the institution shall receive full pay during the necessary period off duty up to but not exceeding a period of three months.

(12) **EMPLOYEES ENGAGED ON NIGHT DUTY.**—For any period of not less than 3 hours worked by females between the hours of 8 p.m. and 8 a.m. and by males between the hours of 6 p.m. and 8 a.m. an amount of 6d. for each such period shall be paid in addition to the rates prescribed in clause (2) of this Determination.

(13) **EARLY MORNING DUTY.**—Employees (other than employees referred to in clause (12)) who commence duty on any day between the hours of 5 a.m. and 6.30 a.m. shall be paid an amount of 5d. for each of such days in addition to the rates prescribed in clause (2) of this Determination.

(14) **TIME BOOK.**—Every employer shall provide and cause to be kept a time book or other record in which each employee shall daily enter his or her starting and finishing times.

Such time book or other record shall be available for inspection to the General Secretary of The Hospital, Dispensary, and Asylum Employees' and Allied Government Officers' Federation.

(15) **ROSTER.**—A weekly roster setting out employees' weekly and daily working hours, times of commencing duty, meal intervals, time off duty and time of ending duty shall be kept posted or affixed in some conspicuous part of the premises in which persons subject to this determination are employed where it may be readily seen by such employees and the Secretary of the Hospital, Dispensary and Asylum Employees and Allied Government Officers' Federation of Australia, No. 1 Victorian Branch.

(16) **DRESSING ROOMS, ETC.**—Dressing rooms, rest rooms, bathrooms or shower rooms, and lunch rooms, shall be provided for non-resident employees, and suitable healthy accommodation for resident employees.

(17) **UNIFORMS, ETC.**—Uniforms, overalls, caps, and aprons, shall be provided and laundered free of cost for employees required to wear same.

(18) **RUBBER GLOVES, ETC.**—Rubber gloves and all necessary safety appliances shall be provided free of cost for the use of employees and an adequate supply of same shall be maintained.

(19) **TERMINATION OF EMPLOYMENT.**—Except where the conduct of an employee justifies instant dismissal, seven days' notice of termination of employment shall be given by either employer or employee, or one week's wages paid or forfeited as the case may be in lieu of such notice.

(20) **UNION INTERVIEWS.**—During working hours employees of any establishment subject to this Determination may, with the consent of the person in charge of such establishment (which consent shall not be unreasonably withheld) be interviewed by the Secretary or Organizer of the Hospital, Dispensary, and Asylum Employees and Allied Government Officers' Federation of Australia, No. 1 Victorian Branch, or have their Union contributions collected by the steward of the said organization.

(21) **DEFINITION.**—For the purpose of this Determination "experience" referred to in clause (2) means experience at such work in any hospital or institution subject to this Determination.

**NOTE.**—Section 174 of the Factories and Shops Acts provides: Where any person is employed to perform two or more classes of work to which a rate fixed by a Wages Board is applicable then such person shall be paid in respect of the time occupied in each class of work at the rate fixed by the Board for such work.

(22) PERIODICAL ADJUSTMENT OF WAGES.—The wages rates set out in clause (2) are based upon the following basic wage rates and pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, shall be automatically increased or decreased by the same amount, and at the same time as such basic wage rates.

The basic wage rates hereunder shall be adjusted as prescribed in clause (23).

*Basic Wage.*

Place.	Needs Basic Wage (Adjustable).	Loading (Constant).	Total Basic Wage.	Index Number Set Assigned.
	Per week. £ s. d.	Per week. £ s. d.	Per week. £ s. d.	
Within the area to which this Determination applies .. ..	4 12 0	Adult Males. 0 6 0	4 18 0	Melbourne

(23) ADJUSTMENT OF WAGE RATES.—(a) Until the beginning of the first pay period to commence in August, 1943, the wages rates hereinbefore prescribed shall be paid.

(b) During each future period of or near a quarter beginning with the first pay period to commence in an August, a November, a February, or a May, the amounts of the said rates 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 agreement the expression "Commonwealth Statistician's 'All Items' 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 Industrial Registrar.

- (1) Adjustment is to be based upon the equating of index number 81.0 with a needs basic wage of 81s., the amount assessed upon that number of the Commonwealth Statistician's declared needs basic wage per week for an adult male.
- (2) The index number for Melbourne is to be applied.
- (3) The index number for the calendar quarter next preceding the period of or near a quarter for which the adjustment is to be ascertained.
- (4) The amount of addition or deduction assigned in the following table (or in any extension thereof) to the index number division comprising such number is to be ascertained.
- (5) That the assigned amount shall for work done during such period of or near a quarter be added to or deducted from the originally prescribed amounts of the rates in accordance with that table.
- (6) The division called "original" in the following table is that for the amount of the needs basic wage upon which the rates are to be deemed to have been originally prescribed:—

TABLE.

Original Index Number Division 1056-1067. (£4 6s.)

Index Number Divisions.				Amounts of Additions or Deductions per Week.		
For Additions.		For Deductions.		Adult Male Employees.	Adult Female Employees and Male Junior Employees.	Female Junior Employees.
				s. d.	s. d.	s. d.
1056-1067	.. .. .	1056-1067	.. .. .	0 0	0 0	0 0
1068-1080	.. .. .	1044-1055	.. .. .	1 0	0 6	0 3
1081-1092	.. .. .	1031-1043	.. .. .	2 0	1 0	0 6
1093-1104	.. .. .	1019-1030	.. .. .	3 0	1 6	0 9
1105-1117	.. .. .	1007-1018	.. .. .	4 0	2 0	1 0
1118-1129	.. .. .	994-1006	.. .. .	5 0	2 6	1 3
1130-1141	.. .. .	982- 993	.. .. .	6 0	3 0	1 6
1142-1154	.. .. .	970- 981	.. .. .	7 0	3 6	1 9
1155-1166	.. .. .	957- 969	.. .. .	8 0	4 0	2 0
1167-1179	.. .. .	945- 956	.. .. .	9 0	4 6	2 3
1180-1191	.. .. .	933- 944	.. .. .	10 0	5 0	2 6
1192-1203	.. .. .	920- 932	.. .. .	11 0	5 6	2 9
1204-1216	.. .. .	908- 919	.. .. .	12 0	6 0	3 0
1217-1228	.. .. .	896- 907	.. .. .	13 0	6 6	3 3
1229-1240	.. .. .	883- 895	.. .. .	14 0	7 0	3 6

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

P. A. RANGLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 14th July, 1943.

[1763]



# VICTORIA GOVERNMENT GAZETTE.

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SATURDAY, JULY 17.

[1943

Factories and Shops Acts.

## DETERMINATION OF THE IRON AND STEEL ROLLING 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 persons or classes of persons employed in the process, trade, or business of iron or steel rolling," has made the following Determination, namely:—

1 That as from the beginning of the first pay period to commence on or after the 1st July, 1943, the last previous Determination of this Board shall be revoked and replaced by this Determination.

