VICTORIA

GOVERNMENT GAZETTE.

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Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 18 (MISCELLANEOUS SHOPS).

NOTE.—This Determination applies to the following parts of Victoria, namely :—The Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder, and such portions of the city of Sandringham as are not included 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 has the power to determine the lowest prices or rates which may be paid to any person (including an outside salesman) employed in or in connexion with any shop other than shops of the following classes, that is to say :—

(*a*) A Butcher's shop, a Bookseller's and Newsagent's shop, a Confectionery and Pastry shop, a Cooked Meat Dealer's shop, a Fish and Oyster shop, a Fruit and Vegetable shop, a Hairdresser's shop, a Tobacconist's shop;

(*b*) A Boot Dealer's shop, a Boot Repair shop, a Bread shop, a Chemist's shop, a Dairy Produce Dealer's shop, a Draper's shop, a Dyer's and Clothes Cleaner's shop, a Fuel and Fodder Dealer's shop, a Furniture Dealer's shop, a Grocer's shop, a Haberdasher's shop, a Hardware shop, a Hatter's shop, a Men's Clothing shop, a Mercer's shop, a Milliner's shop, an Underclothing shop, a shop for the sale of petrol, benzine, or other motor spirit, motor oils, or motor car or motor cycle accessories, a shop for the sale of electrical goods or for the sale of wireless (radio) sets, parts, or accessories;

has made the following Determination, namely :—

1. That as from the beginning of the first pay period to commence on or after the 6th October, 1944, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2. APPRENTICES OR IMPROVERS.

Wages per week of 47 Hours in paint, colour, or wall-paper shops and 46 in any other place.

Experience.	Commencing Age.						Experience.	Commencing Age.					
	15 years or under.	16 years.	17 years.	18 years.	19 years.	20 years.		15 years or under.	16 years.	17 years.	18 years.	19 years.	20 years.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.		s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Males—							Females—						
1st year ..	22 0	22 0	25 9	27 0	27 0	47 0	1st year ..	18 6	19 6	25 9	27 0	28 6	30 3
2nd „ ..	27 0	27 0	33 3	43 9	51 0	63 6	2nd „ ..	22 0	26 6	30 3	31 3	32 0	40 6
3rd „ ..	31 3	36 3	45 0	61 9	73 0	81 3	3rd „ ..	27 6	30 3	33 3	33 3	33 3	46 6
4th „ ..	41 6	48 3	61 9	..	..	..	4th „ ..	30 3	33 9	40 6	..	..	..
5th „ ..	50 6	61 9	..	..	..	..	5th „ ..	33 3	40 6	..	..	..	..
6th „ ..	61 9	..	..	..	..	..	6th „ ..	40 6	..	..	..	..	..

PROPORTION (IN ANY SHOP).

Apprentices.

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

Improvers (Males).

One improver to every worker receiving not less than the minimum wage.

Improvers (Females).

Two improvers to every worker receiving not less than the minimum wage.

OTHER EMPLOYEES.

Employed in the business of a curio dealer, a feather dealer, a furrier, a jeweller, a pawnbroker, a seller of clocks, watches, perfumery and toilet requisites, optical goods, photographic materials, sports materials, typewriters, business systems, surgical instruments, pianos, organs, piano-players, push cycles, motor cycles and motor cars, and accessories for push cycles, a bird or dog dealer, a stamp dealer, a herbalist, a saddler, a ship chandler, a seller of cork goods, crockery, fancy goods, toys, grindery, leather goods, music, musical instruments (other than pianos, organs, or piano-players), pictures, picture frames, perambulators, paper patterns, rubber goods which are not motor cycle or motor car accessories, florists' goods, seeds, seedlings, tents, flags, umbrellas, or wicker goods, paints, colours, wall-papers, or employed in any business, other than those specially mentioned, to which this Determination applies :—	Wages per week of 47 hours in paint, colour, or wall-paper shops and 46 in any other place.	
	Males.	Females.
	s. d.	s. d.
Branch manager (i.e., a person entrusted with the control or superintendence of a branch shop, notwithstanding he or she may be under the orders of a superior who does not devote his or her whole time to the management of the said branch shop)	134 9	134 9
Departmental manager or manageress (i.e., a person in control of three or more persons 21 years of age or over, notwithstanding he or she may be under the orders of a superior who does not devote his or her whole time to the management of such department)—		
Male	126 0	
Female—		
Where one or more adult males are under her control	..	126 0
In other cases	..	70 9
Persons over 21 years of age (not being apprentices or improvers) without previous experience at the trade—		
1st six months' experience	66 3	37 9
2nd six months' experience	77 3	43 3
Other employees—		
21 years of age	91 9	50 9
22 years of age	102 6	57 3
23 years of age or over	119 9	64 0

TIMES OF BEGINNING AND ENDING WORK.

3. (*a*) Employees in paint, colour, or wall-paper shops—

	Time of Beginning. (*not earlier than*)	Time of Ending. (*not later than*)
On the usual half-holiday	8 a.m. ..	12.45 p.m.
On the usual late trading night, or the night previous to a Public Holiday ..	8 a.m. ..	9 p.m.
On all the other working days of the week	8 a.m. ..	6 p.m.

(*b*) Employees in any other place—

On the usual half holiday	9 a.m. ..	12.45 p.m.
On the usual late trading night, or the night previous to a Public Holiday ..	9 a.m. ..	9 p.m.
On all the other working days of the week	9 a.m. ..	6 p.m.

OVERTIME.

*4. The rate of time and a half shall be paid for all time worked by persons employed in—

(*a*) Shops and departments of shops where paints, colour, or wall-paper is sold—

(i) Within the times fixed for beginning and ending work—

In excess of 3 hours 55 minutes on the usual half-holiday.
In excess of 10 hours 25 minutes on the usual late trading night of the night previous to a Public Holiday.
In excess of 8 hours 10 minutes on all other working days of the week.

