

[1699]



# VICTORIA GOVERNMENT GAZETTE.

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[1944

Factories and Shops Acts.

## DETERMINATION OF THE FUR TRADE 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 which was appointed to determine the lowest prices or rates which may be paid for wholly or partly preparing or manufacturing from furred or haired skins, articles such as coats, jackets, capes, scarfs, collars, cuffs, neckwear, muffs, rugs, or mats, has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence in May, 1944, the last previous Determination of the Board shall be revoked and replaced by this Determination.

### 2. APPRENTICES AND IMPROVERS.

(a) RATES PER WEEK OF 44 HOURS.

Experience.	Males.			Females.	Females commencing at the trade between the ages of 18 and 21 Years.
	Weekly Rate.	Special Loading.*	Total Weekly Wage.		
	£ s. d.	s. d.	£ s. d.	£ s. d.	£ s. d.
1st six months .. .. .	0 17 0	1 0	0 18 0	1 0 0	1 19 6
2nd " " .. .. .	1 0 6	1 0	1 1 6	1 4 6	2 4 6
3rd " " .. .. .	1 6 0	1 6	1 7 6	1 9 6	2 12 0
4th " " .. .. .	1 9 6	1 6	1 11 0	1 14 6	2 19 6
5th " " .. .. .	1 14 0	1 6	1 15 6	1 19 6	..
6th " " .. .. .	2 2 0	2 0	2 4 0	2 4 6	..
7th " " .. .. .	2 15 0	3 0	2 18 0	2 12 0	..
8th " " .. .. .	3 7 6	3 6	3 11 0	2 19 6	..
9th " " .. .. .	3 15 6	4 0	3 19 6	..	..
10th " " .. .. .	4 5 6	4 6	4 10 0	..	..

and thereafter the minimum wage or piecework price.

\* These special loadings shall not be subject to periodical cost of living adjustments nor shall they be deemed to be portion of the wage for the purpose of computing piecework rates or task work, or overtime, holiday, or other penalty rates.

(b) PROPORTION (IN ANY FACTORY OR PLACE).

Males.

One apprentice or improver to every two or fraction of two journeymen.

Females.

Three female apprentices or improvers to every journeywoman.

All apprentices shall be indentured in accordance with the prescribed form of indenture, provided that a minor may serve an employer as a probationer for a period not exceeding three months. During the said three months he or she shall be paid at least the minimum rates prescribed by this Determination for the first six months of apprenticeship. If the probationer becomes indentured, his or her indentures shall be taken to have commenced from the commencement of the period of probation.

In the event of the employer to whom an apprentice is bound ceasing to carry on business, such apprentice may be bound to another employer for the remainder of the term to be served; provided that if such apprentice be over the age of eighteen years at the time of the original employer ceasing to carry on business, such person may complete the time to be served as an improver.

Notwithstanding anything contained in this Determination, any person who at the 1st April, 1938, was employed in the industry and whose engagement or continued employment as an improver is by this Determination forbidden shall be entitled to be employed and shall be paid the scale of wages prescribed for an apprentice or improver of like experience.

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## 3. OTHER PERSONS (EXCEPT APPRENTICES AND IMPROVERS).

	Weekly Rate.	Special Loading.*	Total Weekly Wage.
<b>JOURNEMEN.</b>			
Cutters .. .. .	£ s. d. 6 5 0	s. d. 5 0	£ s. d. 6 10 0
Nailers or blockers .. .. .	4 19 0	5 0	5 4 0
All others .. .. .	4 19 0	5 0	5 4 0
<b>JOURNEYWOMEN.</b>			
Machinists .. .. .	..	..	3 15 0
Finishers .. .. .	..	..	3 15 0
Table hands .. .. .	..	..	3 15 0
All others .. .. .	..	..	3 15 0

\* These special loadings shall not be subject to periodical cost of living adjustments nor shall they be deemed to be portion of the wage for the purpose of computing piecework rates or task work, or overtime, holiday, or other penalty rates.

## 4. DEFINITIONS AND CLASSIFICATION OF EMPLOYEES.

A journeyman is a male person other than an apprentice or improver (i) Who has served the term of experience prescribed by this Determination; or  
 A journeywoman is a female person other than an apprentice or improver (ii) Who has attained the age of 21 years; or  
 (iii) Who is in receipt of at least the minimum weekly wage prescribed for the class of work on which such person is engaged, whether on weekly wages or piecework.

"BOARD OF REFERENCE" shall mean a body comprising the Chairman of the Fur Trade Wages Board, together with one representative of employers and one representative of employees, such representatives to be appointed by the Fur Trade Wages Board.

## 5. HOURS OF EMPLOYMENT.

Forty-four hours shall constitute a week's work within the following hours:—Time of beginning, 8 a.m.; time of ending, 6 p.m.—on five days of the week. Time of beginning, 8 a.m.; time of ending, 1 p.m.—on the other day of the week on which the half-holiday is usually observed. Provided further that if the majority of the employees desire to start at 7.30 a.m., the work may begin at 7.30 a.m.

## 6. OVERTIME.

NOTE.—See Clause 17.

(a) Any employee who, in any day, has performed any work outside the working hours ordinarily observed in the factory or workshop in which he or she is employed, shall be paid overtime as follows:—

(1) Weekly workers shall be paid at the rate of time and one-half, and shall also be paid 1s. 6d. meal money when such overtime exceeds 40 minutes on week days or on Saturdays in those factories or workshops where a five and a half day week is worked.

In those factories or workshops where a five-day week is worked, all work done on Saturdays shall be paid for at the rate of time and a half, and 1s. 6d. meal money shall be paid when such overtime is worked after noon.

(2) Pieceworkers shall be paid (in addition to the ordinary piecework prices) for work done in the excess time such sum per hour as is equivalent to the weekly wage divided by 88, and shall also be paid 1s. 6d. meal money when such overtime exceeds 40 minutes on week days or on Saturdays in those factories or workshops where a five and a half-day week is worked.

In those factories or workshops where a five-day week is worked, for all work done on Saturdays pieceworkers shall be paid (in addition to the ordinary piecework prices for work done) such sum per hour as is equivalent to the weekly wage divided by 88, and 1s. 6d. meal money shall be paid when such overtime is worked after noon.

(b) No employee shall be employed overtime outside the hours fixed, except with his or her consent.

(c) No employee shall be dismissed, or in any way whatsoever be prejudiced in his or her employment, by reason of his or her refusal to work overtime outside the hours fixed.

(d) No employee under the age of sixteen years shall be employed overtime.

## 7. MIDDAY MEAL.

(a) An interval of not less than three-quarters of an hour shall be allowed for the midday meal unless a majority of the employees in any place desire it to be otherwise. In no circumstances shall less than thirty minutes be fixed.

(b) No work shall be performed during such meal time.

## 8. TASK SYSTEM.

NOTE.—See Clause 17.

No employer shall make a bonus or merit payment which fluctuates from period to period according to the amount of work performed by the employee concerned, and which is based upon a secret or task rate for measuring the output of such employee. No increase in wages granted to any employee, after the date of operation of this Determination, above the rates herein prescribed shall be deemed to be in contravention of this clause if the same be paid for a period of three months, or for the term of employment, whichever period is the shorter; provided, however, that such increased wages may, at the discretion of the employer, be adjusted according to the wages rates prescribed from time to time by this Determination.

In all factories and workshops where a minimum task is set for a minimum wage the following shall be observed:—

(a) Until after the termination of six months from the 16th March, 1942, the minimum task in operation in any workshop or factory on the date on which this Determination becomes operative shall be the minimum task for the minimum wage after the date of operation of this Determination, and shall not during the said period of six months be increased or decreased because of any increase or decrease in wages, and shall not during the said period of six months be increased unless an altered or improved method of working is introduced.

(b) The task rate in respect of all garments or parts of garments or other articles or parts of articles shall be determined in the manner following:—

(i) Where there are fewer than twenty employees involved in the work to be performed, the employer or his representative, in conference with one employee chosen by and from such employees, shall fix the rates.

(ii) Where there are twenty or more employees involved in the work to be performed, the employer or his representative, in conference with two employees so chosen, shall fix the rates.

(c) The task rates shall be fixed so as to enable the average worker to earn the minimum wage prescribed by this Determination for the class of work to be performed; and any number of garments or parts of garments or other articles or parts of articles made in excess of the minimum weekly task fixed by the task rates for the minimum weekly wage shall be paid for at *pro rata*, plus 10 per cent.

