



VICTORIA GOVERNMENT GAZETTE.

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TUESDAY, OCTOBER 9.

[1945

Factories and Shops Acts.

DETERMINATION OF THE PLUMBERS BOARD.

NOTES.—(1) This Determination applies to the whole of the State of Victoria.

(2) Plumbing and Gasfitting were proclaimed on the 10th October, 1928, as Apprenticeship Trades under the Apprenticeship Act 1928, for the Metropolitan District, and on the 23rd March, 1938, for the City of Ballarat and the borough of Sebastopol, and the cities of Geelong and Geelong West, the town of Newtown and Chilwell, and the Moorpanyal riding of the shire of Corio.

Full particulars of the Apprenticeship Regulations for these trades may be obtained on application to the Secretary, Apprenticeship Commission, Gisborne-street, Melbourne, C.2.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board, which, since the 24th April, 1939 has had the power to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons whosoever employed in any plumbing work (including electrical or gasfitting) or employed in fixing any material used instead of metal for pipes, guttering, or roof covering (other than slates or tiles) in connexion with the erection or repair of buildings"—has made the following determination, namely—

- (a) That as from the beginning of the first pay period to commence on or after the 18th September, 1945, the last previous Determination of this Board shall be revoked and replaced by this Determination.
- (b) That Part I. hereof shall apply to all persons other than those employed by Gas Companies.
- (c) That Part II. hereof shall apply to all persons employed by Gas Companies.
- (d) That Part III. hereof shall apply to all persons employed under this Determination.

PART I.

1. This Part applies to all persons other than those employed by Gas Companies.

Apprentices (other than those covered by the Apprenticeship Commission).		Improvers.*	Other Employees.	
WAGES.		WAGES.		
	Per Week. of 44 Hours. s. d.			
1st year	19 9	1st year	29 6	
2nd	27 10	2nd	36 11	
3rd	36 7	3rd	44 4	
4th	49 9	4th	66 4	
5th	65 11	5th	88 6	
6th	90 9	6th	114 0	
and thereafter the minimum wage.		and thereafter the minimum wage.		
PROPORTION (within any factory or place).		PROPORTION (within any factory or place).		
One apprentice to every two or fraction of two workers receiving not less than £7 8s. 3d. per week of 44 hours.		One improver to four		
An indenture of apprenticeship prescribed by the Board, as amended by the Court of Industrial Appeals, was approved on 7th September, 1923.		Two improvers to fifteen		
		Three improvers to thirty		
		and thereafter one additional improver to every seven additional		
		workers receiving not less than £7 8s. 3d. per week of 44 hours.		
		Person employed—		
		(a) Where the artificial temperature is—		
		Over 130° F.		11 7 10 5 2 ² / ₂₂
		115° F., but not exceeding 130° F.		10 11 0 4 9 ⁹ / ₁₁
		50° F. or lower		11 7 10 5 2 ² / ₂₂
		(b) In connexion with ammonia coils in an artificial temperature of 45° F. or lower		9 9 4 4 3 ⁷ / ₁₁
		(c) Lead burning or at lead work connected therewith		8 12 6 3 11 ¹ / ₂₂
		(d) On fitting, jointing, or fixing any class of pipes or ducts (except those used for electrical conduit, or for the conveyance of high pressure steam to machinery for power)		7 8 3 3 4 ¹⁰ / ₄₄
		(e) In fixing any material used instead of metal for pipes, guttering, or roof covering		7 8 3 3 4 ¹⁰ / ₄₄
		(f) At any other plumbing or gasfitting (but not including the fixing of gas mantles, or gas main or service laying)		7 8 3 3 4 ¹⁰ / ₄₄
		NOTE.—See clause 7 re casual rate, and clause 3 re ship work.		

* The employment of any improver within the Metropolitan District and any new improver within the City of Ballarat and the borough of Sebastopol, and the cities of Geelong and Geelong West, the town of Newtown and Chilwell, and the Moorpanyal riding of the shire of Corio is illegal.

NOTE.—The wages prescribed above for 'other employees' include an amount of 7s. 8d. in the case of rates per week, and 2²/₂₂d. in the case of rates per hour, and also include as a war loading the sum of 6s. in the case of rates per week, and 1¹/₁₁d. in the case of rates per hour.

ALLOWANCES.

2. The following allowances in addition to wages rates shall be paid —

(a) To a person employed on work away from the centre—

- (i) An amount equal to the fares payable by the most convenient public conveyance to go from and to the centre to and from his work.

