



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 159]

MONDAY, AUGUST 16.

[1943

Factories and Shops Acts.

DETERMINATION OF THE NICKELWARE BOARD ADJUSTED PURSUANT TO SECTION 21 OF THE FACTORIES AND SHOPS ACT 1934 (No. 4275).

1, Raymond Henry Beers, Secretary for Labour, in pursuance of the powers conferred by the Factories and Shops Acts and in consequence of the provisions of the Determination of the Nickelware Board published in *Government Gazette* No. 158 of the 16th August, 1943, hereby issue an adjusted Determination showing the adjusted wages rates to operate from the beginning of the first pay period to commence in August, 1943.

Clauses (2) and (3) of the Determination as published in *Government Gazette* No. 158 of the 16th August, 1943, shall be replaced by the following clauses:—

2.

APPRENTICES OR IMPROVERS.

Apprentices.	Wages per Week of 44 Hours.	Improvers.	Wages per Week of 44 Hours.
	<i>s. d.</i>		<i>s. d.</i>
1st year—1st six months' experience	13 4	1st year—1st six months' experience	14 0
2nd six months' experience	14 4	2nd six months' experience	15 0
2nd year—1st six months' experience	17 1	2nd year—1st six months' experience	17 11
2nd six months' experience	18 7	2nd six months' experience	19 7
3rd year—1st six months' experience	40 0	3rd year—1st six months' experience	42 0
2nd six months' experience	43 3	2nd six months' experience	45 3
4th year's experience	58 9	4th year's experience	61 9
5th year's experience	79 3	5th year's experience	83 6
6th year's experience	94 6	6th year's experience	98 9
and thereafter the minimum wage.		and thereafter the minimum wage.	

Proportion (in any place).—Three apprentices and two improvers or two apprentices and three improvers to every three or fraction of three workers receiving not less than 102s. per week of 44 hours.

3 (a).

OTHER EMPLOYEES.

	Wages per Week of 44 Hours.
	<i>s. d.</i>
Stamper who puts in die and makes force	132 0
Repairer	132 0
Maker-up	132 0
Spinner, 1st class	127 0
Spinner (other)	114 0
Die setter	114 0
Drop hammer stamper (other than one who puts in die and makes force)	112 0
Press operator (heavy)	112 0
Press operator (light)	110 0
Pickler	110 0
Hand blanker	110 0
All others	102 0

(b) *Leading Hands.*—Leading hands in charge of not less than three and not more than ten employees, 6s. per week extra; more than ten and not more than twenty employees, 12s. per week extra; more than twenty employees, 18s. per week extra.

Clauses (4) to (20) inclusive of the Determination as published in *Government Gazette* No. 158 of the 16th August, 1943, shall remain in force.

RAY H. BEERS,

Secretary for Labour.

Dated at Melbourne this 12th day of August, 1943.

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





VICTORIA
GOVERNMENT GAZETTE.

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 160]

MONDAY, AUGUST 16.

[1943

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 2 (BOOT REPAIRERS).

NOTE.—This Determination applies to the following parts of Victoria, viz.:—The Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder, and such portion of the city of Sandringham as is not included within the said district; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which since the 24th May, 1938, has had the power to determine the lowest prices or rates which may be paid to any person employed—

- (a) in the process, trade, business, or occupation of a boot repairer;
- (b) in a boot repair shop selling grindery or other goods usually sold in such shops,

has made the following Determination, namely:—

(1) That on the 24th June, 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)

APPRENTICES OR IMPROVERS.

Males.					Females.					
Wages per Week of 44 Hours.					Wages per Week of 47 Hours.					
	Commencing Age.									
	Under 16 years.	16 years.	17 years.	18 years or over.						
	s. d.	s. d.	s. d.	s. d.					s. d.	
1st year	16 0	24 0	24 0	35 6	Under 16 years of age .. .. .	..	..	..	25 9	
2nd year	24 0	35 6	35 6	45 6	16 and under 17 years of age .. .. .	..	..	..	28 9	
3rd year—					17 and under 18 years of age .. .. .	..	..	..	31 9	
1st 6 months	35 6	45 6	45 6	64 6	18 and under 19 years of age .. .. .	..	..	..	35 0	
2nd 6 months	35 6	45 6	45 6	74 0	19 and under 20 years of age .. .. .	..	..	..	39 0	
4th year—					20 and under 21 years of age .. .. .	..	..	..	41 9	
1st 6 months	45 6	55 9	64 6	Minimum wage	PROPORTION (BY ANY EMPLOYER).					
2nd 6 months	45 6	55 9	74 0		<i>Apprentices.</i>					
5th year—					One female apprentice to every three or fraction of three female adult workers receiving not less than the minimum wage.					
1st 6 months	55 9	64 6	Minimum wage		<i>Improvers.</i>					
2nd 6 months	55 9	74 0			Two female improvers to every female adult worker receiving not less than the rate fixed for age 23.					
6th year—										
1st 6 months	64 6	Minimum wage								
2nd 6 months	74 0									
Thereafter	Minimum wage									

PROPORTION (IN ANY PLACE).