(d) When any employee is employed for less than a week on the task rates, then the task of the said employee shall be fixed at per day at the weekly rate prescribed.

- (e) Any excess number of garments or parts of garments or other articles or parts of articles made in any day by the employee shall be subject to the same *pro rata* payment as would apply if the employee were engaged for the whole week.
- (f) A copy of all task rate schedules shall, within 24 hours of their being fixed, be displayed by the employer in a conspicuous place in each and every room of the workshop or factory where such tasks respectively are being performed.
- (g) A combination or team shall mean two or more persons working together on the same class of work, employed on weekly wages where a task has been imposed. Where employees work in a combination or team, the additional amount of wages shall be distributed amongst the employees on a percentage basis, according to the amount of their ordinary weekly wages.

9.

## HOLIDAYS.

## NOTE.—See Clause 17.

(a) All weekly wage employees, whether in a city or elsewhere, shall be granted the following holidays without deduction of pay:—The days observed as New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, and Boxing Day.

(b) All employees working on piecework or task work shall be granted the same holidays as are granted to weekly wage workers, and, subject as hereinafter provided, they shall be paid for such holidays the amount for each holiday based on the minimum weekly wage prescribed by this Determination for the class of work performed.

(c) If any of the above holidays occurs on a Sunday or Saturday and is not observed on any other day, then employees shall not be paid for such Sunday, and shall be paid for such Saturday as for a half-day, but not otherwise.

(d) All other weekly employees, whether in a city or elsewhere, shall be paid for the above holidays an amount for each holiday based on the actual weekly wage paid to them by the employer.

(e) Any employee absenting himself or herself from work on any portion of the working day preceding or any portion of the working day succeeding a holiday provided for herein, other than Boxing Day and New Year's Day, without permission from the employer or without having reasonable cause for having absented himself or herself from work, shall not be entitled to payment for such holiday.

(f) Any weekly employee who is employed on a Sunday or any holiday provided for herein shall be paid for that day at the rate of time and a half in addition to his or her weekly wage.

(g) Any pieceworker employed on a Sunday or any holiday prescribed by this Determination shall be paid, in addition to the prescribed piecework price, at the rate of time and a half calculated on the minimum wage prescribed for the class of work performed.

10.

## ANNUAL LEAVE.

(a) Except as hereinafter provided 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 day of December inclusive and shall pay full wages for ordinary working days included in that period. Piece and bonus workers receiving such holiday shall be paid time rates.

(b) 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.

(c) "Continuously employed" for the purpose of this clause means employed (except as to breaks arising from slackening of work) for the three months immediately preceding the 25th day of each December. Any such employee dismissed during the four weeks immediately preceding the 25th day of December shall for the purposes of this clause be deemed to be employed up to that date and shall be paid one week's wages for such annual holiday.

(d) Any dispute as to the right of an employee to such holiday shall be referred to the Board of Reference. The decisions of the Board on such disputes shall be final.

11.

## TERMS OF ENGAGEMENT.

(a) The week shall terminate on a day other than Monday or Saturday, and all employees shall be paid all moneys due to them in full during the ordinary working hours not later than two working days following the termination of the week. In order to terminate employment of a weekly employee, two days' notice shall be given on any day, with payment to date of termination, or in lieu thereof two days' pay shall be paid or deducted. When employment is terminated by an employer, the employer, upon the date of such termination, shall pay to the employee (weekly employee or pieceworker) all moneys due to him or her, and, when employment is terminated by an employee in accordance with the terms of this Determination, the employer shall pay to the employee (weekly employee or pieceworker) all moneys due to him or her.

(b) All weekly wages shall be paid to the employees in full, with the following exceptions:—

(1) *Turns to be Observed.*—In slack times the employer shall observe turns of employment for weekly workers and pieceworkers (including outside workers) not engaged on making samples in the respective class or classes of work at which they are engaged, provided always that journeymen and journeywomen having apprentices under their control shall be allowed in their turn extra work equivalent to the wages of the apprentice during the time the turn system is in operation. The employer shall keep in the workroom a true record of every turn, which shall be open to the inspection of the employees.

(2) *Standing Off Employees in Turn.*—Should any employer during slackness of trade desire to stand off his employees in turn, then the employer on any day during any week shall inform every person whom it is proposed to stand off of any day or days in the following week (other than a Saturday or holiday) upon which his or her services will not be required; but an employee shall not, except under the conditions provided in sub-clause (3) of this clause, be stood off for part of a day without being paid for a whole day.

(3) *Employees Working Shortened Hours.*—If it is desired to work a week of shorter hours in slack times, instead of standing the employees off in turn, the employer may make an arrangement to work his employees for shortened hours, but such arrangement shall be made only where, on the vote of the employees being taken, a majority of the whole of the employees votes in favour of such arrangement.

Where such an arrangement is made, the employees shall be informed on the day ending each week of the shortened hours to be worked in the following week.

Where an arrangement is made in compliance with this provision the employer shall pay each employee for the actual hours worked on each day on the basis of his or her weekly wage.

(4) *Vacation Periods.*—Nothing contained in this sub-clause shall apply in the case of the usual vacation period at Christmas or Easter.

(c) *Classes of Employees.*—For the purpose of this clause (but subject to the provisions of sub-clause (b) hereof), in operating the turn system the various classes of employees shall be taken separately, and "classes of employees" shall mean each class of employee in respect of which a classification of work has been provided under this Determination, but in all cases, male improvers and journeymen, or female improvers and journeywomen doing the same class of work, shall be deemed to be one class of employee.

(d) *Stoppage of Work re Breakdown of Machinery.*—In the event of the work of a factory or workshop being stopped by a breakdown of machinery or a stoppage of supply of power, or for any cause for which the employer cannot reasonably be held responsible, all weekly hands who present themselves for work shall be found work for that day, or paid one day's wages in lieu thereof, but when such breakdown or stoppage occurs the employer may give notice to an employee that his or her services will not be required on the following day or days, and the employee shall not be entitled to any further payment in respect of any further days on which he or she is out of employment by reason of such breakdown or stoppage.

*(e) Terminating Employment in Relation to a Holiday.—*

- (i) Where the employer terminates the employment of an employee within fourteen days of a day on which a holiday occurs and such employee is re-employed within a period of one month after such holiday the employee 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 one week prior to the termination of the employment.
- (ii) Should the employment of an employee be terminated, or should an employee be stood off within fourteen days prior to any holiday or to the commencement of any group of holidays prescribed in this Determination, such employee shall be paid for such holiday or group of holidays provided that such employee has been employed by the employer for a period of at least one week prior to the termination of the employment.
- (iii) When any two or more of the holidays prescribed in this Determination occur within two weeks of one another, such holidays shall for the purposes of sub-clause (ii) hereof be deemed to be a group of holidays.
- (iv) Where the employer terminates the employment of an employee more than fourteen days, but not exceeding one month prior to a day on which a holiday occurs, and such employee is re-engaged within a period of one month or normal business is resumed within such period of one month after such holiday the employee 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 one week prior to the termination of employment.

An employer shall be deemed to comply with the requirements of this sub-clause if on terminating the employment of any employee he gives that employee annual holidays or payment in lieu thereof in accordance with clause 10 hereof.

*(f) Employees Absenting Themselves.—*No employee shall, without just cause, be absent from his or her place of employment during the prescribed hours whilst there is work ready to be done by such employee, and where weekly wages are fixed the employee to be entitled to the sums so fixed must be available and ready and willing to do the work on the days and during the hours fixed by this Determination.

## 11A.

## PART-TIME EMPLOYEES.

Females may be employed as part-time employees in any branch of the clothing industry covered by this Determination upon and subject to the following terms and conditions:—

- (a) They shall be journeymen within the meaning of this Determination.
- (b) They shall be employed for not less than twenty hours in any week.
- (c) They shall not be employed both on time work and piece work or both on time work and task work in any week.
- (d) If time workers, they shall be paid for each hour worked at the rate at least of 1/44th of the minimum weekly wage prescribed by this Determination for the class of work performed by them and if piece or task workers they shall be paid at the appropriate piece work rate or task rate payable under this Determination, but in no case shall any of such employees be paid less than so much of the minimum weekly wage prescribed by this Determination as is proportionate to the time worked by them.
- (e) The payment or deduction of payment in lieu of notice of termination of employment shall be 2/5ths of the pay of the preceding week of the employee concerned.
- (f) No employee employed or working as a full-time employee in any branch of the clothing industry on or after the first day of May, 1944, shall be employed or work as a part-time employee unless a permit in writing is obtained from the Secretary for Labour permitting such employee to be employed or to work as a part-time worker.
- (g) The provisions of this Determination as regards annual leave and holidays shall apply to such part-time employees but they shall be paid in respect of the period of such annual leave and in respect of holidays only at the rate actually being received by them at such time.
- (h) Save as aforesaid all the provisions of this Determination shall apply to such part-time employees.