Improvers.		WAGES.		Other Employees.	
		Wages per Week of 44 Hours. £ s. d.			DAY SHIFT. Wages per Week of 44 Hours. £ s. d.
17 to 19 years of age	.. .. .	3 17 0	Roller .. .. .	.. .. .	8 6 3
19 to 21 years of age	.. .. .	4 12 6	Furnaceman .. .. .	.. .. .	7 18 6
			Rougher .. .. .	.. .. .	7 13 6
			Catcher (three high roughing Rolls)	.. .. .	7 13 6
			Catcher who is responsible for adjusting guards	.. .. .	6 1 0
			Other Catchers .. .. .	.. .. .	5 18 0
			Annealer or Heat Treatment Hand	.. .. .	6 9 0
			Roller's Assistant	.. .. .	6 7 0
			Charger .. .. .	.. .. .	5 19 0
			Shearsman of scrap (Crocodile Shears)	.. .. .	5 19 0
			Yard Shearsman .. .. .	.. .. .	5 19 0
			Billet Shearsman .. .. .	.. .. .	5 19 0
			Scrap Bar and/or Scrap Shearsman .. .. .	.. .. .	5 15 6
			Shearsman (small mill Brooklyn) .. .. .	.. .. .	5 15 6
			Other Shearsmen .. .. .	.. .. .	5 10 6
			Setter Up .. .. .	.. .. .	5 15 11
			Carrier Up (large mill) .. .. .	.. .. .	5 13 0
			Carrier Up (small mill) .. .. .	.. .. .	5 7 8
			Underhand, second, handling up to 300-lb. blooms	.. .. .	5 19 10
			Underhand who also assists to feed furnace	.. .. .	5 13 0
			Underhand .. .. .	.. .. .	5 10 6
			Hookman .. .. .	.. .. .	5 13 0
			Middleman .. .. .	.. .. .	5 13 0
			Straightener .. .. .	.. .. .	5 13 0
			Straightener's Assistant .. .. .	.. .. .	5 10 6
			Chipper .. .. .	.. .. .	5 13 0
			Assistant Furnaceman .. .. .	.. .. .	5 13 0
			Plate Hand .. .. .	.. .. .	5 10 6
			Furnaceman at electric furnace	.. .. .	6 11 0
			Pitman at electric furnace .. .. .	.. .. .	6 2 0
			Ladleman at electric furnace .. .. .	.. .. .	6 2 0
			Assistant at electric furnace .. .. .	.. .. .	5 11 0
			Assistant to Shearsman .. .. .	.. .. .	5 10 6
			All others .. .. .	.. .. .	5 4 0

NOTE.—The Board has determined in accordance with section 25 (1) of the amended *Factories and Shops Act* 1934 that the process, trade, business or occupation is so unskilled that no person shall be taken as an apprentice.

3 PROHIBITION OF EMPLOYMENT.—The employment of any improver under the age of seventeen years is prohibited.

4 HOURS OF EMPLOYMENT.—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.

5 **SHIFT WORK.**—The following percentage shall be added to the rates fixed for the day shift for persons employed on the afternoon or night shift :—12½ per cent.

6 **MIXED FUNCTIONS.**—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.

7 **OVERTIME.**—(a) For all work done outside ordinary hours the rates of wage shall be time and a half for the first 4 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.

8 **HOLIDAYS AND SUNDAY WORK.**—(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 (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 work, required to work on Sundays or public holidays shall be paid for a minimum of three hours' work.

9 **CONTRACT OF EMPLOYMENT.—Weekly Employment.**—(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 10 hereof, lose his pay for the actual time of such non-attendance.

#### *Casual Employment.*

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 performs.

10 **SICK LEAVE.**—(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
- (i) (a) He shall, within 24 hours of the commencement of such absence, inform the employer of his inability to attend for duty and, as far as practicable, state the nature of the injury or illness and the estimated duration of the absence.
- (ii) He shall prove to the satisfaction of his employer (or in the event of dispute of the Secretary of 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 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.

11 **ANNUAL LEAVE.**—(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) 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.



(c) 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.

(d) 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.

(e) 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.

(f) 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 (e) hereof the week's wage shall be at the rate prescribed by clause 2 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.

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

(h) Where leave has been granted to an employee pursuant to sub-clause (d) 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 8 of this Determination.

(i) 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 payment in lieu thereof has been allowed or made under the Determination hereby rescinded.

(j) 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.

(k) The annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by clause 8 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.

(l) 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.

(m) 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.

**12 RIGHT OF ENTRY OF UNION OFFICIALS.**—A duly accredited official of the Federated Ironworkers Association of Australia shall have the right to enter employers' workshops for the purpose of conducting union business during the midday meal hour or immediately prior to the starting of work by the night shift provided he notifies the management of his intention to visit the works.

**13 MISCELLANEOUS PROVISION.**—Employers shall provide proper washing and sanitary conveniences and install showers and clothes hangers for the use of workmen.

**14 PERIODICAL ADJUSTMENT OF WAGES.**—The wages rates for other employees set out in clause 2 are based upon the following basic wage and pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically increased or decreased by the same amount, and at the same time as such basic wage.

Provided that the rates for improvers shall be adjusted proportionately to 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 15.

*Basic Wage.*

Place.	Basic Wage.	Index Number Set Assigned.
Throughout the State .. .. .	£ s. d. 4 12 0	Melbourne

**15 ADJUSTMENT OF BASIC WAGE.**—(a) Until the beginning of the first pay period to commence in August, 1943, the amount of the basic wage shall be as prescribed in clause 14.

(b) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, the amount of the basic wage shall be adjusted by the following method according to the position and fluctuations (if any) of the Commonwealth Statistician's "All Items" retail price index numbers.

For the purposes of this Determination the expression "Commonwealth Statistician's retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician:—

- (1) The index number set to be applied is that assigned to Melbourne.
- (2) The index number for the calendar quarter next preceding the period of thirteen weeks for which the adjustment is made 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.
994-1008 .. .. .	£ s. d. 4 1 0	1118-1129 .. .. .	£ s. d. 4 11 0
1007-1018 .. .. .	4 2 0	1130-1141 .. .. .	4 12 0
1019-1030 .. .. .	4 3 0	1142-1154 .. .. .	4 13 0
1031-1043 .. .. .	4 4 0	1155-1166 .. .. .	4 14 0
1044-1055 .. .. .	4 5 0	1167-1179 .. .. .	4 15 0
1056-1067 .. .. .	4 6 0	1180-1191 .. .. .	4 16 0
1068-1080 .. .. .	4 7 0	1192-1203 .. .. .	4 17 0
1081-1092 .. .. .	4 8 0	1204-1216 .. .. .	4 18 0
1093-1104 .. .. .	4 9 0	1217-1228 .. .. .	4 19 0
1105-1117 .. .. .	4 10 0	1229-1240 .. .. .	5 0 0

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

16 PIECEWORK.—The lowest piecework price payable to any person employed shall be the price mentioned in the following Schedule, which Schedule shall form part of this Determination:—

Such piecework prices shall be adjusted from time to time to conform as far as practicable, and to the nearest farthing, with the wage rate adjustments as set out in clauses 14 and 15, and the following method shall be used for the purpose of such adjustments:—

The piecework prices for the respective classifications shall each be multiplied by the number of shillings (and fraction of a shilling, if any) in the appropriate weekly wage rate as adjusted, and the resultant amount divided by the number of shillings (and fraction of a shilling, if any) in the appropriate weekly wage rate shown in the Determination of the Board which came into operation as from the beginning of the first pay period to commence on or after the 1st July, 1943.

