



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 29]

WEDNESDAY, FEBRUARY 16.

[1944

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 16 (HARDWARE).

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 in 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 appointed to "determine the lowest prices or rates which may be paid to any persons employed in the business of a seller of hardware—wholesale or retail"—but not including:—

(a) persons employed in assembling ordered goods kept in a bulk store or iron yard;

(b) persons employed as storemen, packers, or sorters—

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 22nd February, 1944, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers. (The Masculine to include the Feminine.)	Other Employees. (The Masculine to include the Feminine.)	Metropolitan District.	Outside Metropolitan District where Determination Applies.
WAGES.	WAGES.	Per week of 46 hours.	Per week of 46 hours.
£ s. d.	£ s. d.	£ s. d.	£ s. d.
Under 16 years of age	Departmental managers, or branch managers, having under their control—		
16 years of age	5 or more salesmen, 23 years of age or over	7 6 0	7 1 9
17 "	4 salesmen " "	6 10 3	6 15 6
18 "	3 salesmen " "	6 11 6	6 7 9
19 "	2 salesmen " "	6 5 6	6 1 3
20 "	1 salesman " "	6 2 3	5 18 3
	Other Branch Managers " "	6 2 3	5 18 3
	Outside salesmen—		
	21 years of age	5 7 0	5 4 6
	22 "	5 15 6	5 13 0
	23 " and over	6 6 0	6 3 0
	Salesmen or Buyers:—		
	21 years of age	4 17 0	4 14 6
	22 "	5 5 6	5 3 0
	23 " and over	5 16 0	5 13 0
	Assemblers of Ordered Goods:—		
	21 years of age	4 17 0	4 14 6
	22 "	5 0 6	5 0 6
	23 " and over	5 9 0	5 9 0
	NOTE.—See Clause 19 <i>re</i> Definitions.		

PROPORTION (in any shop or place).

One apprentice to every three workers or fraction of three workers employed, and receiving not less than the minimum wage.

One improver to one worker
Two improvers to two, three or four workers
Three improvers to five, six or seven workers
Four improvers to eight workers
Five improvers to nine or ten workers and thereafter one improver to every two or fraction of two workers.

Receiving not less than the rates fixed for assemblers of ordered goods 23 years of age and over.

3. TIMES OF BEGINNING AND ENDING WORK.

	Time of Beginning.	Time of Ending.
On the usual Half Holiday	8 a.m.	12.45 p.m.
On all the other working days of the week	8 a.m.	6 p.m.

4.

OVERTIME.

Within the times fixed for beginning and ending work in excess of 46 hours .. } Time and a half, with a minimum
 Outside the times of beginning and ending work } payment of 1s. per hour.

MEAL MONEY.

5. Where overtime, as in the preceding clause, is performed on any day in the week, an allowance of 1s. 6J. shall be made for meal money, and shall be paid on the day when such work is performed.

SPECIAL RATES.

6. Double time shall be the rate payable for all work done on Sunday, New Year's Day, Australia Day Good Friday, Easter Saturday, Easter Monday, Labour Day, King's Birthday, Christmas Day, Boxing Day and on Cup Day (Metropolitan District only), or after 12.30 p.m. on Show Day (in localities mentioned in the Twelfth Schedule to the *Public Service Act 1928*), but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays the special rate shall be payable only for work done on the day so substituted.

TIME RATE.

7. Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall for each hour worked up to 23 hours be paid—

(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 each hour worked beyond the 23 hours aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

TERMINATION OF EMPLOYMENT.

8. 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.

PAY DAY.

9. All wages, overtime, &c., shall be paid not later than Thursday of each week.

NOTICE TO WORK OVERTIME.

10. At least 24 hours' notice shall be given when overtime is required to be worked.

NOTICE OF INTENTION TO RATION.

11. Where an employer owing to slackness of trade desires to ration his employees, he shall give seven days' notice to each employee of his intention to ration such employee.

ANNUAL HOLIDAYS.

12. Any employee who has been in the service of an employer for a period of not less than twelve months shall be granted one week's holiday (exclusive of the holidays mentioned in clause 6) in respect of each year on full pay.

Provided that after the expiration of six months, but before the completion of twelve months' service, an employee on leaving or being dismissed from his employment shall be paid one day's pay for each two months' service.