## 12.

## OUTSIDE WORKERS.

(a) Any employer may cause any work covered by this Determination to be done for him by any person (hereinafter called an "outside worker") who shall be the holder of a current outside worker's licence issued to him by the Secretary for Labour authorizing him to work as an outside worker for such employer.

(b) Every such licence shall authorize the holder to work as an outside worker for one and only one employer named therein, and shall be current for a period specified therein not being more than six calendar months from the date of issue thereof.

(c) No such licence shall be issued unless the Secretary for Labour is satisfied that the applicant—

- (i) is in necessitous circumstances;
- (ii) cannot for some sufficient reason seek employment in a factory or workshop;
- (iii) is a person legally entitled to the benefits of this Determination and to recover the rates of pay herein provided, and
- (iv) will not as a result of the issue thereof be the holder of current outside workers' licences relating to more than one employer.

(d) The Secretary for Labour may at any time in his discretion cancel such licence—

- (i) at the request of the holder;
- (ii) if he is satisfied that any of the conditions mentioned in the last preceding sub-clause is no longer complied with; or
- (iii) if he is satisfied that the holder has broken any of the conditions of such licence set forth in sub-clause (c) hereof.

(e) The conditions of any such licence shall be that the outside worker during the currency of such licence—

- (i) shall not do any work covered by this Determination in any workshop or factory or in the company of other persons then also doing any such work, except of persons holding current outside workers' licences and bearing to such outside worker the relation of parent, child, brother, sister, husband or wife.
- (ii) shall be a person legally entitled to the benefits of this Determination and to recover the rates of pay herein provided;
- (iii) shall not employ any labour whatsoever in connexion with the work entrusted to him;
- (iv) shall not permit any portion of the work entrusted to him to be done by any other person;
- (v) shall not suffer from any communicable disease or do any work in any place whereat any person is suffering from any communicable disease;
- (vi) shall keep in a bound book a correct and complete record in ink of the hours worked by him each day on any such work; and
- (vii) shall not work on any work covered by this Determination more than 44 hours in any one week.

(f) An employer by whom work is given to an outside worker shall—

- (i) not cause or permit him to do any part of such work in any workshop or factory;
- (ii) pay him the piecework prices prescribed by this Determination;
- (iii) pay him for each public holiday prescribed by this Determination occurring during the period he is doing such work for such employer one-fifth of the weekly wage prescribed by this Determination for employees doing similar work;
- (iv) record in a bound record book in which each page is consecutively numbered—
  - (1) the name and full address of the outside worker;
  - (2) the description, and number of articles or garments given to the outside worker; and
  - (3) the price paid or agreed to be paid for such work; and
- (v) obtain the signature of the outside worker to each entry in such book.

(g) Any such record book so kept shall be open for inspection during business hours by (i) any person or persons authorized by the Secretary for Labour and (ii) any officer or officers of the Amalgamated Clothing and Allied Trades Union of Australia, provided that no more than two of such persons or two of such officers shall inspect such book at any one time.

(h) No employer shall have more than one outside worker plus such number of outside workers as bears to the number of workers directly employed by him in his usual workshop or factory a ratio not exceeding one to ten.

(i) Outside workers shall be provided free of charge with cotton, silk, thread and all other sewings and trimmings used in the manufacture of articles or garments.

(j) In the case of an employer delivering and/or collecting the work of any outside worker the same shall be done without charge to such outside worker.

13.

## MISCELLANEOUS PROVISIONS.

**NOTE.—See Clause 17.**

(a) *Record of Time Worked and Wages Paid.*—(1) The employer shall provide in each factory, workshop, or place where there are fewer than 30 employees, and where work is carried on for him, a time and wages book. Such time and wages book:—

(i) shall be in the English language and shall contain a correct account of the hours worked each day, and the wage received each week, by each employee;

(ii) shall be kept correctly entered up in ink; and

(iii) shall record clearly the actual date of each day, of each week, and also the date of the day on which the week ends.

(2) The employer shall provide in each factory, workshop, or place where there are not fewer than 30 employees, and where work is carried on for him, a time book, or sheet, or record. Such time book, or sheet, or record shall be in the English language and shall contain a correct account of the hours worked each day and the wages received each week by each employee. Such time book, or sheet, or record shall be kept correctly and entered up in ink.

(b) *Chairs to have Backs.*—(1) Where it is necessary for employees to sit at their work, seats shall be provided for the employees by the employer. Such seats shall be reasonably comfortable seats.

(2) A seat provided for any female employee shall have a back to it, unless the work of such employee cannot be conveniently done in such a seat, or unless the employee requests to be allowed to use a seat without a back to it.

(c) *Collecting Logs.*—Where piecework is in operation, the employer shall make arrangements for collecting the logs, and the employees need not leave their places.

(d) *Rest Period.*—When any spell of duty is for more than four hours, an interval of ten minutes, to be selected by the employer, shall be allowed in the second or third hour to females and apprentices for refreshment. The interval shall be as part of the time of duty without deduction of time work pay. During such rest period, the employees may leave their seats, but not the premises.

(e) *Authorized Person May Enter Factory.*—

(i) Any person or persons duly authorized, in writing, by the Secretary for Labour (such authorization to be terminable at the will of the Secretary for Labour) shall have power to inspect any part of a factory, workshop, or place where it is believed that a breach of this Determination is occurring or has occurred.

(ii) At least six hours' notice shall be given by the authorized person or persons (not exceeding two) prior to his or their actually going on the premises, and the employer shall be notified of his or their arrival, and shall in person (accompanied by a nominee, or by his nominees, not exceeding two) be entitled to accompany the authorized person or persons, and shall provide access to the wages book, or time sheet, or records of any employee including outside workers. The work and duties of the employees shall be interfered with as little as possible by the authorized person or persons.

(iii) The Secretary for Labour shall have power to dispense with the said six hours' notice on special application being made for any cause shown and supported by an affidavit setting out the facts. A certificate duly signed by the Secretary for Labour stating that such notice has been dispensed with shall be sufficient proof of such fact.

(f) *Union Official Visiting Employer's Establishment.*—(1) The employer shall permit any official of the Victorian Branch of the Amalgamated Clothing and Allied Trades' Union of Australia (authorized in writing by the Secretary for Labour) to enter from time to time his or her factory or workshop during the midday meal time for the purpose of:—

(i) collecting members' contributions;

(ii) posting Union notices and interviewing employees on Union matters relating to this industry and/or this Determination.

(2) Such authorized person shall inform the person in charge of his arrival before entering the workshop or factory. Such official shall have reasonable ingress into the factory and access to the employees. If any official so authorized makes himself objectionable during any such visit to the employer or his manager or foreman or any employee his right to visit may be terminated by the Secretary for Labour on the application of the employer.

(3) For the purpose of this clause the words "factory or workshop" shall include every room or place where work in respect of which a wage is prescribed by this Determination is carried out, together with the room in which the employees partake of their meals, notwithstanding that such room may be detached from or in a separate building from the main place of business of the employer.

(g) *Dining Accommodation.*—(i) If any employer of more than five employees in any factory or workshop fails to provide to the satisfaction of the Board of Reference accommodation and facilities in this clause set out he shall, subject to the following proviso, pay to each and every such employee an additional amount equivalent to 2½ per cent. of the amount of wages prescribed by this Determination. Provided that where an employer, for good cause, has failed within the time hereinbefore specified to provide the said accommodation and facilities the Board of Reference may, for a period of twelve months, or for a period corresponding to the unexpired term of the lease to the employer of the factory or workshop wherein such employees are employed, exempt the employer so failing from the requirement that he shall pay, during that period the said additional amount.

(ii) Every such employer shall set aside a separate room or portion of the factory or workshop as a dining room wherein the employer shall provide adequate table and seating accommodation.

(iii) Hot water shall be provided free of charge, to be available to employees immediately meal time or rest period commences.

(iv) The employer shall provide the necessary labour to keep such room clean.

14.