The Board has also determined that where any person employed on tonnage rates set out in such Schedule fails to earn during any day on which he is so employed an amount equal to one-fifth of the prescribed weekly rate he shall be paid for such day not less than one-fifth of the prescribed weekly rate. Provided that if such employee elects to work for a shorter period than the number of hours fixed for an ordinary day's work he shall be paid a sum proportionate to the time worked.

		s.	d.	
LARGE MILL.				
Roller	.. .. .	3	7½	per ton of finished bars of iron and steel.
		3	5	per ton of scrap iron bars.
Rougher	.. .. .	2	8	per ton of finished bars of iron and steel.
		4	9½	per ton of scrap iron bars.
Catcher	.. .. .	1	10½	per ton of finished bars of iron and steel.
		2	9½	per ton of scrap iron bars.
Middleman	.. .. .	1	9½	per ton of finished bars of iron and steel.
Large Hook	.. .. .	1	8½	per ton of finished bars of iron and steel.
		2	6	per ton of scrap iron bars.
Small Hook	.. .. .	1	8½	per ton of finished bars of iron and steel.
Platehand	.. .. .	1	8½	per ton of finished bars of iron and steel.
Loading Platehand	.. .. .	1	9½	per ton of finished bars of iron and steel.
		2	7½	per ton of scrap iron bars.
Furnaceman	.. .. .	5	9	per ton of finished bars of iron and steel.
		8	4	per ton of scrap iron bars.
Underhand	.. .. .	3	7	per ton of finished bars of iron and steel.
		5	1½	per ton of scrap iron bars.
Carrier Up	.. .. .	1	9½	per ton of finished bars of iron and steel.
Carrier Up (Assistant)	.. .. .	1	8½	per ton of finished bars of iron and steel.
SMALL MILL.				
Roller	.. .. .	5	9	per ton of finished bars of iron and steel billets and iron piles under 30 lb. each.
		4	6½	per ton of finished bars of iron and steel billets and iron piles under 40 lb. each.
		3	10	per ton of finished bars of iron and steel billets and iron piles over 40 lb. each.
Rougher	.. .. .	4	11½	per ton of finished bars of iron and steel billets and iron piles under 30 lb. each.
		3	10	per ton of finished bars of iron and steel billets and iron piles under 40 lb. each.
		3	5	per ton of finished bars of iron and steel billets and iron piles under 60 lb. each.
		3	3½	per ton of finished bars of iron and steel billets and iron piles over 60 lb. each.
Catcher	.. .. .	3	1	per ton of finished bars of iron and steel billets and iron piles under 30 lb. each.
		2	5	per ton of finished bars of iron and steel billets and iron piles under 40 lb. each.
		2	3	per ton of finished bars of iron and steel billets and iron piles under 60 lb. each.
		2	1½	per ton of finished bars of iron and steel billets and iron piles over 60 lb. each.
Middleman	.. .. .	2	9	per ton of finished bars of iron and steel billets and iron piles under 30 lb. each.
		2	3	per ton of finished bars of iron and steel billets and iron piles under 40 lb. each.
		2	1½	per ton of finished bars of iron and steel billets and iron piles under 60 lb. each.
		2	0½	per ton of finished bars of iron and steel billets and iron piles over 60 lb. each.
Furnaceman	.. .. .	9	2½	per ton of finished bars of iron and steel billets and iron piles under 30 lb. each.
		7	11½	per ton of finished bars of iron and steel billets and iron piles under 40 lb. each.
		7	2½	per ton of finished bars of iron and steel billets and iron piles under 60 lb. each.
		5	9	per ton of finished bars of iron and steel billets and iron piles over 60 lb. each.
Underhand	.. .. .	5	6	per ton of finished bars of iron and steel billets and iron piles under 30 lb. each.
		4	8	per ton of finished bars of iron and steel billets and iron piles under 40 lb. each.
		4	3	per ton of finished bars of iron and steel billets and iron piles under 60 lb. each.
		4	1	per ton of finished bars of iron and steel billets and iron piles over 60 lb. each.
Plateman	.. .. .	3	1	per ton of finished bars of iron and steel billets and iron piles under 30 lb. each.
		2	0	per ton of finished bars of iron and steel billets and iron piles over 30 lb. each.

NOTE.—The furnaceman and underhand are paid for the output of one furnace.

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

J. W. RYAN, Secretary.

Melbourne, 13th July, 1943.



VICTORIA  
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No. 143]

SATURDAY, JULY 17.

[1943

Factories and Shops Acts.

DETERMINATION OF THE FARRIERS BOARD.

NOTE:—This Determination applies to the whole of the State of Victoria. By Order in Council, dated the 2nd December, 1941, the Farriers (Country) Wages Board was deprived of the whole of its powers and such powers were conferred exclusively on the Farriers 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 any person or persons, or classes of persons, employed in the process, trade, or business of a farrier," has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 1st July, 1943, the last previous Determination of this Board shall be revoked and replaced by this Determination.
- 2.

Wages.

Apprentices and Improvers.				Other Employees.		
Percentage of Needs Basic Wage.	War Loading.	TOTAL WAGE.				
		s. d.	Per Week of 44 Hours.			
1st year's experience .. 38·4 ..	2 6 ..	38 0	(a) Employed within the Metropolitan District as defined in the Factories and Shops Acts, and at Ballarat, Bendigo, Geelong, Warrnambool, Castlemaine, Yallourn, and Frankston, and within the Gippsland district:—	All Employees ..	*132s. per week of 44 hours	
2nd year's experience .. 41·9 ..	2 6 ..	41 0				
3rd year's experience .. 45·9 ..	3 0 ..	45 0				
4th year's experience .. 52·9 ..	3 0 ..	51 6				
5th year's experience .. 64·5 ..	4 0 ..	63 6				
PROPORTION (within any place). One apprentice or one improver to every three or fraction of three workers receiving not less than the minimum wage.				(b) Employed outside the areas specified in paragraph (a):—	All Employees ..	*129s. per week of 44 hours * Including a War Loading of 6s. per week.