Apprentices.
One apprentice to every three or fraction of three workers receiving not less than 119s. per week of 44 hours.

Improvers.
One improver to every four workers receiving not less than 119s. per week of 44 hours.

(3)		OTHER EMPLOYEES.			
		Wages per Week of 44 Hours.			
Wages per Week of 47 Hours.			Adjustable Rate.	Emergency Loading (Non-adjustable).	Total Weekly Wage.
Female Receiver, Despatcher, or Saleswoman—	s. d.		s. d.	s. d.	s. d.
21 years of age	46 0	Males	116 0	3 0	119 0
22 years of age	54 0				
23 years of age	61 3				

(4) TIMES OF BEGINNING AND ENDING WORK.—

(a) For Males—	Time of Beginning.	Time of Ending.
On Saturday	8 a.m.	12.30 p.m.
On each of the other working days of the week	8 a.m.	6 p.m.
(b) For Females—		
On Saturday	8 a.m.	1 p.m.
On the usual late trading night	8 a.m.	9 p.m.
On all the other working days of the week	8 a.m.	6 p.m.

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

(a) By Males—		
Outside the times of beginning and ending work .. .. .	..	Double time.
Within the times of beginning and ending work, in excess of 44 hours in any week .. .. .	..	Time and a quarter.
(b) By Females—		
Outside the times of beginning and ending work .. .. .	..	} Time and a quarter.
Within the times of beginning and ending work, in excess of 47 hours in any week .. .. .	..

(6) PAYMENT FOR HOLIDAYS.—All employees shall be entitled to the following holidays without deduction of pay :—New Year's Day, Australia Day, Trade Picnic Day (within the Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder), Good Friday, Easter Monday, Anzac Day, Labour Day, Melbourne Cup Day, Christmas Day, and Boxing Day.

(7) SPECIAL RATES.—Double time shall be the rate for all work done on New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Melbourne Cup Day, Christmas Day, or 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.

Provided that outside the Metropolitan District another holiday may be substituted for Melbourne Cup Day in Clauses 6 and 7.

(8) MEAL INTERVALS.—

- (a) Males.
- (i) In places where work is done on Saturdays—
A lunch period of not less than three-quarters of an hour shall be allowed on each working day except Saturday.
 - (ii) In places where work is not done on Saturdays—
A lunch period of not less than half an hour shall be allowed on each working day.
- (b) Females.
- All female employees shall be allowed the following meal intervals with permission to leave the shop for the whole of such interval, viz. :—From Monday to Friday one hour for lunch and, in addition on the usual late shopping night, three-quarters of an hour for tea.

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

*(9) TEA MONEY.—Any employee required to work more than one and a half hours overtime on any day shall, in addition to overtime payment, be paid 2s. tea money, unless notified the day before that he will be required to work such overtime. If, having been notified accordingly, his services will not be needed, he shall still be entitled to the payment of 2s.

(10) ANNUAL LEAVE.—(a) A period of six consecutive working days, including Saturday whether work is performed or not, shall be allowed annually on full pay to all employees on completion of twelve months continuous service (less the period of annual leave).

(b) 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 to annual leave had accrued and after prior notice of not less than one week is given to the employee.

(c) An employer may allow annual leave to an employee before the right thereto has accrued, 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 to which annual leave had been taken before it had accrued.

*(d) If after two months' continuous service of any qualifying twelve-monthly period an employee leaves his employment or his employment is terminated by the employer the employee shall be paid one-twelfth of his week's wage for each completed month's continuous service.

(e) Each employee before going on annual leave shall be paid his or her week's wage immediately prior to the commencement of such leave.

(f) The annual leave shall be allowed and shall be taken; payment shall not be made or accepted in lieu of annual leave.

(g) Notwithstanding anything herein provided an employer may, subject to giving notice as required herein, allow an employee who has had less than twelve months' continuous service, annual leave, and in such a case, shall pay the employee one-twelfth of his or her week's wage prior to the commencement of such annual leave in respect of each completed month's service.