## PIECEWORK.

**NOTE.—See Clause 17.**

*PIECEWORK.*—(a) Subject to payment of the minimum weekly wages prescribed by this Determination for employees in their respective classes and to the conditions hereinafter set out, the employer, in conjunction with the employees, may fix his own piecework prices, provided such prices enable a journeyman or journeywoman of average capacity working under like conditions to earn at least 10 per centum more than the minimum weekly wage in their respective classes. The same piecework prices shall be paid to all pieceworkers doing the same operation in the factory or workshop whether they be journeymen, journeywomen, improvers, apprentices or juveniles.

(b) All pieceworkers, who are available and ready and willing to work during the ordinary working hours but for whom work is not provided by the employer shall be paid in each week:—In the case of males not less than the "all others" rate; and in the case of journeywomen not less than the amount prescribed for "all others"; and in the case of apprentices or improvers not less than the amount prescribed by this Determination for an apprentice or improver of like experience.

(c) The piecework price in respect of all garments or parts of garments or other articles or parts of articles shall be determined in the following manner:—

- (i) Where there are fewer than twenty employees involved in the work to be performed the employer or his representative, in conference with one employee chosen by and from such employees, shall fix the prices.
- (ii) Where there are twenty or more employees involved in the work to be performed the employer or his representative, in conference with two employees so chosen, shall fix the prices.

(d) In the event of a dispute with reference to piecework prices the matter shall be referred to the Board of Reference.

(e) A copy of all piecework schedules shall, within 24 hours of their being fixed, be displayed by the employer in a conspicuous place in each and every room of the workshop or factory where such piecework is being performed and shall be kept displayed.

(f) In all factories and workshops where piecework conditions are now in operation, the same shall not be altered except in the manner prescribed in this clause for the determination of piecework prices.

15. PERIODICAL ADJUSTMENT OF RATES, ETC.

**NOTE.—See Clause 17.**

(a) Until the beginning of the first pay period to commence in November, 1944, the amounts of wages rates payable shall be those prescribed in clauses 2 and 3. Pursuant to the provisions of section 21 of the *Factories and Shops Act 1934*, the Board determines that, for work done during each future half-year beginning with the first pay period to commence in a November of a May, the amounts of the wages rates prescribed in clauses 2 and 3 shall be automatically increased or decreased by the same amounts and at the same time as the original rates set out hereunder, which 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 purpose of this Determination the expression "Commonwealth Statistician's 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.

(b) The index number for the six capitals (weighted average) is to be applied.

(c) The index number for the six months ending March or September next preceding the half-year for which the adjustment is made is to be ascertained.

(d) 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.

(e) That assigned amount shall for work done during such half-year be added to or deducted from the originally prescribed amounts of the rates in accordance with that table, and in respect of all wages prescribed at a rate of £4 9s. or more per week the sum of 2s. shall be added to the result.

(f) The division called original in the following table is that for the amount of the basic wage upon which the rates are to be deemed to have been originally prescribed:—

TABLE.  
Original Index Number Division, 1081-1092 (8s.).

Index Number Division for Deductions.	Amounts of Additions or Deductions per Week.		Index Number Division for Additions.
	Rates of £4 9s. or More.	Rates less than £4 9s. of Adult Females.	
	£ s. d.	£ s. d.	
1081-1092 .. .. .	Nil	Nil	1081-1092
1088-1080 .. .. .	0 1 0	0 0 6	1083-1104
1056-1067 .. .. .	0 2 0	0 1 0	1105-1117
994-1006 .. .. .	0 7 0	0 3 6	..
957-969 .. .. .	0 10 0	0 5 0	..
945-956 .. .. .	0 11 0	0 5 6	..
933-944 .. .. .	0 12 0	0 6 0	..
920-932 .. .. .	0 13 0	0 6 6	..
908-919 .. .. .	0 14 0	0 7 0	..
896-907 .. .. .	0 15 0	0 7 6	..
883-895 .. .. .	0 16 0	0 8 0	..
871-882 .. .. .	0 17 0	0 8 6	..
859-870 .. .. .	0 18 0	0 9 0	..
846-858 .. .. .	0 19 0	0 9 6	..
834-845 .. .. .	1 0 0	0 10 0	..
821-833 .. .. .	1 1 0	0 10 6	..
809-820 .. .. .	1 2 0	0 11 0	..
797-808 .. .. .	1 3 0	0 11 6	..
784-796 .. .. .	1 4 0	0 12 0	..
772-783 .. .. .	1 5 0	0 12 6	..
760-771 .. .. .	1 6 0	0 13 0	..

The index number divisions in this table are based upon the equating of index number 1000 with 8s., and any extension of the table must be similarly constituted.

(g) The amounts of the weekly rates for apprentices and improvers shall be adjusted proportionately to the rate of £4 9s., calculated to the nearest 6d., any broken part of 6d. in the result not exceeding 3d. to be disregarded, and shall conform to those payable from time to time under the terms of the appropriate award of the Commonwealth Arbitration Court.

(h) In all cases where for the same class of work the same rates have been prescribed for journeywomen or adult females as are prescribed in this Determination to be paid to journeymen or adult males, the rates for such journeywomen or adult females shall be increased or decreased in the same manner as the rates for journeymen or adult males.

(j) Piecework prices shall be increased or decreased in the same proportion as the rate for the journeymen or journeywomen in the respective classes.

The adjustment shall be made on the rates provided in the Federal Award, which are as follow, viz. :—

APPRENTICES OR IMPROVERS.

Experience.	Males.		Females.	Female commencing at the Trade between the Ages of 18 and 21 Years.
	Adjustable Weekly Wages.	Constant Loading.	Weekly Wages.	Weekly Wages.
1st six months .. .. .	£ s. d. 0 15 6	s. d. 0 6	£ s. d. 1 0 0	£ s. d. 2 0 0
2nd " " .. .. .	0 19 0	0 6	1 5 0	2 5 0
3rd " " .. .. .	1 3 6	1 0	1 10 0	2 12 6
4th " " .. .. .	1 7 0	1 0	1 15 0	3 0 0
5th " " .. .. .	1 11 0	1 6	2 0 0	..
6th " " .. .. .	1 18 6	1 6	2 5 0	..
7th " " .. .. .	2 10 6	1 6	2 12 6	..
8th " " .. .. .	3 2 0	2 0	3 0 0	..
9th " " .. .. .	3 9 6	2 0	..	..
10th " " .. .. .	3 19 0	2 0	..	..

OTHER PERSONS (EXCEPT APPRENTICES AND IMPROVERS).

JOURNEYMEN.				Weekly Wages.
				£ s. d.
Cutters .. .. .	..	..	..	5 15 0
Nailers or blockers .. .. .	..	..	..	4 9 0
All others .. .. .	..	..	..	4 9 0

JOURNEYWOMEN.

Machinists .. .. .	..	..	..	3 15 6
Finishers .. .. .	..	..	..	3 15 6
Table hands .. .. .	..	..	..	3 15 6
All others .. .. .	..	..	..	3 15 6

(See clauses 15 (a) to (j) preceding.)

(See clauses 15 (a) to (j) preceding.)

16. ADDITION TO NEEDS BASIC WAGE CONSTITUENT FOR MALES.

- (i) The weekly wage rates of all adult male employees shall be increased by the constant amount of 5s.
- (ii) The rates for adult male piece-workers shall be increased in the same proportion.

17. SPECIAL LOADING.

(1) In addition to the amounts otherwise prescribed by this Determination, the further additions hereinafter specified shall also be made to all wage rates or payments due from time to time to employees pursuant to this Determination.

- (i) To all weekly wage rates or earnings herein prescribed or payable hereunder at the sum of £4 9s. or more for male employees there shall be added a special loading of 5s. per week.
- (ii) To all weekly wage rates or earnings prescribed or payable hereunder for apprentices or improvers pursuant to clause 2 of the Determination, there shall be added special loadings as follows :—

(a) Males—	s. d.
1st six months' experience .. .. .	1 0
2nd " " .. .. .	1 0
3rd " " .. .. .	1 6
4th " " .. .. .	1 6
5th " " .. .. .	1 6
6th " " .. .. .	2 0
7th " " .. .. .	3 0
8th " " .. .. .	3 6
9th " " .. .. .	4 0
10th " " .. .. .	4 6

(2) The further additions prescribed in sub-clause (1) hereof shall not be subject to periodical adjustment under clause 15 of this Determination nor shall they be deemed to be portion of the wage for the purpose of computing piecework prices or task work, or overtime, holiday, or other penalty rates.

**NOTE.—**The rates set out in Clauses 2 and 3 INCLUDE the additional amounts prescribed by Clauses 16 and 17.

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

Melbourne, 30th June, 1944.