The provisions of this sub-clause shall not apply where the employer provides a convenient conveyance.

- (ii) For time necessarily occupied in travelling from and to the centre to and from his work.—

(a) During usual working hours

(b) Outside usual working hours—

Time in excess of a total of 1½ hours occupied in going from and to the centre to and from his work

Ordinary rates.

- (iii) For work done at a distance from the centre, if the employee is unable to return to his home the same night, and suitable board and lodging has not been provided by the employer

8½d. per hour extra.

For the purpose of the above sub-clauses "Centre" shall mean the employer's usual place of business.

(b) To a person employed—

- (i) On work requiring a swing scaffold, swing seat, or rope, or on a ladder exceeding 25 feet in height; or

- (ii) Clearing stoppages in soil or waste pipes, or sewer drain pipes, also repairing, and putting same in proper order; or

- (iii) On work in any confined space other than in a ship; or

- (iv) On work in wet places, other than in a ship

1s. for the first four hours or any portion thereof, and 3d. for each hour thereafter on any day.

SHIP WORK.

3. (i) All work done on a ship of any class—

- (a) whilst it is under way; or

- (b) in wet places or confined spaces; or

- (c) in a ship which has done one trip or more, in oil fuel tanks, in bilges under engine-room or stokehold or on soil pipes—shall be paid for at the rate of 8d. per hour in addition to the ordinary wage.

(ii) For the purposes of this paragraph—

"Wet Place" means one in which the clothing of the workman necessarily is wetted to an uncomfortable degree, or one in which water accumulates underfoot to a depth exceeding two inches.

"Confined Space" means one of which the dimensions are such that the workman must work in a stooped or cramped position, or without adequate ventilation, or where confinement within a limited space is productive of unusual discomfort to him.

- (iii) Should the employer and the workman be unable to agree whether or not any work done by the latter is such as entitles him to the additional wage provided by this paragraph, the question is to be submitted to a Referee, chosen by the parties, whose decision will be binding on both of them. In the event of the parties being unable to agree on a Referee, application is to be made to the Secretary of the Department of Labour of the State of Victoria to appoint an Inspector to determine the matter in dispute, and the decision of such Inspector will be binding on both of them.

ORDINARY WEEK'S WORK.

4. The ordinary hours for a week's work shall be 44 hours which may be worked by mutual agreement between the employer and employee as follows —

- (a) On five days of 8 hours each and one day (Saturday) of 4 hours, or

- (b) On five days of 8 hours 48 minutes each.

A meal break of not less than 42 minutes shall be allowed each day between noon and 2 p.m.

TIMES OF BEGINNING AND ENDING WORK.

5. The ordinary times of beginning and ending work shall be within the following hours —

	Time of beginning.	Time of Ending.
(a) Where a five-day week is worked	7.30 a.m.	5.30 p.m.
(b) Where a six-day week is worked		
Saturday	7.45 a.m.	noon
On other week days	7.45 a.m.	5.15 p.m.

OVERTIME.

6. Overtime shall be paid for as follows —

- (a) Outside the hours fixed in clause 5 of this Part.

- (i) Before the time of beginning work

- (ii) After the time of ending work

Double Time.

Time and a half for the first hour and double time thereafter.

- (b) Within the hours fixed in clause 5 of this Part in excess of 44 hours in any week —

- First hour

- Thereafter

Time and a half.

Double time.

NOTE.—Where a five-day week is worked, work done on a Saturday shall be deemed to be outside the times of beginning and ending work, and be paid for as prescribed in sub-clause (a) (ii) hereof.

- (c) An employee, other than a casual employee, after the completion of overtime work performed after his usual ceasing time, and commenced prior to midnight shall be entitled to be absent until he has had eight consecutive hours off duty, without deduction of pay for ordinary time of duty occurring during such absence.

If, on the instructions of his employer, any employee resumes work without having had such eight hours off duty, he shall be paid at double rates until he is relieved from duty to take such rest period and he shall then be entitled to be absent until he has had eight consecutive hours off duty, without deduction of pay for ordinary time of duty occurring during such absence.

- (d) An employee recalled to work overtime after leaving his employer's business premises shall be paid at the appropriate rate for such work with a minimum of four and a half hours' pay at the ordinary rate for each time he is so recalled.

- (e) An employee shall not be compelled to work for more than six hours without a break for a meal.