(h) Service shall be deemed to be continuous notwithstanding :—

- (1) An interruption or determination of the employment by the employer if such interruption or determination has been made merely with the intention of avoiding obligations in respect of annual leave.
- (2) Any absence from work on account of sickness or accident, or military service to the extent of 21 days in any twelve months, shall be deemed to be part of continuous service.

(i) The annual leave shall be exclusive of any of the public Holidays as prescribed in clause (6) of this Determination, and if such holidays fall within the period of annual leave there shall be added to the period of annual leave one day for each of such holidays on full pay, and the extra day or days shall be the first working day or days following on the period of annual leave.

(j) Service for the purpose of this clause shall commence on the 24th day of June, 1943, and each succeeding year of service: Provided that where employees were in the service of an employer on the 1st day of December, 1942, and have continued in the service of the same employer during the succeeding twelve-monthly period shall, subject to sub-clause (c) hereof, be entitled to annual leave as from the 1st day of December, 1943, and each succeeding year of service thereafter.

(11) PERIODICAL ADJUSTMENT OF WAGES.—The wages rate for males set out in clause (3) is 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 rate shall be automatically increased or decreased by the same amount, and at the same time as such basic wage. The wages of apprentices and improvers and all females 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 (12).

Basic Wage.

Place.	Basic Wage.	Index Number Set Assigned.
Within the area to which this Determination applies	£ s. d. 4 12 0	Melbourne

(12) 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 (11).

(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 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 to a place is that assigned thereto in Clause (11).
- (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 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 the same construction as the table.

P. A. RANGLES, J.P., Chairman.
J. V. WILLOX, Secretary.

Melbourne. 25th June, 1943.

IN THE INDUSTRIAL APPEALS COURT:

IN THE MATTER of the above Determination of the Shops Board No. 2 (Boot Repairers) dated the 25th day of June, 1943

and

IN THE MATTER of Appeals by the representatives of the employers and of the employees on the said Board.

(Before His Honour Judge Stretton, Mr. C. H. Grant, and Mr. J. V. Stout.)

Friday the 6th day of August, 1943.

These Appeals coming for hearing on the 9th day of June and the 12th day of July 1943 UPON READING the appeals and UPON HEARING Mr. Forrester for the representatives of the employers and Mr. Sheehan for the representatives of the employees THIS COURT DOTH ORDER AND DETERMINE:—

*1. *Tea Money*: that the words of clause (9) be deleted from the said determination and that there be substituted therefor the words:—

.. *Tea Money*.—An employee who is required to work overtime for more than one and one-half hours on any day without having been notified on the previous day that he will be so required to work shall, as the employer shall decide,

(a) either be supplied by the employer with the first or only meal for which he is unable to return to his home, or

- (b) failing his being so supplied with such meal be paid 2s. for such first or only meal and
- (c) be paid 1s. 3d. for each subsequent meal.

Provided that an employee shall be deemed to be unable to return to his home if he does not live at a place within a reasonable distance of the workshop and having reasonably easy means of access between such workshop and such place.

- (d) If the employee, having been notified as aforesaid, provides for himself a meal but is not required to work overtime he shall be paid 2s. for such meal."

*2. *Annual Leave*: that the words of clause 10 (d) be deleted from the said determination and that there be substituted therefor the words:—

"If after six months' continuous service of any qualifying twelve-monthly period the employee leaves or is dismissed from his employment the employee shall, in respect of each completed month of continuous service, be paid one-twelfth of his week's wage."

By the Court.

REX. L. CECIL,
Registrar.



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 161]

MONDAY, AUGUST 16

[1943

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 2 (BOOT REPAIRERS) ADJUSTED PURSUANT TO SECTION 21 OF THE FACTORIES AND SHOPS ACT 1934 (No. 4275).

I, Raymond Henry Beers, Secretary for Labour, in pursuance of the powers conferred by the Factories and Shops Acts and in consequence of the provisions of the Determination of the Shops Board, No. 2, (Boot Repairers) published in *Government Gazette* No. 160 of the 16th August, 1943, hereby issue an adjusted Determination showing the adjusted wages rates to operate from the beginning of the first pay period to commence in August, 1943:—

Clauses (2) and (3) of the Determination published in *Government Gazette* No. 160 of the 16th August, 1943, shall be replaced by the following clauses:—

(2)

APPRENTICES OR IMPROVERS.