3. HOURS OF EMPLOYMENT:—

- (a) Within the Metropolitan District and the City of Ballarat.—The ordinary hours of employment shall be 44 per week to be worked in five days of 8 hours (Monday to Friday inclusive) and one day (Saturday) of 4 hours, or of five days (Monday to Friday inclusive) of 8 hours 48 minutes each, to be worked continuously (except for meal breaks) at the discretion of the employer, between 7.30 a.m. and 5 p.m. on Monday to Friday inclusive, and 7 a.m. to 11 a.m. on Saturdays. 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 his employee or employees.
- (b) Elsewhere in the State of Victoria.—The ordinary hours of employment shall be 44 hours per week to be worked between the following daily times:—

	Time of Beginning.	Time of Ending.
(i) On the day that the half holiday is ordinarily locally observed ..	8 a.m.	Noon.
(ii) On other working days ..	8 a.m.	5 p.m.

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 his employee or employees.

4. OVERTIME.—All work done outside the spread of hours provided in clause 3 or in excess of:—

- (a) 8 hours 48 minutes on any day where a 5-day week is worked, or
- (b) 4 hours on Saturday  
8 hours on other Working Days .. (Where work is done on 6 days a week, or
- (c) In excess of the hours for a day's work mutually agreed upon, between an employer and his employee or employees shall be paid for at the rate of double time.

In computing overtime, each day's work shall stand alone.

5. HOLIDAYS.—Employees shall be entitled to the following public holidays, without loss of pay:—New Year's Day Australia Day, Good Friday, Easter Saturday, Easter Monday, Melbourne Cup Day (within the Metropolitan District only), Labour Day, Anzac Day, Boxing Day, and Christmas Day. Employees required to work on any of the above holidays are to be paid double time for such work.

6. CONTRACT OF EMPLOYMENT.—(a) Except as hereinafter provided, employment shall be by the week. Any employee, not specifically engaged in writing as a casual employee shall be deemed to be employed by the week. Employment shall be terminated by a week's notice on either side, given at any time during the week, or in lieu of such notice by the payment or forfeiture of a week's wages, as the case may be. This shall not affect the right of an 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 the machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

(b) A casual employee is one engaged and paid as such. A casual employee for working ordinary time shall be paid per hour 1/40th of the weekly rate prescribed by this Determination.

7. SICK LEAVE.—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:—

- (a) He shall not be entitled to payment for any period in respect of which he is entitled to workers' compensation.
- (b) He shall prove to the satisfaction of his employer (or in the event of dispute to 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.
- (c) 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. A year shall be deemed to commence on the 18th July and end on the 17th July next following.

For the purpose of administering this sub-clause, an employer may 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 statements the employer shall be entitled to rely and act.

- (d) Notwithstanding anything contained in clause 7 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.

8. ANNUAL LEAVE.—A period of seven consecutive days' leave shall be allowed annually to all employees after twelve months' continuous service, dating from the incidence of this Determination—

- (a) Annual leave shall be given at a time fixed by the employer, within a period not exceeding three months from the date when the right of annual leave accrued.
- (b) The annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by clause 5 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.
- (c) 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 1/6th of a week's wage in respect of each completed two months of continuous service in respect of which leave had not been previously paid.
- (d) An employer shall notify employees one week prior to annual leave being granted and payment shall be made before leave is taken.
- (e) During the continuance of the present war and for six months thereafter, by agreement between the employer and the Secretary of the Blacksmiths' Society of Australasia (or in default of such agreement, with the approval of the Secretary for Labour) it shall be permissible to pay an employee one week's extra wages in lieu of annual leave.

9. RACECOURSE WORK.—When employees are engaged on racecourses, the other clauses of this Determination shall not apply as may be inconsistent with the following sub-clauses which shall apply to racecourse work only:—

- (a) On all racecourses throughout Victoria, each weekly employee shall receive in addition to his ordinary pay, the following allowances per day:—  
 On ordinary week days .. .. . 10s.  
 On Saturdays and Public Holidays .. .. . 20s.
- (b) When casual employees are engaged to work on a racecourse only, they shall be paid not less than 30s. on week days, and 40s. on Saturdays and holidays.
- (c) All fares incurred in travelling to and from the racecourse shall be paid by the employer.

10. RIGHT OF ENTRY OF UNION OFFICIALS.—A duly accredited official of the Blacksmiths' Society of Australasia shall have the right of entry to employers' premises for the purpose of interviewing employees on legitimate Union business.

11. PAYMENT OF WAGES.—Wages shall be paid not later than 4.30 p.m. on Friday in each week. Upon the termination of employment of an employee, wages due shall be paid to him on the day of such termination or forwarded to him by post the next following day.

12. MEAL BREAK.—No employee shall be required to work for a spread exceeding five hours without a break for a meal of at least 45 minutes.

13. TIME AND WAGE RECORD.—Each employer shall keep a record from which can be readily ascertained the name of each employee, the hours worked each day and the wages and allowances paid each week. Such record shall be open for inspection to Inspectors of Factories and a duly accredited union official of the Blacksmiths' Society of Australasia, who shall be entitled to take a copy of the entries in such record.

14. PERIODICAL ADJUSTMENT OF WAGES.—The wages rates for males set out in clause 2 are based upon the following basic wage and, pursuant to and in accordance with the provisions of section 21 of the Factories and Shops Act 1934, the Board hereby determines that such rates shall be automatically increased or decreased by the same amount, and at the same time as such basic wage. Provided that the wages of apprentices or improvers shall be adjusted proportionately to adjustments of the basic wage so as to preserve the percentages shown in clause 2 of this Determination: such adjustments to be to the nearest 6d., half or less than half of 6d. to be disregarded.

The basic wage shown hereunder shall be adjusted as proscribed in clause 15.

Basic Wage.

Place.	Needs Basic Wage. (Adjustable.)	Index Number Set Assignable.
Throughout the State .. .. .	£ s. d. 4 12 0	Melbourne

15. ADJUSTMENT OF BASIC WAGE.—(a) Until the beginning of the first pay period to commence in August, 1943, the amount of the basic wage shall be as prescribed in clause 14.

(b) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, the amount of the basic wage shall be adjusted by the following method according to the position and fluctuations (if any) of the Commonwealth Statistician's "All Items" retail price index numbers.