- (f) An employee required to work overtime for more than two hours without being notified the day before that he will be so required to work, shall either be supplied with a meal by the employer or paid 2s. and 1s. 3d. for each subsequent meal, but such payment need not be made to employees living in the same locality as their workshop who can reasonably return home for meals.

- (g) An employee working overtime after the evening meal break shall be allowed a crib time of twenty minutes after each four hours of overtime work, if the employee continues work after such crib time. Such crib time shall be paid for at the ordinary rate.

CASUAL LABOUR.

7. Casual employees (i.e., persons employed during the week for not more than one-half the maximum number of hours fixed in this Determination as a week's work) shall be paid at the ordinary hourly rate with an addition of 10 per centum.

SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS.

8. Double time shall be the special rate for all work done on Sundays, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day (by persons not subject to *Anzac Day Act 1928*) King's Birthday, Christmas Day, Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the abovenamed holidays, the special rates shall only be payable for the day so substituted.

EMPLOYEE ATTENDING FOR DUTY.

9. When an employee in accordance with directions given by an employer or his responsible representative, attends for duty at the place so directed, but his services are not required, such employee shall be paid 5s. and an amount equal to the fares to and from such place: Provided that where on any day work is commenced and is stopped before noon owing to wet or inclement weather, the employee shall be paid up to noon and then released from further attendance on that day. Where owing to wet or inclement weather work is stopped after noon, the employee shall be paid up to the time at which work usually ends.

TOOLS AND APPLIANCES.

10. That if any employee is required to provide any or all of the following tools or appliances:—

Caulking-irons, drilling frame and chain, tap key, chain wrenches, files, grips or tongs of over 12 inches in length, hacksaw frame or blades, mandrils, dummies, metal pots, pipe cutters, plumbing irons, ratchets, stocks, dies, drills for stone, taps and drills for brass or iron threads, or vices—

1s. per hour in addition to the ordinary rates fixed by this Part shall be paid by the employer.

DAMAGE TO CLOTHING AND TOOLS.

11. Compensation to the extent of the damage sustained shall be made where, in the course of the work, clothing or tools are damaged or destroyed by fire or through the use of corrosive substances: Provided that the employer's liability in respect of tools shall be limited to such tools of trade as are ordinarily required for the performance of the employee's duties.

DAY FOR PAYMENT OF WAGES.

12. Wages, allowances and other moneys due, shall be paid not later than the time of ceasing work on Thursday of each working week. On termination of employment by the employer, all wages, allowances and other moneys, shall be paid at the time of dismissal. The employee shall not be deemed to have ceased employment until he has been paid.

REST PERIOD.

13. There shall be a rest period of ten minutes from the time of ceasing to the time of the resumption of work, between the hours of 9 a.m. and 11 a.m., without deduction of pay.

SUPPLY OF HOT WATER.

14. The employer shall provide facilities to enable the employee to obtain an adequate supply of hot water at meal times and during the morning rest period.

ANNUAL LEAVE.

15. (a) Except as hereinafter provided a period of seven consecutive days' leave shall be allowed annually to all employees after twelve months' continuous service (less the period of annual leave).

(b) Annual leave shall be given at a time fixed by the employer within a period not exceeding three months from the date when the right to annual leave accrued and after not less than one week's notice to the employee concerned.

(c) An employer may allow annual leave to an employee before the right thereto has accrued due, but where leave is taken in such a case a further period of annual leave shall not commence to accrue until after the expiration of the twelve months in respect of which annual leave had been taken before it accrued.

(d) If after six months' continuous service in any qualifying twelve-monthly period an employee leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid one-sixth of a week's wage in respect of each completed two months of continuous service in respect of which leave has not been granted hereunder.

(e) Each employee before going on leave shall be paid a week's wage. For the purpose of this sub-clause and sub-clause (d) hereof the week's wage shall be at the rate prescribed by clause 1 of this Part for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of the employment as the case may be.

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

(g) Notwithstanding anything herein provided an employer who gives to an employee leave of absence without loss of pay throughout the interval of time—

(i) between the days observed hereunder as the Christmas Day holiday and the New Year's Day holiday; or

(ii) between the day immediately preceding the Good Friday holiday and the Monday next after the Easter Monday holiday, shall be deemed thereby to fulfil all obligations to that employee under this clause in respect of the period of twelve months' service referred to in sub-clause (a) hereof. The provisions of sub-clause (c) hereof shall apply to this sub-clause.