Males.					Females.				
Wages per Week of 44 Hours.					Wages per Week of 47 Hours.				
	Commencing Age.								
	Under 16 years.	16 years.	17 years.	18 years or over.					
1st year	s. d. 16 0	s. d. 24 6	s. d. 24 6	s. d. 36 0	Under 16 years of age .. .. .	..	..	..	s. d. 26 0
2nd year	24 6	36 0	36 0	46 0	16 and under 17 years of age .. .. .	..	..	..	29 0
3rd year—					17 and under 18 years of age .. .. .	..	..	..	32 3
1st 6 months	36 0	46 0	46 0	65 3	18 and under 19 years of age .. .. .	..	..	..	35 3
2nd 6 months	36 0	46 0	46 0	75 0	19 and under 20 years of age .. .. .	..	..	..	39 3
4th year—					20 and under 21 years of age .. .. .	..	..	..	42 3
1st 6 months	46 0	56 3	65 3	Minimum wage					
2nd 6 months	46 0	56 3	75 0	Minimum wage					
5th year—									
1st 6 months	56 3	65 3	Minimum wage						
2nd 6 months	56 3	75 0	Minimum wage						
6th year—									
1st 6 months	65 3	Minimum wage							
2nd 6 months	75 0	Minimum wage							
Thereafter	Minimum wage								

PROPORTION (BY ANY EMPLOYER).

Apprentices.

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

Improvers.

Two female improvers to every female adult worker receiving not less than the rate fixed for age 23.

PROPORTION (IN ANY PLACE).

Apprentices.

One apprentice to every three or fraction of three workers receiving not less than 120s. per week of 44 hours.

Improvers.

One improver to every four workers receiving not less than 120s. per week of 44 hours.

(3)

OTHER EMPLOYEES.

Wages per Week of 47 Hours.		Wages per Week of 44 Hours.			
		Adjustable Rate.	Emergency Loading (Non-adjustable).	Total Weekly Wage.	
Female Receiver, Despatcher, or Saleswoman—	s. d.				
21 years of age .. .. .	.. .. . 46 6				
22 years of age .. .. .	.. .. . 54 6				
23 years of age .. .. .	.. .. . 62 0				
		Males	s. d. 117 0	s. d. 3 0	s. d. 120 0

Clauses (4) to (10) inclusive of the Determination as published in *Government Gazette* No. 160 of the 16th August, 1943, shall remain in force.

Dated at Melbourne this 12th day of August, 1943.

RAY H. BEERS,
Secretary for Labour.

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



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 162]

MONDAY, AUGUST 16.

[1943

Factories and Shops Acts.

DETERMINATION OF THE WHOLESALE GROCERS BOARD.

NOTE—(a) On the 23rd December, 1912, the powers of the Wholesale Grocers Board were extended to enable it to fix rates for persons employed in the business of a wine and spirit merchant.

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 business of a wholesale grocer, including a seller of tea," has made the following Determination, namely:—

(1) That as from the beginning of the first pay period to commence on or after the 5th August, 1943, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

APPRENTICES AND IMPROVERS.	ALL OTHER EMPLOYEES.								
Wages per week. £ s. d.	Wages per week.								
£ s. d.	Within the cities of Ballarat and Bendigo, and the boroughs of Eaglehawk and Sebastopol.	All other parts of Victoria where this Determination applies.							
£ s. d.	£ s. d.	£ s. d.							
Under 16 years of age	1	6	9						
16 years of age	1	12	6						
17 " "	2	1	9						
18 " "	2	15	9						
19 " "	3	11	3						
20 " "	4	6	3						
PROPORTION (IN ANY PLACE).									
<i>Apprentices.</i>									
One apprentice to every three or fraction of three workers receiving not less than 105s. per week.									
An indenture of apprenticeship prescribed by the Board was approved on 24.5.1923.									
<i>Improvers.</i>									
One improver to every three or fraction of three workers receiving not less than 105s. per week.									
	Head cellarman, i.e., the principal employee engaged in testing, blending, reducing, or fining wines or spirits			6	0	0	6	3	6
	Leading hand in charge of storemen only—								
	10 or more storemen			6	6	6	6	10	0
	6, 7, 8, or 9 storemen			6	0	0	6	3	6
	1, 2, 3, 4, or 5 storemen			5	11	6	5	15	6
	Leading hand in charge of persons other than storemen or of storemen and other persons—								
	10 or more persons			6	0	0	6	3	6
	6, 7, 8, or 9 persons			5	11	6	5	15	6
	1, 2, 3, 4, or 5 persons			5	10	0	5	14	0
	Storeman employed singly			5	11	6	5	15	6
	All others			5	5	0	5	10	0

NOTE—"Leading hand" means an adult employee who, notwithstanding that he may be under the orders of a superior, has by the instructions of his employer one or more adult employees usually under his direction.