SICK PAY.

13. (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 without deduction of pay.

MEAL INTERVALS.

14. Not less than one hour shall be given for a meal, between the hours of 12 noon and 3 p.m.

NOTE.—Section 117 (3) of the *Factories and Shops Act 1928* (No. 3877) provides that no person shall be employed in any shop more than five hours without an interval for a meal.

BICYCLE ALLOWANCE.

15. Where a bicycle is provided by an employee and is required to be used in connexion with his employer's business, an allowance of 2s. 6d. per week in addition to the ordinary wage shall be paid by the employer.

GARMENT ALLOWANCE.

16. Any employee who is required to wear, when at work, a washable outer garment, dust coat, or overall, shall be paid 2s. 6d. per week in addition to the ordinary wage, unless the garment is both provided and laundered by the employer.

REFERENCE.

17. On an employee being dismissed or leaving his employment he shall be entitled to a reference showing his period of service and qualifications.

TIME AND WAGES RECORDS.

18. Time and wages records showing the name of each employee, the hours worked each week by, and the wages and overtime paid to, each employee, shall be kept by his employer and completed weekly.

DEFINITIONS.

19. "Departmental manager" shall mean a person having the control of one or more salesmen, 23 years of age or over, notwithstanding he may be under the orders of a general manager.

"Branch manager" shall mean and include a person for the time being entrusted with the control or superintendence of a shop or of a branch shop (the proprietor of which is trading under his own or a different name), notwithstanding such manager may be under the orders of a superior who does not devote the whole of his time to the management of the said shop or branch shop.

"Outside salesman" shall mean an employee who for at least half the working hours in any week solicits or receives orders for goods while absent from the shop where he is employed, whether such goods are kept in stock or have to be procured in order to fulfil such orders.

"Assembler" shall mean an employee 21 years of age or over who is engaged in assembling goods for order and despatch from salesmen's and/or travellers' lists or invoices.

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

J. W. RYAN, Secretary.

Melbourne, 14th February, 1944.

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



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 30]

MONDAY, FEBRUARY 21.

[1944

Factories and Shops Acts.

DETERMINATION OF THE WATCHMEN'S BOARD.

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

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

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

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

1. That as from the beginning of the first pay period to commence on or after the 24th February, 1944, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Classes of Employees.	Wages per Week of 48 Hours.					
	Within a Radius of 20 Miles of G.P.O., Melbourne, 10 Miles of G.P.O., Geelong, at Warranboool, and within Mildura and Gippsland Districts.			Other Parts of Victoria where this Determination applies.		
	Wages.	War Time Loading.	Total.	Wages.	War Time Loading.	Total.
	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>
Watchman, who in addition to watching, performs manual work not subject to the Determination of any other Wages Board, while performing such work, at the rate of	122	3	3	0	125	3
All others	109	9	3	0	112	9
	106	9	3	0	109	9

CASUAL WATCHMEN.

3. Casual Watchmen—*i.e.* persons employed by the hour as watchmen on wharfs and/or ships in connection with overseas and/or interstate shipping shall be paid at the rate of 3s. 2½d. per hour.

OVERTIME.

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

(b) For the purpose of computing overtime, all time actually worked on Sundays or public holidays as shown in Clause 6 herein shall be included and the overtime rate shall be paid in addition to the special rate.

EMPLOYMENT FOR LESS THAN FULL WEEK.

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

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

SPECIAL RATES.

6. Time and a half shall be the special rate for all work done on Sunday, New Year's Day, 26th January (Australia Day), Good Friday, Easter Monday, Labour Day (21st April), Anzac Day, King's Birthday, Christmas Day, and Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted:

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

TRAVELLING TIME AND FARES.

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

EMPLOYEE PROVIDING OWN BICYCLE.

8. Any patrol watchman required by his employer to provide his own bicycle shall receive 1s. per week extra.

MINIMUM PAYMENT.

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

PAYMENT FOR MEAL TIMES.

10. No deduction shall be made in an employee's time for a meal period unless he is permitted to leave his employer's premises for such meal.

MEAL ALLOWANCE.

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

ANNUAL LEAVE.

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

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

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

SICK LEAVE.

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

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

J. V. WILLOX, Secretary.

Melbourne, 16th February, 1944.