(h) Where leave has been granted to an employee pursuant to sub-clauses (c) or (g) hereof before the right thereto has accrued due and the employee subsequently leaves or is discharged from the service of the employer before completing the twelve months' continuous service in respect of which the leave was granted the employer may for each two complete months of the qualifying period of twelve months not served by the employee deduct from whatever remuneration is payable upon the termination of the employment one-sixth of the amount of wage paid on account of the annual leave, which amount shall not include any sums paid for any of the holidays prescribed in clause 8 of this Part.

(i) For the purposes of this clause service shall be deemed to be continuous notwithstanding.

(i) any interruption or determination of the employment by the employer if such interruption or determination has been made merely with the intention of avoiding obligations hereunder in respect of leave of absence;

(ii) any absence from work on account of sickness or accident or military service, and in calculating the period of twelve months' continuous service absence on account of sickness or accident to the extent of fourteen days in any twelve months, shall be deemed to be part of the period of continuous service; or

(iii) any termination of the employment by the employee if such termination has been made merely with the intention of preventing the operation of sub-clause (g) hereof.

(j) For the purpose of this clause a month shall be reckoned as commencing with the beginning of the first day of the employment or period of employment in question and as ending at the beginning of the day which in the latest month in question has the same date number as that which the commencing day had in its month and if there be no such day in such subsequent month shall be reckoned as ending at the end of such subsequent month.

(k) Where the employer is a successor or assignee or transferee of a business if an employee was in the employment of the employer's predecessor at the time when he became such successor or assignee or transferee the employee in respect of the period during which he was in the services of the predecessor shall for the purpose of this clause be deemed to be in the service of the employer.

ADDITIONAL ANNUAL LEAVE AND SICK LEAVE.

16. When it is a constant condition of employment that an employee is continuously required to work, or on call for work, on week ends (i.e., Saturdays and Sundays) such employee shall be entitled to:—

(a) one week's additional annual leave with pay, and

(b) payment for a maximum of forty four hours for sickness (duly certified) in any one year, provided that in the event of an employee not claiming payment in whole or in part in any year, the number of days not claimed shall be held to his credit the following year or years, subject to a maximum payment of 132 hours for sickness.

For the purposes of sub-clause (b) hereof service prior to the 1st July, 1945 shall be disregarded.

TIME OFF FOLLOWING ACCIDENT.

17. An employee suffering injury through an accident arising out of and in the course of his employment (not being an injury in respect of which he is entitled to workers' compensation) necessitating his attendance during working hours on a doctor, chemist or trained nurse, or at a hospital, shall not suffer any deduction from his pay for time (not exceeding four hours) so occupied on the day of the accident and shall be reimbursed by the employer all expenses reasonably incurred in connexion with such attendance.

TERMINATION OF EMPLOYMENT.

18. One hour's notice of termination of employment shall be given by either employer or employee, or one hour's pay shall be paid or forfeited in lieu thereof. Such hour shall be allowed the employee to gather, clean, pack, and transport his tools.

PART II.

This Part applies to all persons employed by Gas Companies.

1.

Apprentices (other than those covered by the Apprenticeship Commission).	Improvers.*	Other Employees.	
		Wages Per Week of 44 Hours.	Wages Per Hour.
WAGES.	WAGES.	£ s. d.	s. d.
Per Week of 44 Hours.	Per Week of 44 Hours.		
s. d.	s. d.		
1st year 19 9	1st year 29 6	Persons employed— (a) Where the artificial temperature is— Over 130° F... .. 11 4 7 115° F., but not exceeding 130° F. .. . 10 7 9 50° F. or lower .. . 11 4 7	
2nd „ 27 10	2nd „ 36 11		
3rd „ 36 7	3rd „ 44 4	(b) In connexion with ammonia coils in an artificial temperature of 45° F. or lower .. . 9 6 1	
4th „ 49 9	4th „ 66 4		
5th „ 65 11	5th „ 88 6	(c) Lead burning or at lead work connected therewith .. . 8 9 3	
6th „ 90 9	6th „ 114 0		
and thereafter the minimum wage.	and thereafter the minimum wage.	(d) On fitting, jointing, or fixing any class of pipes or ducts (except those used for electrical conduit, or for the conveyance of high pressure steam to machinery for power) .. . 7 5 0	
PROPORTION (within any factory or place).	PROPORTION (within any factory or place).	(e) In fixing any material used instead of metal for pipes, guttering, or roof covering .. . 7 5 0	
One apprentice to every two or fraction of two workers receiving not less than £7 5s. 0d. per week of 44 hours.	One improver to four		
An indenture of apprenticeship prescribed by the Board, as amended by the Court of Industrial Appeals, was approved on 7th September, 1923.	Two improvers to fifteen	(f) At any other plumbing or gas-fitting (but not including the fixing of gas mantles, or gas main or service laying) .. . 7 5 0	
	Three improvers to thirty		
	and thereafter one additional improver to every seven additional	NOTE.—See clause 9 re casual rate.	