(3) HOURS OF WORK.—The number of hours to constitute an ordinary week's work shall be 44.

(4) TIMES OF BEGINNING AND ENDING WORK—

Times of Beginning.	Times of Ending.	
Not earlier than—	Not later than—	
7.35 a.m.	12 noon	On Saturday, or the day on which the weekly half-holiday is observed.
7.35 a.m.	5.30 p.m.	On the other working days of the week.

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

Outside the times of beginning and ending work in any day	{ First two hours—Time and a half, thereafter —Double time.
Within the times of beginning and ending work, in excess of the maximum number of hours prescribed in clause (3)	Time and a half.

(6) **TEA MONEY.**—Any employee required to work overtime for a period in excess of one hour after the time fixed for ending work shall be allowed 2s. tea money in addition to overtime rates as proscribed for in this Determination. Provided that this clause shall not apply where the employee was notified 24 hours previously of the intention to work overtime.

(7) **RATIONING.**—Where because of the exigencies of the trade it is intended to ration employees, not less than seven days' and not more than ten days' notice shall be given by the employer to the employees affected.

(8) **TIME RATE.**—Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall for each hour worked up to one half of the maximum number of hours fixed for an ordinary week's work be paid at the ordinary wages rate with an addition of fifty per centum, and for each hour worked beyond the one-half aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

(9) **SPECIAL RATES.**—Double time shall be the special rate for all work done on Sundays, New Year's Day, Australia Day, Good Friday, Easter Saturday, 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, then the special rate shall be payable only for the day so substituted.

(10) **TERMINATION OF EMPLOYMENT.**—Except in a case where an employee has been guilty of a misdemeanour, seven days' notice of termination of employment shall be given by either employer or worker. If such notice be not given, a week's wages shall be paid or forfeited, as the case may be, in lieu thereof.

(11) **REST INTERVAL.**—There shall be a rest interval of 10 minutes at a time fixed by the employer between 10 a.m. and 11.30 a.m. on each day (Monday to Friday inclusive in each week) for each employee, such time to count as time worked.

(12) **CERTIFICATE OF SERVICE.**—Any worker when leaving or being discharged from his or her employment shall be given by the employer a certificate stating the date when such employment began and the date when such employment terminated.

(13) **PAY DAY.**—Payment of wages shall be made not later than Thursday of each week and during the ordinary working hours.

(14) **PICNIC DAY.**—Double time shall be paid for all work done in the Metropolitan District on the day on which the employees hold their Annual Picnic.

(15) **SICK PAY.**—Any employee not attending for duty shall lose his or her pay for the actual time lost unless such employee has had not less than twelve months' service with the same employer, and he or she produces or forwards within twenty-four hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the grounds of personal ill health or accident for more than six days in each year.

(16) **ANNUAL LEAVE.**—(a) A period of one week's leave on full pay (exclusive of the holidays mentioned in clause (9)) shall be allowed annually to all employees after twelve months' continuous service.

(b) 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 to such annual leave accrued due.

(c) If after six months' continuous service an employee leaves or is dismissed he shall be paid one-twelfth of an ordinary week's wage for each completed month of service in respect of which leave has not been granted hereunder.

Notwithstanding anything contained in this clause an employer may require any employee to take such holiday inclusive of Christmas Day, Boxing Day, or New Year's Day, in which case an employee so required shall be granted within three months thereafter one day in lieu of each of such public holidays aforementioned as was included in his week's annual leave.

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

J. V. WILLOX, Secretary.

Melbourne, 11th August, 1943.



VICTORIA
GOVERNMENT GAZETTE.

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 163]

MONDAY, AUGUST 16.

[1943

Factories and Shops Acts.

DETERMINATION OF THE WATCHMEN'S BOARD.

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

(b) Section 225 of the *Factories and Shops Act 1928* (No. 3677) provides that "every person employed as a watchman shall be granted one holiday in every week."