For the purposes of this Determination the expression "Commonwealth Statistician's retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician:—

- (1) The index number set to be applied is that assigned to Melbourne.
- (2) The index number for the calendar quarter next preceding the period of 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.			
994-1006	..	..	..	4	1	0	1118-1129	..	..	..	4	11	0
1007-1018	..	..	..	4	2	0	1130-1141	..	..	..	4	12	0
1019-1030	..	..	..	4	3	0	1142-1154	..	..	..	4	13	0
1031-1043	..	..	..	4	4	0	1155-1166	..	..	..	4	14	0
1044-1055	..	..	..	4	5	0	1167-1179	..	..	..	4	15	0
1056-1067	..	..	..	4	6	0	1180-1191	..	..	..	4	16	0
1068-1080	..	..	..	4	7	0	1192-1203	..	..	..	4	17	0
1081-1092	..	..	..	4	8	0	1204-1216	..	..	..	4	18	0
1093-1104	..	..	..	4	9	0	1217-1228	..	..	..	4	19	0
1105-1117	..	..	..	4	10	0	1229-1240	..	..	..	5	0	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, 13th July, 1943.





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[1943

## Factories and Shops Acts. DETERMINATION OF THE COAL MINERS BOARD.

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

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to determine the lowest prices or rates which may be paid to any person or persons or classes of persons whosoever employed in the business or occupation (other than fireman, boiler attendant, or engine drivers) of mining for coal has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 21st June, 1943, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

### WAGES.

Minors.				Adult Persons.			
Surface Workers.				Surface Workers.			
Age.	Per Day Shift.			All adults—*22s. 5d. per day shift.			
	Wages.	War-time Loading.	Total.	Underground Workers.			
	s. d.	d.	s. d.	Per Day Shift.			
				s. d.			
14 years	7 2	3	7 5	Shaft sinkers .. .. .	..	..	26 1
15 "	8 10	4	9 2	Timber drawers .. .. .	..	..	26 11
16 "	10 8	5	11 1	Shiftmen .. .. .	..	..	24 10
17 "	12 11	6	13 5	Platmen .. .. .	..	..	24 10
18 "	15 0	7	15 7	Assistant platmen .. .. .	..	..	23 6
19 "	17 3	8	17 11	Set runners (riding or walking)	..	..	24 6
20 "	19 5	9	20 2	Jigmen .. .. .	..	..	24 6
				Wheelers (hand wheeling or using one horse)	..	..	23 6
				Wheelers (using two horses) ..	..	..	25 1
				Examiners .. .. .	..	..	26 11
				Contract miners' minimum wage	..	..	25 3
				Miners working on coal and/or brushing	..	..	25 3
				Persons employed in stone-drives	..	..	24 10
				Probationary miners .. .. .	..	..	24 10
				Machine-men (including assistant)	..	..	26 7
				Shiftmen acting as examiners ..	..	..	25 10
				Ventilation stopping builders ..	..	..	24 10
				Ventilation stopping builders' assistants	..	..	23 6
				Persons not provided for otherwise	..	..	23 6

\* Including 1/- war-time loading.

3. SHIFTS.—That work performed except on a day shift as defined in Clause 16 herein shall be paid for at the rate prescribed for day-shift work, with the addition of 7½ per cent.

4. HOURS OF WORK.—That the ordinary hours of work, except as prescribed in Clause 11 herein, without payment of overtime shall be 40 hours per week, to be worked in shifts of eight hours each, bank to bank (including crib time of 30 minutes counted as time worked), Monday to Friday inclusive.

5. PAYMENT OF WAGES.—That wages shall be paid at least once every fortnight, and that not more than one week's pay shall be kept in hand by the employer.

6. OVERTIME.—That overtime shall mean all time on duty outside the hours prescribed in Clause 4 of this Determination. Such hours of duty shall mean from the time a worker descends from the surface until such worker returns to the surface. Overtime shall be paid for at the rate of time and a half. A cribtime of 30 minutes without deduction of pay shall be allowed for every four hours of overtime.

7. SUNDAY AND HOLIDAY WORK.—That all work performed on Sundays or holidays or any Day proclaimed in lieu thereof shall be paid for at the rate of time and a half. For the purpose of this clause, the expression "holidays" shall mean New Year's Day, Good Friday, Easter Monday, Christmas Day, Boxing Day, and Labour Day.

8. **MIXED FUNCTIONS.**—That where, in any shift, a worker performs for more than half the shift the duties of a higher grade or grades than that in which he is classified, he shall be paid at the rate prescribed for the highest of such grades for the whole shift, provided that, if he is occupied in such higher grade work for not more than half the shift, he shall be paid at a rate not less than that which is equal to the average of the rates prescribed for the grades of work which he is performing.

9. **WET PAY.**—That—

- (a) Any surface worker who is required to work in a "wet place" for at least one hour during the shift, if not provided with clothing or footwear so as to protect him from getting wet, shall be paid 1s. extra for such shift, unless the wet conditions occur only in the last two hours of the shift.
- (b) Any underground worker who is required to work in a "wet place" for at least one hour during the shift shall be paid 1s. 3d. extra for such shift, unless the wet conditions occur only in the last two hours of the shift.
- (c) A place shall be deemed to be wet when water other than rain is flowing or dripping from overhead to such an extent as to saturate the clothing of the worker, or when the worker is required to work in water more than 2 inches deep.

10. **PROVISION AGAINST WET WEATHER.**—That workers (except those the nature of whose duties ordinarily requires them to work out in the open throughout the shift) who are required to work in the rain, shall be provided as far as practicable with suitable clothing to protect them therefrom.

11. **REDUCTION OF HOURS IN HIGH TEMPERATURES.**—That where any person is required to work in any place where the temperatures exceed 79° Fah. dry, and 76° Fah. wet, the hours of work shall not exceed six hours per shift, but the employee shall be paid as though the ordinary hours had been worked on the shift concerned.

12. **EMPLOYEE TO BE NOTIFIED.**—That where an employee who has not been notified that he is not required to work the following shift presents himself for work and, though willing to work, is not engaged, he shall be paid at the rate applicable to his grade of work as though he had worked the shift in question. Provided that, in any case where, through circumstances over which the employer has no control, notification is impracticable, this clause shall not operate.

13. **CONTRACT RATES.**—That any employer may fix and pay contract rates, provided that any person employed at such contract rates shall receive not less than the wages prescribed in clause 2 of this Determination.

Where any employee is engaged on contract such employee shall receive, in addition to the prescribed contract rates, an allowance of 1s. per day or shift by way of a war-time loading, such allowance of 1s. per day or shift to be paid in accordance with the prescribed contract miners' minimum wage set out in clause 2 herein.