* The employment of any improver within the Metropolitan District and any new improver within the City of Ballarat and the borough of Sebastopol, and the cities of Geelong and Geelong West, the town of Newtown and Chilwell, and the Moorparryal riding of the shire of Corio is illegal.

NOTE.—The Wages prescribed above for 'other employees' include as a war loading the sum of 6s. in the case of rates per week, and the sum of 1½d. in the case of rates per hour.

TIMES OF BEGINNING AND ENDING WORK.

2.	Time of beginning.	Time of Ending.
	7.45 a.m.	12 noon on Saturday or the day on which the half-holiday is locally observed, and
	7.45 a.m.	5.15 p.m. on the other working days of the week.

OVERTIME.

3. The following rates shall be paid for all work done during the times specified hereunder:—

(a) Outside the hours fixed in Clause 2 of this Part:—

	On Saturday or the Day on which the Half-holiday is Locally Observed.	On the other Working Days of the Week.
Between 5.15 p.m. and 6.15 p.m.	Time and a half
6.15 p.m. and midnight	Double time
12 noon and 1 p.m.	Time and a half
1 p.m. and midnight	Double time
Midnight and 7.45 a.m.	Double time	Double time

(b) Within the hours fixed in Clause 2 of this Part in excess of 44 hours in any week:—

First hour	Time and a half
Thereafter	Double time.

SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS.

4. Double time shall be the special rate for all work done on Sundays, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day (by persons not subject to *Anzac Day Act 1928*), Christmas Day, Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the abovenamed holidays, the special rates shall only be payable for the day so substituted.

ALLOWANCES.

5. The following allowances in addition to wages rates shall be paid :—

(a) To a person employed on work away from the centre—

(i) An amount equal to the fares payable by the most convenient public conveyance to go from and to the centre to and from his work.

The provisions of this sub-clause shall not apply to the Metropolitan Gas Company or where the employer provides a convenient conveyance.

(ii) For time necessarily occupied in travelling from and to the centre to and from his work—

(a) During usual working hours

(b) Outside usual working hours

Time in excess of a total of 1½ hours occupied in going from and to the centre to and from his work

(iii) For work done at a distance from the centre, if the employee is unable to return to his home the same night, and suitable board and lodging has not been provided by the employer . . . 9½d. per hour extra.

For the purpose of the above sub-clauses "Centre" shall mean the employer's usual place of business or the employee's residence, whichever is nearer to the work.

(b) To a person employed—

(i) On work requiring a swing scaffold, swing seat, or rope, or on a ladder exceeding 25 feet in height; or

(ii) Clearing stoppages in soil or waste pipes, or sewer drain pipes, also repairing and putting same in proper order; or

(iii) On work in any confined space other than in a ship; or

(iv) On work in wet places, other than in a ship

1s. for the first four hours or any portion thereof, and 3d. for each hour thereafter on any day.

MEAL MONEY.

6. Where an employee is required to work overtime in excess of one hour, and has not been given notice of same on the previous working day, he shall be allowed on amount of 1s. 6d. for a meal.

EMPLOYEE ATTENDING FOR DUTY.

7. When an employee in accordance with directions given by an employer or his responsible representative, attends for duty at the place so directed, but his services are not required, such employee shall be paid 5s. and an amount equal to the fares to and from such place: Provided that where on any day work is commenced and is stopped before noon owing to wet or inclement weather, the employee shall be paid up to noon and then released from further attendance on that day. Where owing to wet or inclement weather work is stopped after noon, the employee shall be paid up to the time at which work usually ends.

TOOLS AND APPLIANCES.

8. That if any employee is required to provide any or all of the following tools or appliances :—

Caulking-irons, drilling frame and chain, tap key, chain wrenches, files, grips or tongs of over 12 inches in length, hacksaw frame or blades, mandrills, dummies, metal pots, pipe cutters, plumbing irons, ratchets, stocks, dies, drills for stone, taps and drills for brass or iron threads, or vyces—

1s. per hour in addition to the ordinary rates fixed by this Part shall be paid by the employer.

CASUAL LABOUR.