(ii) On the 21st day of May, 1943, the Industrial Appeals Court granted leave to the above-mentioned Board to review the Determination of the Board as amended by the Courts Determination of the 18th day of March, 1943, in respect of rates of pay for casual watchmen on wharfs and/or ships in connection with overseas and interstate shipping.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed in lieu of the Nightwatchmen's Board to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the occupation of a watchman" has made the following Determination, namely:—

(1) That as from the beginning of the first pay period to commence on or after the 10th August, 1943, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Classes of Employees.	Wages per Week of 48 Hours.					
	Within a Radius of 20 Miles of G.P.O., Melbourne, 10 Miles of G.P.O., Geelong, at Warrnambool, and within Mildura and Gippsland Districts.			Other Parts of Victoria where this Determination applies.		
	Wages.	War Time Loading.	Total.	Wages.	War Time Loading.	Total.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Watchman, who in addition to watching, performs manual work not subject to the Determination of any other Wages Board, while performing such work, at the rate of	124 6	3 0	127 6	121 6	3 0	124 6
All others	112 0	3 0	115 0	109 0	3 0	112 0

(3) CASUAL WATCHMEN.—i.e. persons employed by the hour as watchmen on wharfs and/or ships in connection with overseas and/or interstate shipping shall be paid at the rate of 3s. 3¼d. per hour.

(4) OVERTIME.—(a) Any time worked in excess of 48 hours in any one week shall be paid for at the rate of time and a half.

(b) For the purpose of computing overtime, all time actually worked on Sundays or public holidays as shown in Clause 5 herein shall be included and the overtime rate shall be paid in addition to the special rate.

(5) EMPLOYMENT FOR LESS THAN FULL WEEK.—Employees except casual watchmen as defined in clause (3), who are employed during any week for less than the working week of 48 hours shall be paid for the first 24 hours at the rate of time and a quarter, and for every hour thereafter ordinary time up to but not exceeding the ordinary wages rates for an ordinary week's work.

Provided that any person who is not engaged for a week who earns a sum in wages equal to the wages of an ordinary week's work may be required by the employer to complete the week's work without further pay, and if such person refuses to do so he shall forfeit his right to any payment for that week unless his refusal is caused by his illness, inability, or some other sufficient cause beyond his control.

(6) SPECIAL RATES.—Time and a half shall be the special rate for all work done on Sunday, New Year's Day, 28th January (Australia Day), Good Friday, Easter Monday, Labour Day (21st April), Anzac Day, King's Birthday, Christmas Day, and Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted:

Provided that a person who is directed by his employer to absent himself from duty on any of the days above mentioned shall, if he is unable to complete 48 hours' work in that particular week, be paid ordinary rates for any such day on which he is absent.

(7) **TRAVELLING TIME AND FARES.**—Any watchman employed on wharfs, ships, &c., away from the Melbourne wharfs and Victoria Dock shall be paid for travelling time at the ordinary rate together with all fares necessarily incurred by the most economical means of travel from and to the place of engagement to and from the place of employment.

(8) **EMPLOYEE PROVIDING OWN BICYCLE.**—Any patrol watchman required by his employer to provide his own bicycle shall receive 1s. per week extra.

(9) Any watchman called up for duty shall receive at least four hours' pay.

(10) **PAYMENT FOR MEAL TIMES.**—No deduction shall be made in an employee's time for a meal period unless he is permitted to leave his employer's premises for such meal.

(11) **MEAL ALLOWANCE.**—Where an employee is directed by the employer to work more than two hours into the next shift he shall be supplied by the employer with a meal or be paid a meal allowance of 2s., provided he was not notified the previous day that he would be required to work.

(12) **ANNUAL LEAVE.**—(i) Any employee, except casual watchmen as defined in clause (3), who has been in the service of the same employer for a period of not less than twelve months shall be granted twelve working days' holiday on full pay, exclusive of the holidays mentioned in clause (6), in each year of service, and such holiday shall be given within three months after the completion of twelve months' service.

If, after six months' continuous service in any qualifying twelve-monthly period, an employee leaves or is dismissed through no fault of his own, he shall be given or paid for holidays *pro rata* in accordance with the length of service, viz., one day for each complete month of service.

(ii) Each employee before going on leave shall be paid the wages due to him for the period for which he is entitled to leave.

(13) **SICK LEAVE.**—An employee, except casual watchmen as defined in clause (3), who has been in the service of an employer for not less than six months, shall be entitled to a maximum aggregate of four days' sick leave of absence with full pay during each subsequent twelve months' service provided he produces satisfactory evidence to his employer that such absence was caused by ill-health or an accident.

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

J. V. WILLOX, Secretary.

Melbourne, 11th August, 1943.