14. **CAVILLING.**—That a system of cavilling for coal places shall be adopted in respect of any mine in which work is performed at contract rates. Pursuant to the provisions of Section 164 (1) Act 3677, the Board hereby prescribes the following cavilling rules, viz:—

- (a) Prior to the quarterly cavil, all working places shall be inspected by the management, with two scrutineers, to be appointed by the workmen. The management and scrutineers shall decide mutually what places are deficient. Places deemed deficient shall not be included in the quarterly cavil, but shall be worked in such manner as the management may determine.
- (b) All places at each colliery which are going to be worked at the commencement of each quarter shall be cavilled for every three months with the exception of those which may be otherwise arranged for between the management and the employees' representatives. Cavils shall be drawn as arranged by scrutineers appointed by the miners in the presence of the colliery officials. Cavils to be arranged so that the first cavil in each year be drawn previous to the Christmas holidays preceding such cavil.
- (c) In the event of there being sufficient working places, all miners at each colliery, including those promised work for the commencement of each quarter, shall choose their own mates, and shall notify the person appointed to receive names at least two days before the cavils are drawn. Any man neglecting to mate himself shall be mated by the scrutineers, subject to the approval of the management, and his name included in the ballot with the others.
- (d) All places that are to be drawn for as specials must be made known by the management in the usual way by posting at the pit mouth one week before the drawing of each quarterly cavil, and such places shall be cavilled for first. In the event of there not being a sufficient number of names given in to fill the whole of the specials, an additional number required shall be drawn from the general cavil. Persons cavilling for special places shall be subject to the approval of the management and two scrutineers appointed by the men.
- (e) Any man or men finishing his or their place during the currency of a quarter, shall fill the nearest available place (if any) in that district, unless it be stipulated at cavilling that the men finishing such place should occupy another place reserved for such contingency.
- (f) In the event of any place being stopped and restarted during the currency of a quarter, the miners who cavilled such place shall be the persons to work it, unless they have left the colliery or cavilled a special place in accordance with the rule.
- (g) In the event of two or more places being stopped at the same time during the currency of a quarter in any district, the men who were working in such places shall cavil for any vacant place or places which have to be filled in the district where they have finished, or in any other district should there not be a sufficient number of vacant places in the district where they finished.
- (h) If any special place or places be started during the currency of a quarter, applications shall be invited from the miners to fill such place or places, and should there be sufficient applications received, such place or places shall be cavilled for in accordance with the rules of the general cavil. In the event of insufficiency of applications the management shall have the right to nominate names for such cavil from the men at the same colliery, provided the persons nominated are agreeable. Failing this, the management may work the place as they may decide.
- (i) Miners shall be allowed to exchange places at any time with the consent of the management and of their party, but no exchange shall be allowed between miners who are working their notice or about to leave the colliery. In the event of one man of a party leaving after such an exchange, the man who has exchanged shall return to the original cavil if so required by the management or party.
- (j) Should any dispute arise with regard to the conditions in which any place has been left, the men cavilled to such place may call in the miners' scrutineers or the two miners working on either side provided they are not cross-mates, to decide the matter, and should they allow any compensation, it may be stopped from the wages of the men who worked in the place last, and paid to the men who cavilled such place. The compensation may be stopped from the miners' wages by the management and paid to the men who cavilled to work such place, on their written order.
- (k) Any miner leaving the colliery and being re-employed during the currency of a quarter shall work his own cavil with the consent of the miners working such place.
- (l) No man shall work in another man's cavil, except to open out air-ways or to effect repairs.
- (m) Where four men cavil a place and it is subsequently found necessary to move two men, the four shall cavil to determine who shall leave the place.

15. **ANNUAL LEAVE.**—

- (a) Each employee shall be entitled to annual leave up to but not exceeding eight ordinary working days in each year.
- (b) The period in respect of which payments are to be made under this clause shall be the twelve calendar months terminating on the last day of the first pay period which ends in the month of December in each year.
- (c) One day's leave shall be granted for each thirty-two shifts worked and/or where payment is made for attendance of work.
- (d) If on the last day of the period for which the annual leave has been calculated a part of the immediately preceding thirty-two shifts shall have been completed in the terms of sub-clause (c) of this clause the employee shall be entitled to credit as for thirty-two shifts.
- (e) On the last day worked prior to the commencement of his annual leave each employee shall be paid for the period of leave to which he is entitled under this clause at the proscribed rate for his classification or class of work or, in the case of a contract miner, at the contract miners' minimum wage.
- (f) (i) Annual leave shall be granted during the Christmas period for all employees excepting those who may be required to perform essential services during such period.  
(ii) Any employee who performs essential services during the Christmas period shall be granted annual leave by mutual arrangement.
- (g) On termination of his employment other than by dismissal for wilful misconduct an employee shall be entitled to payment for all leave accrued.



16. DEFINITIONS.—“ Probationary miner ” shall mean a person who has had less than two years’ experience of work at the coal face.

“ Day shift ” shall mean any shift commencing not earlier than 6 a.m. and not later than 8 a.m.

17. PERIODICAL ADJUSTMENT OF WAGES.—The wages rates for adults set out in clause 2 are based upon the following basic wage and, pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically increased or decreased by the same amount, and at the same time as such basic wage. Provided that the wages of other employees shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest penny, half or less than half of one penny to be disregarded.

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

*Basic Wage.*

Place.	Needs Basic Wage. (Adjustable.)	Index Number Set Assigned.
Throughout the State.	£ s. d. 4 12 0	Melbourne

18. ADJUSTMENT OF BASIC WAGE.—(a) Until the beginning of the first pay period to commence in August, 1943, the amount of the basic wage shall be as prescribed in clause 17.

(b) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, the amount of the basic wage shall be adjusted by the following method according to the position and fluctuations (if any) of the Commonwealth Statistician’s “ All Items ” retail price index numbers.

For the purposes of this Determination the expression “ Commonwealth Statistician’s retail price index numbers ” or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician :—

- (1) The index number set to be applied is that assigned to Melbourne.
- (2) The index number for the calendar quarter next preceding the period of 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.