[The page contains extremely faint and illegible text, likely bleed-through from the reverse side of the document. The text is arranged in several paragraphs and appears to be a formal document or report.]





VICTORIA  
GOVERNMENT GAZETTE.

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THURSDAY, JULY 6.

[1944

Factories and Shops Acts.

DETERMINATION OF THE UMBRELLA 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 persons employed in the trade of a maker of Umbrellas" has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence in May, 1944, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

(a) APPRENTICES AND IMPROVERS.

(i) RATES PER WEEK OF 44 HOURS.

Experience.	Males.			Females.	Female Improvers commencing at the trade between the ages of 18 and 21 Years.
	Weekly Rate.	Special Loading.*	Total Weekly Wage.		
	£ s. d.	s. d.	£ s. d.	£ s. d.	£ s. d.
1st six months .. .. .	0 17 0	1 0	1 18 0	1 0 0	1 19 6
2nd " .. .. .	1 0 6	1 0	1 1 6	1 4 6	2 4 6
3rd " .. .. .	1 6 0	1 6	1 7 6	1 9 6	2 12 0
4th " .. .. .	1 9 6	1 6	1 11 0	1 14 6	2 19 6
5th " .. .. .	1 14 0	1 6	1 15 6	1 19 6	..
6th " .. .. .	2 2 0	2 0	2 4 0	2 4 6	..
7th " .. .. .	2 15 0	3 0	2 18 0	2 12 0	..
8th " .. .. .	3 7 6	3 6	3 11 0	2 19 6	..

And thereafter the minimum weekly wage or piecework price.

\* These special loadings shall not be subject to periodical cost of living adjustments nor shall they be deemed to be portion of the wage for the purpose of computing piecework rates or task work, or overtime, holiday, or other penalty rates.

(ii) PROPORTION (IN ANY FACTORY OR PLACE).

APPRENTICES OR IMPROVERS.

*Males.*

One apprentice or improver to every two or fraction of two journeymen.

*Females.*

Three female apprentices or improvers to every journeywoman.

All apprentices shall be indentured in accordance with the prescribed form of indenture, provided that a minor may serve an employer as a probationer for a period not exceeding three months. During the said three months he or she shall be paid at least the minimum rates prescribed by this Determination for the first six months of apprenticeship. If the probationer becomes indentured, his or her indentures shall be taken to have commenced from the commencement of the period of probation.

In the event of the employer to whom an apprentice is bound ceasing to carry on business, such apprentice may be bound to another employer for the remainder of the term to be served; provided that if such apprentice be over the age of eighteen years at the time of the original employer ceasing to carry on business, such person may complete the time to be served as an improver.

Notwithstanding anything contained in this Determination, any person who on 3rd March, 1933, was employed in the industry and whose engagement or continued employment as an improver is by this Determination forbidden, shall be entitled to be employed and shall be paid the scale of wages prescribed for an apprentice or improver of like experience.

## (b) OTHER PERSONS (EXCEPT APPRENTICES AND IMPROVERS).

	Males.			Females.		
	Weekly Rate.	Special Loading.*	Total Weekly Wage.	Weekly Rate.	Special Loading.*	Total Weekly Wage.
	£ s. d.	s. d.	£ s. d.	£ s. d.	s. d.	£ s. d.
Cutters .. .. .	6 0 0	5 0	6 5 0	6 0 0	5 0	6 5 0
Frame makers or repairers ..	5 12 0	5 0	5 17 0	5 12 0	5 0	5 17 0
Finishers .. .. .	5 10 0	5 0	5 15 0	5 10 0	5 0	5 15 0
Machinists, pressers, or tippers ..	.. .. .	.. .. .	.. .. .	.. .. .	.. .. .	3 15 0
Persons not provided for otherwise ..	4 19 0	5 0	5 4 0	.. .. .	.. .. .	3 15 0

\* These special loadings shall not be subject to periodical cost of living adjustments nor shall they be deemed to be portion of the wage for the purpose of computing piecework rates or task work, or overtime, holiday, or other penalty rates.

3.

## DEFINITIONS.

A journeyman is a male person other than an apprentice or improver. (i) Who has served the term of experience prescribed by this Determination; or

A journeywoman is a female person other than an apprentice or improver. (ii) Who has attained the age of 21 years; or (iii) Who is in receipt of at least the minimum weekly wage prescribed for the class of work on which such person is engaged, whether on weekly wages or piece-work.

"BOARD OF REFERENCE" shall mean a body comprising the Chairman of the Umbrella Wages Board, together with one representative of employers and one representative of employees, such representatives to be appointed by the Umbrella Wages Board.

4.

## HOURS OF EMPLOYMENT.

Forty-four hours shall constitute a week's work within the following hours:—Time of beginning, 8 a.m.; time of ending, 6 p.m.—on five days of the week. Time of beginning, 8 a.m.; time of ending, 1 p.m.—on the other day of the week on which the half-holiday is usually observed. Provided further that if the majority of the employees desire to start at 7.30 a.m., the work may begin at 7.30 a.m.

5.

## OVERTIME.

Note:—See Clause 16.

(a) Any employee who, in any day, has performed any work outside the working hours ordinarily observed in the factory in which he or she is employed, shall be paid overtime as follows:—

(1) Weekly workers shall be paid at the rate of time and one-half, and shall also be paid 1s. 6d. meal money when such overtime exceeds 40 minutes on week-days or on Saturdays in those factories or workshops where a five and a half-day week is worked.

In those factories or workshops where a five-day week is worked, all work done on Saturdays shall be paid for at the rate of time and a half, and 1s. 6d. meal money shall be paid when such overtime is worked after noon.

(2) Piece-workers shall be paid (in addition to the ordinary piece-work prices) for work done in the excess time such sum per hour as is equivalent to the weekly wage divided by 88, and shall also be paid 1s. 6d. meal money when such overtime exceeds 40 minutes on week days or on Saturdays in those factories or workshops where a five and a half-day week is worked.

In those factories or workshops where a five-day week is worked, for all work done on Saturdays, piece-workers shall be paid (in addition to the ordinary piece-work prices for work done) such sum per hour as is equivalent to the weekly wage divided by 88, and 1s. 6d. meal money shall be paid when such overtime is worked after noon.

(b) No employee shall be employed overtime outside the hours fixed, except with his or her consent.

(c) No employee shall be dismissed, or in any way whatsoever be prejudiced in his or her employment, by reason of his or her refusal to work overtime outside the hours fixed.

(d) No employee under the age of sixteen years shall be employed overtime.

6.

## MIDDAY MEAL.

(a) An interval of not less than three-quarters of an hour shall be allowed for the midday meal unless a majority of the employees in any place desires it to be otherwise. In no circumstances shall less than 30 minutes be fixed.

(b) No work shall be performed during such meal time.

7.

## TASK SYSTEM.

Note:—See Clause 16.

No employer shall make a bonus or merit payment which fluctuates from period to period according to the amount of work performed by the employee concerned, and which is based upon a secret or task rate for measuring the output of such employee. No increase in wages granted to any employee, after the date of operation of this Determination, above the rates herein prescribed shall be deemed to be in contravention of this clause if the same be paid for a period of three months, or for the term of employment, whichever period is the shorter; provided, however, that such increased wages may, at the discretion of the employer, be adjusted according to the wages rates prescribed from time to time by this Determination.

In all factories where a minimum task is set for a minimum wage the following shall be observed:—

(a) Until after the termination of six months from the 16th March, 1942, the minimum task in operation in any factory on the date on which this Determination becomes operative shall be the minimum task for the minimum wage after the date of operation of this Determination, and shall not during the said period of six months be increased or decreased because of any increase or decrease in wages, and shall not during the said period of six months be increased unless an altered or improved method of working is introduced.

(b) The task rate in respect of all garments or parts of garments or other articles or parts of articles shall be determined in the manner following:—

(i) Where there are fewer than twenty employees involved in the work to be performed, the employer or his representative, in conference with one employee chosen by and from such employees, shall fix the rates.

(ii) Where there are twenty or more employees involved in the work to be performed, the employer or his representative, in conference with two employees so chosen, shall fix the rates.

(c) The task rates shall be fixed so as to enable the average worker to earn the minimum wage prescribed by this Determination for the class of work to be performed; and any number of garments or parts of garments or other articles or parts of articles made in excess of the minimum weekly task fixed by the task rates for the minimum weekly wage shall be paid for at *pro rata* plus 10 per cent.