(ii) Outside the times of beginning and ending work.

(*b*) Other shops and departments of shops—

(i) Within the times fixed for beginning and ending work in excess of 46 hours.

(ii) Outside the times of beginning and ending work.

* NOTE.—Section 117 (2) Act 3677 provides that :—Any person may, if notice in writing has previously been sent to the chief inspector, be employed *in any shop or at any work in connexion with a shop for any time not exceeding three hours in any one day beyond the ordinary working hours, provided that* the total number of days in any one year on which in any shop or at any work in connexion with a shop any such person is so employed shall not exceed twenty-one.

Section 105, however, makes it an offence for any employer to detain an employee later than half an hour on a half holiday.

DAY'S WORK TO BE CONTINUOUS.

5. No employee, except in a case where he has been guilty of a misdemeanour, having commenced work, shall be required to take any time off (exclusive of intervals for meals) until he has completed the full number of hours for that day's work.

TIME RATE.

6. Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall be paid, **for time worked up to one-half the number of hours fixed for such ordinary week's work,** as follows :—

(*a*) In any week in which two or more Public Holidays occur .. At the ordinary wages rate with an addition of fifty per centum.

(*b*) In any other week .. .. At the ordinary wages rate with an addition of thirty-three and one-third per centum.

and for time 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, together with any overtime rate which is applicable.

SICK PAY.

7. (*a*) Any employee not attending for duty who has had not less than twelve months' service with the same employer shall not lose his pay for the actual time lost if such employee produces or forwards within 24 hours of the commencement of such absence, evidence satisfactory to the employer that his 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.

(*b*) If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall be cumulative from year to year up to a period not exceeding 18 days, which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay.

MEAL ALLOWANCE.

8. For each day upon which more than one hour's overtime is worked, each person who works such overtime shall be paid 2s. 6d. meal money in addition to the prescribed overtime rate.

MEAL INTERVALS.

9. All employees shall be allowed the following meal intervals with permission to leave the shop for the whole of such intervals, viz.:—From Monday to Friday, one hour for lunch between noon and 3 p.m. and, in addition, on the usual late shopping night three-quarters of an hour between the hours of 5 p.m. and 7.15 p.m.

REST INTERVALS.

†10. Any employee who works four hours or longer without a meal interval shall be allowed a rest period of not less than ten minutes after two and a half hours' work. Such rest period shall be counted as time worked.

During such rest period the employee shall be permitted to take morning or afternoon tea as the case may be.

† 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.

CLOTHING ALLOWANCE.

11. Where any employee is required by his employer to wear any special uniform, dress or clothing, of some colour other than black or black and white it shall be supplied, paid for, and, if necessary, laundered by the employer. Provided that, subject to the approval in writing of an official representative of the Shop Assistants and Warehouse Employees' Federation of Australia, an employer may substitute some other colour for black, or black and white, for any employee or section of employees, and under such circumstances the employer shall not be required to supply, launder or pay for such special uniform, dress or clothing.

NOTICE OF INTENTION TO RATION.

12. Where an employer owing to slackness of trade desires to ration his employees, he shall give at least two clear working days' notice to each employee of his intention to ration such employee.

ANNUAL LEAVE.

13. (*a*) Any employee on the completion of each twelve months' service with an employer shall be granted twelve consecutive working days' annual leave, exclusive of the holidays mentioned in clause 15, on full pay, and such leave shall be given within three months of the completion of each such twelve months' service.

(*b*) Any employee who leaves or is dismissed for any reason other than for a misdemeanour, after having completed not less than six months' service during the first twelve months' qualifying period of service with an employer, shall in lieu of annual leave be given one-half day's pay for each complete month of service with such employer.

(*c*) Any employee who leaves or is dismissed for any reason other than for a misdemeanour after having completed one or more years of service with an employer, but before having completed a further full qualifying twelve-monthly period of service with such employer, shall, in lieu of annual leave for that period, be given one day's pay for each complete month of service during such further qualifying twelve-monthly period.

TERMINATION OF EMPLOYMENT.

14. Except where the conduct of an employee justifies instant dismissal, seven days' notice of termination of employment shall be given by either employer or employee, or one week's wages shall be paid or forfeited in lieu thereof. This provision shall only apply in the case of an employee who has been employed continuously for three months or more.

SPECIAL RATES FOR SUNDAYS AND HOLIDAYS.

15. The special rates for all work done on Sundays or the undermentioned Public Holidays shall be—

Sunday	Double time.
New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Melbourne Cup Day (Metropolitan District only) Christmas Day, Boxing Day, or after 12.30 p.m. on Show Day in localities mentioned in the Twelfth Schedule to the *Public Service Act* 1928, within the area to which this Determination applies	Double time.
Easter Saturday	Five times the ordinary rate.

If, by Act of Parliament or Proclamation, any other day be substituted for any of the above-named holidays, the special rate shall be payable only for work done on the day so substituted.

PAYMENT OF WAGES.

16. Payment of all moneys due shall be made not later than Thursday of each week, and during working hours.

REFERENCE.

17. An employee, on severing his or her connexion with an employer, shall be entitled to and shall receive from such employer a reference in writing, stating his or her period of service and duties performed. This provision shall apply only in the case of an employee who has been employed continuously for three months or more.

DETERMINATION TO BE AVAILABLE.

18. A copy of this Determination shall be kept in a conspicuous place on each floor of a building in which work covered by this Determination is done. Such Determination shall readily be available for inspection at any time. Nothing in this clause shall however, operate where a copy of the Determination is kept posted on the notice board in a staff room on the establishment.

A. V. BARNS, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 6th November, 1944.

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