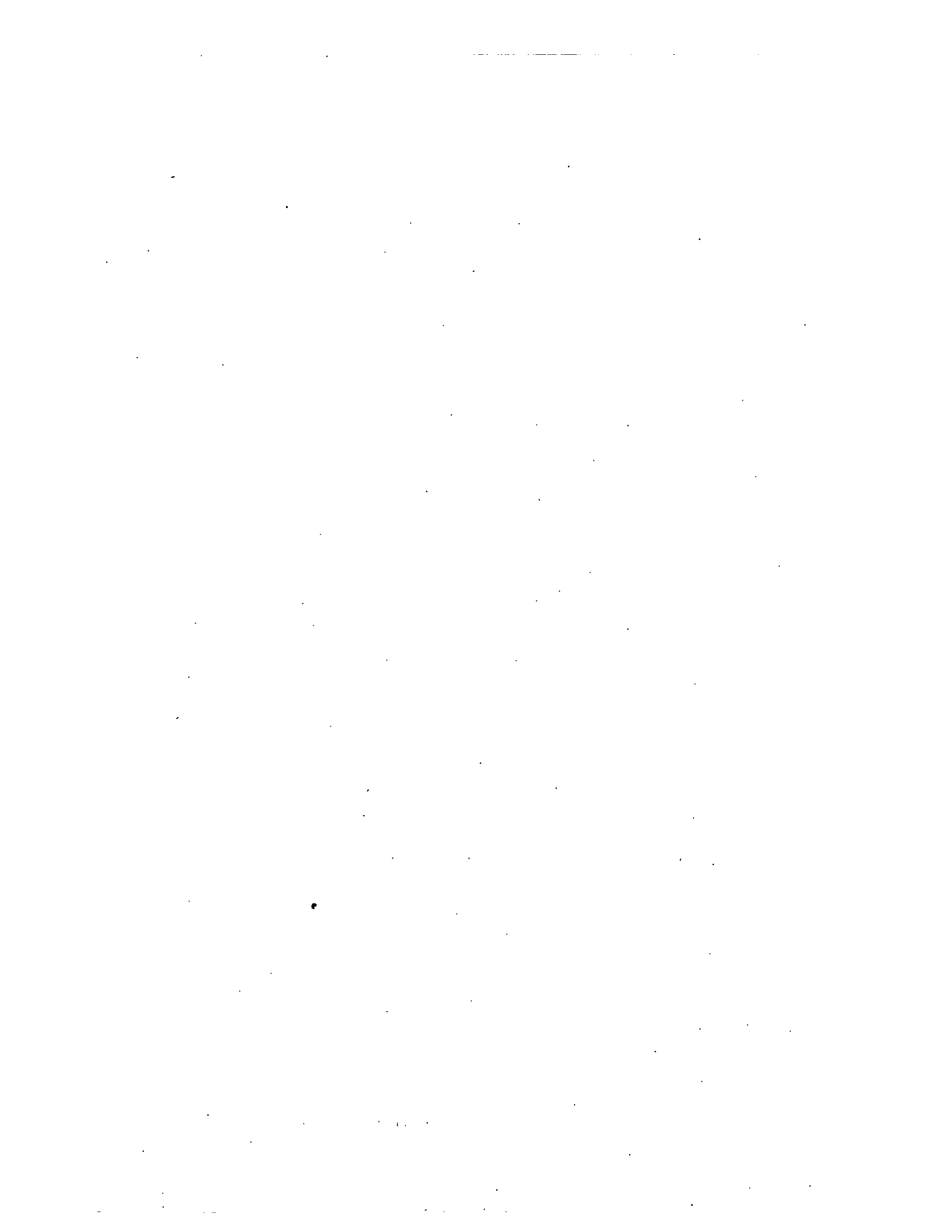
*Table.*

Index Number Divisions.	Basic Wage.	Per Shift.	
		Increase.	Decrease.
	£ s. d.	s. d.	s. d.
994-1006	4 1 0	.. ..	2 2
1007-1018	4 2 0	.. ..	2 0
1019-1030	4 3 0	.. ..	1 9
1031-1043	4 4 0	.. ..	1 7
1044-1055	4 5 0	.. ..	1 4
1056-1067	4 6 0	.. ..	1 2
1068-1080	4 7 0	.. ..	1 0
1081-1092	4 8 0	.. ..	0 9
1093-1104	4 9 0	.. ..	0 7
1105-1117	4 10 0	.. ..	0 4
1118-1129	4 11 0	.. ..	0 2
1130-1141	4 12 0	No Change.	No Change.
1142-1154	4 13 0	0 3	.. ..
1155-1166	4 14 0	0 5	.. ..
1167-1179	4 15 0	0 8	.. ..
1180-1191	4 16 0	0 10	.. ..
1192-1203	4 17 0	1 0	.. ..
1204-1216	4 18 0	1 3	.. ..
1217-1228	4 19 0	1 5	.. ..
1229-1240	5 0 0	1 8	.. ..
1241-1253	5 1 0	1 10	.. ..
1254-1265	5 2 0	2 0	.. ..

Any extension of this table must be of the same construction as the table.  
The adjustable rates are based upon a basic wage of 81s.

A. V. BARNES, J.P., Chairman.  
J. W. RYAN, Secretary

Melbourne, 13th July, 1943.





# VICTORIA GOVERNMENT GAZETTE.

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SATURDAY, JULY 17.

[1943

Factories and Shops Acts.

## DETERMINATION OF THE BISCUIT BOARD.

NOTES:—(a) This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder, and such portions of the city of Sandringham as are not included in the said District; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the towns of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

(b) On the 21st June, 1913, the powers of the Biscuit Board were extended to enable it to "determine the lowest prices or rates which may be paid to any person employed as storeman, packer, or sorter in connexion with the trade or business of making biscuits."

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 employed in making biscuits," has made the following Determination, namely:—

(1) That on the 26th June, 1943, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Apprentices or Improvers.			Other Employees.	
WAGES PER WEEK OF 44 HOURS.			WAGES.	
	Male Apprentices or Improvers.	Female Apprentices or Improvers.		Per week of 44 hours. s. d.
	s. d.	s. d.		
Under 16 years of age .. .. .	28 3	32 9	Bakers (including Wafer Bakers and Branette Bakers)	113 0
16 years of age .. .. .	35 0	32 9	Brakesman .. .. .	109 6
17 .. .. .	48 6	36 3	Machine Attendant .. .. .	107 0
18 .. .. .	55 6	42 6	Men carrying and stacking flour .. .. .	115 0
19 .. .. .	65 3	46 3	Mixers (including Wafer Mixers and Sugar Cream Mixers) .. .. .	113 0
20 .. .. .	73 9	50 3	Oven firemen .. .. .	113 0
Apprentices or improvers engaged attending gas ovens during the baking of wafers and branettes shall be paid 5s. per week in addition to above rates.			Adult males operating "Enroba" chocolate dipping machine .. .. .	106 0
			Despatch hands .. .. .	106 0
			All other males .. .. .	103 0
			All other females .. .. .	59 6

### PROPORTION (IN ANY PLACE).

#### Apprentices.

##### MALES.

One male apprentice to every three or fraction of three male workers receiving not less than 103s. per week of 44 hours.

##### FEMALES.

One female apprentice to every three or fraction of three female workers receiving not less than 59s. 6d. per week of 44 hours.

#### Improvers.

##### MALES.

Two male improvers to every male worker receiving not less than 103s. per week of 44 hours.

##### FEMALES.

Four female improvers to every female worker receiving not less than 59s. 6d. per week of 44 hours.

(3) **TERMS OF ENGAGEMENT.**—Employees who work less than 44 hours in any week may be paid *pro rata* according to the number of hours worked.

(4) **OVERTIME.**—

(a) Places in which the week's work is performed in 5½ days—

Time worked in excess of 8 hours on any one day, Monday to Friday (inclusive) .. Time and a half.  
Time worked in excess of 4 hours on Saturday .. .. . Time and a half.