(d) When any employee is employed for less than a week on the task rates, then the task of the said employee shall be fixed at per day at the weekly rate prescribed.

- (e) Any excess number of garments or parts of garments or other articles or parts of articles made in any day by the employee shall be subject to the same *pro rata* payment as would apply if the employee were engaged for the whole week.
- (f) A copy of all task rate schedules shall, within twenty-four hours of their being fixed, be displayed by the employer in a conspicuous place in each room of the factory where such tasks are being performed.
- (g) A combination or team shall mean two or more persons working together on the same class of work, employed on weekly wages where a task has been imposed. Where employees work in a combination or team, the additional amount of wages shall be distributed amongst the employees on a percentage basis, according to the amount of their ordinary weekly wages.

8.

## HOLIDAYS.

Note :—See Clause 16.

- (a) All weekly wage employees, whether in a city or elsewhere, shall be granted the following holidays without deduction of pay:—The days observed as New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, and Boxing Day.
- (b) All employees working on piece-work or task-work shall be granted the same holidays as are granted to weekly wage workers, and, subject as hereinafter provided, they shall be paid for such holidays the amount for each holiday based on the minimum weekly wage prescribed by this Determination for the class of work performed.
- (c) If any of the above holidays occurs on a Sunday or Saturday and is not observed on any other day, then employees shall not be paid for such Sunday, and shall be paid for such Saturday as for a half day, but not otherwise.
- (d) All other weekly employees, whether in a city or elsewhere, shall be paid for the above holidays an amount for each holiday based on the actual weekly wage paid to them by the employer.
- (e) Any employee absenting himself or herself from work on any portion of the working day preceding or any portion of the working day succeeding a holiday provided for herein, other than Boxing Day and New Year's Day, without permission from the employer or without having reasonable cause for having absented himself or herself from work, shall not be entitled to payment for such holiday.
- (f) Any weekly employee who is employed on a Sunday or any holiday prescribed herein shall be paid for that day at the rate of time and a half in addition to his or her weekly wage.
- (g) Any piece-worker employed on a Sunday or any holiday prescribed by this Determination shall be paid, in addition to the prescribed piece-work prices, at the rate of time and a half calculated on the minimum wage prescribed for the class of work performed.

9.

## ANNUAL LEAVE.

- (a) Except as hereinafter provided 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 day of December inclusive and shall pay full wages for ordinary working days included in that period. Piece and bonus workers receiving such holiday shall be paid time rates.
- (b) 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.
- (c) "Continuously employed" for the purpose of this clause means employed (except as to breaks arising from slackening of work) for the three months immediately preceding the 25th day of each December. Any such employee dismissed during the four weeks immediately preceding the 25th day of December shall for the purposes of this clause be deemed to be employed up to that date and shall be paid one week's wages for such annual holiday.
- (d) Any dispute as to the right of an employee to such holiday shall be referred to the Board of Reference. The decisions of the Board on such disputes shall be final.

10.

## TERMS OF ENGAGEMENT.

- (a) The week shall terminate on a day other than Monday or Saturday, and all employees shall be paid all moneys due to them in full during the ordinary working hours not later than two working days following the termination of the week. In order to terminate employment of a weekly employee, two days' notice shall be given on any day, with payment to date of termination, or in lieu thereof two days' pay shall be paid or deducted. When employment is terminated by an employer, the employer shall, upon the date of such termination, pay to the employee (weekly employee or piece-worker) all moneys due to him or her, and, when employment is terminated by an employee in accordance with the terms of this Determination, the employer shall pay to the employee (weekly employee or piece-worker) all moneys due to him or her.
- (b) All weekly wages shall be paid to the employees in full, with the following exceptions:—
- (1) *Turns to be Observed.*—In slack times the employer shall observe turns of employment for weekly workers and piece-workers (including outside workers) not engaged on making samples in the respective class or classes of work at which they are engaged, provided always that journeymen and journeywomen having apprentices under their control shall be allowed in their turn extra work equivalent to the wages of the apprentice during the time the turn system is in operation. The employer shall keep in the workroom a true record of every turn, which shall be open to the inspection of the employees.
- (2) *Standing Off Employees in Turn.*—Should any employer during slackness of trade desire to stand off his employees in turn, then the employer on any day during any week shall inform every person whom it is proposed to stand off of any day or days in the following week (other than a Saturday or holiday) upon which his or her services will not be required; but an employee shall not, except under the conditions provided in sub-clause (3) of this clause, be stood off for part of a day without being paid for a whole day.
- (3) *Employees Working Shortened Hours.*—If it is desired to work a week of shorter hours in slack times, instead of standing the employees off in turn, the employer may make an arrangement to work his employees for shortened hours, but such arrangement shall be made only where, on the vote of the employees being taken, a majority of the whole of the employees votes in favour of such arrangement.
- Where such an arrangement is made, the employees shall be informed on the day ending each week of the shortened hours to be worked in the following week.
- Where an arrangement is made in compliance with this provision the employer shall pay each employee for the actual hours worked on each day on the basis of his or her weekly wage.
- (4) *Vacation Periods.*—Nothing contained in this sub-clause shall apply in the case of the usual vacation period at Christmas or Easter.
- (c) *Classes of Employees.*—For the purpose of this clause (but subject to the provisions of sub-clause (b) hereof), in operating the turn system the various classes of employees shall be taken separately, and "classes of employees" shall mean each class of employee in respect of which a classification of work has been provided under this Determination, but in all cases, male improvers and journeymen, or female improvers and journeywomen doing the same class of work, shall be deemed to be one class of employee.
- (d) *Stoppage of Work re Breakdown of Machinery.*—In the event of the work of a factory being stopped by a breakdown of machinery or a stoppage of supply of power, or for any cause for which the employer cannot reasonably be held responsible, all weekly hands who present themselves for work shall be found work for that day, or paid one day's wages in lieu thereof, but when such breakdown or stoppage occurs the employer may give notice to an employee that his or her services will not be required on the following day or days, and the employee shall not be entitled to any further payment in respect of any further days on which he or she is out of employment by reason of such break-down or stoppage.

**(e) Terminating Employment in Relation to a Holiday.—**

- (i) Where the employer terminates the employment of an employee within fourteen days of a day on which a holiday occurs, and such employee is re-employed within a period of one month after such holiday, the employee 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 one week prior to the termination of the employment.
- (ii) Should the employment of an employee be terminated, or should an employee be stood off within fourteen days prior to any holiday or to the commencement of any group of holidays prescribed in this Determination, such employee shall be paid for such holiday or group of holidays, provided that such employee has been employed by the employer for a period of at least one week prior to the termination of the employment.
- (iii) When any two or more of the holidays prescribed in this Determination occur within two weeks of one another, such holidays shall for the purposes of sub-clause (ii) hereof be deemed to be a group of holidays.
- (iv) Where the employer terminates the employment of an employee more than fourteen days, but not exceeding one month prior to a day on which a holiday occurs and such employee is re-engaged within a period of one month, or normal business is resumed within such period of one month after such holiday, the employee 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 one week prior to the termination of employment.

An employer shall be deemed to comply with the requirements of this sub-clause if on terminating the employment of any employee he gives that employee annual holidays or payment in lieu thereof in accordance with clause 9 hereof.

**(f) Employees Absenting Themselves.—**No employee shall, without just cause, be absent from his or her place of employment during the prescribed hours whilst there is work ready to be done by such employee, and, where weekly wages are fixed, the employee, to be entitled to the sums so fixed, must be available and ready and willing to do the work on the days and during the hours fixed by this Determination.

## 10A.

## PART-TIME EMPLOYEES.

Females may be employed as part-time employees in any branch of the clothing industry covered by this Determination upon and subject to the following terms and conditions:—

- (a) They shall be journeywoman within the meaning of this Determination.
- (b) They shall be employed for not less than twenty hours in any week.
- (c) They shall not be employed both on time work and piece work or both on time work and task work in any week.
- (d) If time workers, they shall be paid for each hour worked at the rate at least of 1/44th of the minimum weekly wage prescribed by this Determination for the class of work performed by them and if piece or task workers they shall be paid at the appropriate piece work rate or task rate payable under this Determination, but in no case shall any of such employees be paid less than so much of the minimum weekly wage prescribed by this Determination as is proportionate to the time worked by them.
- (e) The payment or deduction of payment in lieu of notice of termination of employment shall be 2/5ths of the pay of the preceding week of the employee concerned.
- (f) No employee employed or working as a full-time employee in any branch of the clothing industry on or after the first day of May, 1944, shall be employed or work as a part-time employee unless a permit in writing is obtained from the Secretary for Labour permitting such employee to be employed or to work as a part-time worker.
- (g) The provisions of this Determination as regards annual leave and holidays shall apply to such part-time employees but they shall be paid in respect of the period of such annual leave and in respect of holidays only at the rate actually being received by them at such time.
- (h) Save as aforesaid all the provisions of this Determination shall apply to such part-time employees.