(b) Places in which the week's work is performed in 5 days—

Time worked in excess of 8 hours 48 minutes on any one day, Monday to Friday (inclusive) Time and a half.

(c) Any time worked in excess of 44 hours in any week .. .. . Time and a half.

(5) **TEA MONEY.**—An allowance of 1s. 6d. for tea money shall be paid to all employees when work extends for more than two hours beyond the usual time of ending work.

(6) **ALLOWANCES.**—Employees who are required to wear, when at work, overalls, the laundering of which is not paid for by the employer, shall be paid the following allowance in addition to their ordinary weekly wage :—

Males aged 19 years and over .. .. . 2s. per week extra.  
Males under 19 years .. .. . 1s. 6d. per week extra.  
All females .. .. . 2s. per week extra.

(7) **TIME BOOK OR OTHER RECORD.**—The correct times of beginning and ending work shall be recorded daily in a book, time card, or by mechanical means to be furnished by the employer; such record to be open for inspection by the permanent Secretary-Treasurer of the Victorian Branch of the Biscuit Makers' Union of Australia.

(8) **MEAL TIME.**—A meal period of not less than 30 minutes and not more than one hour shall be allowed after a period of five hours' continuous work. Such meal period shall not be calculated as time worked.

(9) **NIGHT WORK.**—

(i) All employees working on night work between the hours of 9 p.m. and 6.30 a.m. shall receive the rate of 5s. per night additional to the usual wage rate provided that when the employee works for less than half of the normal shift such payment in addition to the usual wage shall be 2s. 6d.

(ii) No female of any age shall be employed between the hours of 9 p.m. and 6.30 a.m.

(10) **SHIFT WORK.**—Each employee engaged on shift work shall have a break of 10 hours between shifts.

(11) **SUNDAY WORK.**—For all work done on Sunday, double time shall be paid with a minimum of 10s.

(12) **PAYMENT FOR HOLIDAYS.**—Employees shall be granted the following holidays without deduction of pay :—New Year's Day, Australia Day (26th January), Union Picnic Day, Good Friday, Easter Monday, Anzac Day, Labour Day, King's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day; or any other day substituted for the above days by Act of Parliament or Proclamation.

Double time shall be the rate for all work done on Sunday, New Year's Day, Australia Day (26th January), Good Friday, Easter Monday, Labour Day, King's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted.

(13) **ANNUAL LEAVE.**—Employers shall in each year give their employees continuously employed as defined, a holiday from and after the day observed as Boxing Day to the 31st December inclusive and shall pay wages for ordinary working days included in that period. Pieceworkers receiving such holidays shall be paid timework rates.

Employees entitled to such holiday and required to work during that period shall be given a week's holiday on full pay at some other time during the year or if dismissed from employment before receiving such holiday shall be paid an extra week's wages on dismissal.

"Continuously employed" for the purpose of this clause means employed (breaks arising from slackening of work being reckoned as being employed) for the six months immediately preceding the 25th day of each December. Any employee dismissed during the three weeks immediately preceding the 25th day of December shall be entitled to payment of one week's wages for such annual holiday.

(14) **SICK PAY.**—

(i) Any employee not attending for duty shall lose his or her pay for the actual time lost unless he or she produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to accident arising in the course of his or her employment or to personal ill-health, but such employee shall not be entitled to payment for non-attendance on the ground of such accident or personal ill-health for more than four days in any one year: Provided that during the first year of service with an employer he or she shall not be entitled to more than one day's sick pay for the first three months; two days' sick pay for the first six months; three days' sick pay for the first nine months. For the purposes of this clause "year" shall mean a period of twelve months commencing on 27th day of May in each year.

(ii) Any employee not attending for duty on the ground of personal ill-health shall be paid at the corresponding timeworker's wage for the period of ill-health in all respects as if, during such period, he or she had been a weekly timeworker employed on such days and during such hours as are usually worked by timeworkers upon any day shift, and he or she shall comply with and be subject to the conditions for timeworkers prescribed in paragraph (i) of this clause.

(15) **PIECEWORK.**—The Board determines, under the provisions of section 150 of the *Factories and Shops Act 1928*, that any employer may fix and pay piecework prices to any person or persons or classes of persons employed at any work for which the Board has fixed the minimum wage, provided that any such employer shall base such piecework prices on the earnings of an average worker working under like conditions, and such piecework prices shall be fixed so that an average worker can earn not less than the wages that are fixed by the Board for such work.

(16) **AUTHORIZED PERSON MAY ENTER FACTORY.**—The permanent Secretary-Treasurer of the Biscuit Makers' Union of Australia, Victorian Branch, shall have the right to enter and inspect, during working hours, any part of a biscuit factory or workshop in which any work is being carried on. The Secretary-Treasurer of the Biscuit Makers' Union shall have the right to interview employees in regard to conditions of employment.

(17) **PERIODICAL ADJUSTMENT OF WAGES.**—The wages rates for males set out in clause (2) are based upon the following basic wage and, pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically increased or decreased by the same amount, and at the same time as such basic wage. Provided that the wages of adult females, apprentices, and improvers, 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 (18).

*Basic Wage.*

Place.	Needs Basic Wage.	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
Within the area to which this Determination applies ..	£ s. d. 4 12 0	s. d. 6 0	£ s. d. 4 18 0	Melbourne

(13) ADJUSTMENT OF BASIC WAGE.—(a) Until the beginning of the first pay period to commence in August, 1943, the amount of the basic wage shall be as prescribed in clause (17).

(b) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, the amount of the basic wage shall be adjusted by the following method according to the position and fluctuations (if any) of the Commonwealth Statistician's "All Items" retail price index numbers.

For the purposes of this Determination the expression "Commonwealth Statistician's retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician:—

- (1) The index number set to be applied is that assigned to Melbourne.
- (2) The index number for the calendar quarter next preceding the period of 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.
994-1006 .. .. .	4 1 0	1118-1129 .. .. .	4 11 0
1007-1018 .. .. .	4 2 0	1130-1141 .. .. .	4 12 0
1019-1030 .. .. .	4 3 0	1142-1154 .. .. .	4 13 0
1031-1043 .. .. .	4 4 0	1155-1166 .. .. .	4 14 0
1044-1055 .. .. .	4 5 0	1167-1179 .. .. .	4 15 0
1056-1067 .. .. .	4 6 0	1180-1191 .. .. .	4 16 0
1068-1080 .. .. .	4 7 0	1192-1203 .. .. .	4 17 0
1081-1092 .. .. .	4 8 0	1204-1216 .. .. .	4 18 0
1093-1104 .. .. .	4 9 0	1217-1228 .. .. .	4 19 0
1105-1117 .. .. .	4 10 0	1229-1240 .. .. .	5 0 0

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

P. A. RANGLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 14th July, 1943.