## 11.

## OUTSIDE WORKERS.

- (a) Any employer may cause any work covered by this Determination to be done for him by any person (hereinafter called an "outside worker") who shall be the holder of a current outside worker's licence issued to him by the Secretary for Labour authorizing him to work as an outside worker for such employer.
- (b) Every such licence shall authorize the holder to work as an outside worker for one and only one employer named therein, and shall be current for a period specified therein not being more than six calendar months from the date of issue thereof.
- (c) No such licence shall be issued unless the Secretary for Labour is satisfied that the applicant—
  - (i) is in necessitous circumstances;
  - (ii) cannot for some sufficient reason seek employment in a factory or workshop;
  - (iii) is a person legally entitled to the benefits of this Determination and to recover the rates of pay herein provided, and
  - (iv) will not as a result of the issue thereof be the holder of current outside workers' licences relating to more than one employer.
- (d) The Secretary for Labour may at any time in his discretion cancel such licence—
  - (i) at the request of the holder;
  - (ii) if he is satisfied that any of the conditions mentioned in the last preceding sub-clause is no longer complied with; or
  - (iii) if he is satisfied that the holder has broken any of the conditions of such licence set forth in sub-clause (c) hereof.
- (e) The conditions of any such licence shall be that the outside worker during the currency of such licence—
  - (i) shall not do any work covered by this Determination in any workshop or factory or in the company of other persons then also doing any such work, except of persons holding current outside workers' licences and bearing to such outside worker the relation of parent, child, brother, sister, husband or wife.
  - (ii) shall be a person legally entitled to the benefits of this Determination and to recover the rates of pay herein provided;
  - (iii) shall not employ any labour whatsoever in connexion with the work entrusted to him;
  - (iv) shall not permit any portion of the work entrusted to him to be done by any other person;
  - (v) shall not suffer from any communicable disease or do any work in any place whereat any person is suffering from any communicable disease;
  - (vi) shall keep in a bound book a correct and complete record in ink of the hours worked by him each day on any such work; and
  - (vii) shall not work on any work covered by this Determination more than 44 hours in any one week.
- (f) An employer by whom work is given to an outside worker shall—
  - (i) not cause or permit him to do any part of such work in any workshop or factory;
  - (ii) pay him the piecework prices prescribed by this Determination;
  - (iii) pay him for each public holiday prescribed by this Determination occurring during the period he is doing such work for such employer one-fifth of the weekly wage prescribed by this Determination for employees doing similar work;
  - (iv) record in a bound record book in which each page is consecutively numbered—
    - (1) the name and full address of the outside worker;
    - (2) the description, and number of articles or garments given to the outside worker; and
    - (3) the price paid or agreed to be paid for such work; and
  - (v) obtain the signature of the outside worker to each entry in such book.

(g) Any such record book so kept shall be open for inspection during business hours by (1) any person or persons authorized by the Secretary for Labour and (ii) any officer or officers of the Amalgamated Clothing and Allied Trades Union of Australia, provided that no more than two of such persons or two of such officers shall inspect such book at any one time.

(h) No employer shall have more than one outside worker plus such number of outside workers as bears to the number of workers directly employed by him in his usual workshop or factory a ratio not exceeding one to ten.

(i) Outside workers shall be provided free of charge with cotton, silk, thread and all other sewings and trimmings used in the manufacture of articles or garments.

(j) In the case of an employer delivering and/or collecting the work of any outside worker the same shall be done without charge to such outside worker.

12.

**MISCELLANEOUS PROVISIONS.****Note :—See Clause 16.**

(a) *Record of Time Worked and Wages Paid.*—(1) The employer shall provide in each factory, or place where there are fewer than 30 employees, and where work is carried on for him, a time and wages book. Such time and wages book :—

- (i) shall be in the English language and shall contain a correct account of the hours worked each day, and the wages received each week, by each employee;
- (ii) shall be kept correctly entered up in ink; and
- (iii) shall record clearly the actual date of each day, of each week, and also the date of the day on which the week ends.

(2) The employer shall provide in each factory or place where there are not fewer than 30 employees, and where work is carried on for him, a time-book, or sheet, or record. Such time-book, or sheet, or record shall be in the English language and shall contain a correct account of the hours worked each day and the wages received each week by each employee. Such time-book, or sheet, or record shall be kept correctly and entered up in ink.

(b) *Chairs to have Backs.*—(1) Where it is necessary for employees to sit at their work, seats shall be provided for the employees by the employer. Such seats shall be reasonably comfortable seats.

(2) A seat provided for any female employee shall have a back to it, unless the work of such employee cannot be conveniently done in such a seat, or unless the employee requests to be allowed to use a seat without a back to it.

(c) *Collecting Logs.*—Where piece-work is in operation, the employer shall make arrangements for collecting the logs, and the employees need not leave their places.

(d) *Rest Period.*—When any spell of duty is for more than four hours, an interval of ten minutes, to be selected by the employer, shall be allowed in the second or third hour to females and apprentices for refreshment. The interval shall be as part of the time of duty, without deduction of time-work pay. During such rest period, the employees may leave their seats, but not the premises.

(e) *Authorized Person may Enter Factory.*—

- (i) Any person or persons duly authorized, in writing, by the Secretary for Labour (such authorization to be terminable at the will of the Secretary for Labour) shall have power to inspect any part of a factory, workshop, or place where it is believed that a breach of this Determination is occurring or has occurred.
- (ii) At least six hours' notice shall be given by the authorized person or persons (not exceeding two) prior to his or their arrival, and shall in person (accompanied by a nominee, or by his nominees, not exceeding two) be entitled to accompany the authorized person or persons, and shall provide access to the wages book or time sheet or records of any employee including outside workers. The work and duties of the employees shall be interfered with as little as possible by the authorized person or persons.
- (iii) The Secretary for Labour shall have power to dispense with the said six hours' notice on special application being made for any cause shown and supported by an affidavit setting out the facts. A certificate duly signed by the Secretary for Labour stating that such notice has been dispensed with shall be sufficient proof of such fact.

(f) *Union Official Visiting Employer's Establishment.*—

- (1) The employer shall permit any official of the Victorian Branch of the Amalgamated Clothing and Allied Trades' Union of Australia (authorized in writing by the Secretary for Labour) to enter from time to time his or her factory or workshop during the midday meal time for the purpose of—
  - (i) collecting members' contributions;
  - (ii) posting union notices and interviewing employees on union matters relating to this industry and/or this Determination.
- (2) Such authorized person shall inform the person in charge of his arrival before entering the workshop or factory. Such official shall have reasonable ingress into the factory and access to the employees. If any official so authorized makes himself objectionable during any such visit to the employer or his manager or foreman or any employee his right to visit may be terminated by the Secretary for Labour on the application of the employer.
- (3) For the purpose of this clause the words "factory or workshop" shall include every room or place where work in respect of which a wage is prescribed by this Determination is carried out, together with the room in which the employees partake of their meals, notwithstanding that such room may be detached from or in a separate building from the main place of business of the employer.

(g) *Dining Accommodation.*—(i) If any employer of more than five employees in any factory or workshop fails to provide to the satisfaction of the Board of Reference accommodation and facilities in this clause set out he shall, subject to the following proviso, pay to each and every such employee an additional amount equivalent to 2½ per cent of the amount of wages prescribed by this Determination. Provided that where an employer, for good cause, has failed within the time hereinbefore specified to provide the said accommodation and facilities the Board of Reference may, for a period of twelve months, or for a period corresponding to the unexpired term of the lease to the employer of the factory or workshop wherein such employees are employed, exempt the employer so failing from the requirement that he shall pay during that period the said additional amount.

(ii) Every such employer shall set aside a separate room or portion of the factory or workshop as a dining room wherein the employer shall provide adequate table and seating accommodation.

(iii) Hot water shall be provided free of charge, to be available to employees immediately meal time or rest period commences.

(iv) The employer shall provide the necessary labour to keep such room clean.

13.

**PIECEWORK.****Note :—See Clause 16.**

(a) Subject to payment of the minimum weekly wages prescribed by this Determination for employees in their respective classes and to the conditions hereinafter set out, the employer, in conjunction with the employees, may fix his own piecework prices, provided such prices enable a journeyman or journeywoman of average capacity working under like conditions to earn at least 10 per centum more than the minimum weekly wage in their respective classes. The same piecework prices shall be paid to all pieceworkers doing the same operation in the factory or workshop whether they be journeymen, journeywomen, improvers, apprentices or juveniles.

(b) All pieceworkers, who are available and ready and willing to work during the ordinary working hours but for whom work is not provided by the employer shall be paid in each week :—In the case of males not less than the "all others" rate; and in the case of journeywomen not less than the amount prescribed for "all others"; and in the case of apprentices or improvers not less than the amount prescribed by this Determination for an apprentice or improver of like experience.

(c) The piecework price in respect of all garments or parts of garments or other articles or parts of articles shall be determined in the following manner :—

- (i) Where there are fewer than twenty employees involved in the work to be performed the employer or his representative, in conference with one employee chosen by and from such employees, shall fix the prices.
- (ii) Where there are twenty or more employees involved in the work to be performed the employer or his representative, in conference with two employees so chosen, shall fix the prices.

(d) In the event of a dispute with reference to piecework prices the matter shall be referred to the Board of Reference.

(e) A copy of all piecework schedules shall, within 24 hours of their being fixed, be displayed by the employer in a conspicuous place in each and every room of the workshop or factory where such piecework is being performed and shall be kept displayed.

(f) In all factories and workshops where piecework conditions are now in operation, the same shall not be altered except in the manner prescribed in this clause for the determination of piecework prices.

#### 14. PERIODICAL ADJUSTMENT OF RATES, ETC

**Note :—See Clause 16.**

(a) Until the beginning of the first pay period to commence in November, 1944, the amounts of wages rates payable shall be those prescribed in clause 2. Pursuant to the provisions of section 21 of the *Factories and Shops Act 1934*, the Board determines that for work done during each future half-year beginning with the first pay period to commence in a November or a May, the amounts of the wages rates prescribed in clause 2 shall be automatically increased or decreased by the same amounts and at the same time as the original rates set out hereunder, which 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 purpose of this Determination the expression "Commonwealth Statistician's 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.

(b) The index number for the six capitals (weighted average) is to be applied.

(c) The index number for the six months ending March or September next preceding the half-year for which the adjustment is made is to be ascertained.

(d) 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.

(e) That assigned amount shall for work done during such half-year be added to or deducted from the originally prescribed amounts of the rates in accordance with that table, and in respect of all wages prescribed at a rate of £4 9s. or more per week the sum of 2s. shall be added to the result.

(f) The division called original in the following table is that for the amount of the basic wage upon which the rates are to be deemed to have been originally prescribed :—

TABLE.

*Original Index Number Division, 1081-1092 (89s.).*

Index Number Division for Deductions.	Amounts of Additions or Deductions Per Week.		Index Number Division for Additions.
	Rates of £4 9s. or more.	Rates less than £4 9s. of Adult Females.	
	£ s. d.	£ s. d.	
1081-1092 .. .. .	.. .. .	.. .. .	1081-1092
1068-1080 .. .. .	0 1 0	0 0 6	1093-1104
1056-1067 .. .. .	0 2 0	0 1 0	1105-1117
994-1006 .. .. .	0 7 0	0 3 6	..
957-969 .. .. .	0 10 0	0 5 0	..
945-956 .. .. .	0 11 0	0 5 6	..
933-944 .. .. .	0 12 0	0 6 0	..
920-932 .. .. .	0 13 0	0 6 6	..
908-919 .. .. .	0 14 0	0 7 0	..
896-907 .. .. .	0 15 0	0 7 6	..
883-895 .. .. .	0 16 0	0 8 0	..
871-882 .. .. .	0 17 0	0 8 6	..
859-870 .. .. .	0 18 0	0 9 0	..
846-858 .. .. .	0 19 0	0 9 6	..
834-845 .. .. .	1 0 0	0 10 0	..
821-833 .. .. .	1 1 0	0 10 6	..
809-820 .. .. .	1 2 0	0 11 0	..
797-808 .. .. .	1 3 0	0 11 6	..
784-796 .. .. .	1 4 0	0 12 0	..
772-783 .. .. .	1 5 0	0 12 6	..
760-771 .. .. .	1 6 0	0 13 0	..

The index number divisions in this table are based upon the equating of index number 1000 with 81s., and any extension of the table must be similarly constituted.

(g) The amounts of the weekly rates for apprentices and improvers shall be adjusted proportionately to the rate of £4 9s. calculated to the nearest sixpence, any broken part of sixpence in the result not exceeding threepence to be disregarded, and shall conform to those payable from time to time under the terms of the appropriate award of the Commonwealth Arbitration Court.

(h) In all cases where for the same class of work the same rates have been prescribed for journeywomen or adult females as are prescribed in this Determination to be paid to journeymen or adult males, the rates for such journeywomen or adult females shall be increased or decreased in the same manner as the rates for journeymen or adult males.

(j) Piecework prices shall be increased or decreased in the same proportion as the rate for the journeymen or journeywomen in the respective classes.

(k) The adjustment shall be made on the rates provided in the Federal Award, which are as follow, viz. :—

APPRENTICES OR IMPROVERS.

Experience.	Males.		Females.	Female Improvers commencing at the Trade between the Ages of 18 and 21 Years.
	Adjustable Weekly Wages.	Constant Loading.	Weekly Wages.	Weekly Wages.
	£ s. d.	s. d.	£ s. d.	£ s. d.
1st six months .. .. .	0 15 6	0 6	1 0 0	2 0 0
2nd " .. .. .	0 19 0	0 6	1 5 0	2 5 0
3rd " .. .. .	1 3 6	1 0	1 10 0	2 12 6
4th " .. .. .	1 7 0	1 0	1 15 0	3 0 0
5th " .. .. .	1 11 0	1 6	2 0 0	..
6th " .. .. .	1 18 6	1 6	2 5 0	..
7th " .. .. .	2 10 6	1 6	2 12 6	..
8th " .. .. .	3 2 0	2 0	3 0 0	..

And thereafter the minimum weekly wage or piecework price.

OTHER PERSONS (EXCEPT APPRENTICES AND IMPROVERS).				
Weekly Wages.				
		Males.	Females.	
		£ s. d.	£ s. d.	
Cutters .. .. .	..	5 10 0	5 10 0	
Frame makers or repairers .. .. .	..	5 2 0	5 2 0	
Finishers .. .. .	..	5 0 0	5 0 0	
Machinists, pressers, or tipplers .. .. .	..	..	3 15 6	
Persons not provided for otherwise .. .. .	..	4 9 0	3 15 6	

See clause 14, sub-clauses (a) to (j) inclusive, preceding.

See clause 14, sub-clauses (a) to (j) inclusive, preceding.

15. ADDITION TO NEEDS BASIC WAGE CONSTITUENT FOR MALES.

- (i) The weekly wage rates of all adult male employees shall be increased by the constant amount of 5s.
- (ii) The rates for adult male piece-workers shall be increased in the same proportion.

16. SPECIAL LOADING.

(1) In addition to the amounts otherwise prescribed by this Determination the further additions hereinafter specified shall also be made to all wage rates or payments due from time to time to employees pursuant to this Determination.

- (i) To all weekly wage rates or earnings herein prescribed or payable hereunder at the sum of £4 9s. or more whether for male or female employees there shall be added a special loading of 5s. per week.
- (ii) To all weekly wage rates or earnings prescribed or payable hereunder for apprentices or improvers pursuant to clause 2 of the Determination there shall be added special loadings as follows :—

(a) Males—	s. d.
1st six months' experience .. .. .	1 0
2nd " .. .. .	1 0
3rd " .. .. .	1 6
4th " .. .. .	1 6
5th " .. .. .	1 6
6th " .. .. .	2 0
7th " .. .. .	3 0
8th " .. .. .	3 6
9th " .. .. .	4 0
10th " .. .. .	4 6

(2) The further additions prescribed in sub-clause (1) hereof shall not be subject to periodical adjustment under clause 14 of this Determination nor shall they be deemed to be portion of the wage for the purpose of computing piece-work prices or task work, or overtime, holiday, or other penalty rates.

NOTE.—The rates set out in Clause 2 INCLUDE the additional amounts prescribed by Clauses 15 and 16.

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

J. V. WILLOX, Secretary.

Melbourne, 30th June, 1944.