9. Casual employees (i.e., persons employed during the week for not more than one-half the maximum number of hours fixed in this Determination as a week's work) shall be paid at the ordinary hourly rate with an addition of 10 per centum.

TERMINATION OF EMPLOYMENT.

10. One hour's notice of termination of employment shall be given by either employer or employee, or one hour's pay shall be paid or forfeited in lieu thereof. Such hour shall be allowed the employee to gather, clean, pack, and transport his tools.

DAY FOR PAYMENT OF WAGES.

11. Wages, allowances and other moneys due shall be paid not later than 5 p.m. on Thursday of each working week. On termination of employment by the employer, all wages, allowances and other moneys shall be paid at the time of dismissal. The employee shall not be deemed to have ceased employment until he has been paid.

The provisions of this clause shall not apply in respect of persons employed by the Metropolitan Gas Company.

ANNUAL LEAVE.

12. (a) Except as hereinafter provided a period of seven consecutive days' leave shall be allowed annually to all employees after twelve months' continuous service (less the period of annual leave).

(b) Annual leave shall be given at a time fixed by the employer within a period not exceeding three months from the date when the right to annual leave accrued and after not less than one week's notice to the employee concerned.

(c) An employer may allow annual leave to an employee before the right thereto has accrued due, but where leave is taken in such a case a further period of annual leave shall not commence to accrue until after the expiration of the twelve months in respect of which annual leave had been taken before it accrued.

(d) If after six months' continuous service in any qualifying twelve-monthly period an employee leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid one-sixth of a week's wage in respect of each completed two months of continuous service in respect of which leave has not been granted hereunder.

(e) Each employee before going on leave shall be paid a week's wage. For the purpose of this sub-clause and sub-clause (d) hereof the week's wage shall be at the rate prescribed by clause 1 of this Part for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of the employment as the case may be.

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

(g) Notwithstanding anything herein provided an employer who gives to an employee leave of absence without loss of pay throughout the interval of time—

(i) between the days observed hereunder as the Christmas Day holiday and the New Year's Day holiday; or

(ii) between the day immediately preceeding the Good Friday holiday and the Monday next after the Easter Monday holiday shall be deemed thereby to fulfil all obligations to that employee under this clause in respect of the period of twelve months' service referred to in sub-clause (a) hereof. The provisions of sub-clause (c) hereof shall apply to this sub-clause.

(h) Where leave has been granted to an employee pursuant to sub-clauses (c) or (g) hereof before the right thereto has accrued due and the employee subsequently leaves or is discharged from the service of the employer before completing the twelve months' continuous service in respect of which the leave was granted the employer may for each two complete months of the qualifying period of twelve months not served by the employee deduct from whatever remuneration is payable upon the termination of the employment one-sixth of the amount of wage paid on account of the annual leave, which amount shall not include any sums paid for any of the holidays prescribed in clause 4 of this Part.

(i) For the purposes of this clause service shall be deemed to be continuous notwithstanding—

(i) any interruption or determination of the employment by the employer if such interruption or determination has been made merely with the intention of avoiding obligations hereunder in respect of leave of absence;

(ii) any absence from work on account of sickness or accident or military service, and in calculating the period of twelve months' continuous service absence on account of sickness or accident to the extent of fourteen days in any twelve months, shall be deemed to be part of the period of continuous service; or

(iii) any termination of the employment by the employee if such termination has been made merely with the intention of preventing the operation of sub-clause (g) hereof.

(j) For the purpose of this clause a month shall be reckoned as commencing with the beginning of the first day of the employment or period of employment in question and as ending at the beginning of the day which in the latest month in question has the same date number as that which the commencing day had in its month and if there be no such day in such subsequent month shall be reckoned as ending at the end of such subsequent month.

(k) Where the employer is a successor or assignee or transferee of a business if an employee was in the employment of the employer's predecessor at the time when he became such successor or assignee or transferee the employee in respect of the period during which he was in the services of the predecessor shall for the purpose of this clause be deemed to be in the service of the employer.

PART III.

This Part applies to all persons employed under this Determination.

PERIODICAL ADJUSTMENT OF WAGES.

1. The wages rates set out in clause 1 of Part I and clause 1 of Part II hereof are based upon the following basic wage and pursuant to the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically increased or decreased by the same amount, and at the same time, as such basic wage.

The basic wage shall be adjusted as prescribed in clause 2 of this Part.

Basic Wage.

Place.	Needs Basic Wage (Adjustable).	Loading (Constant).	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Throughout the State	4 12 0	6 0	4 18 0	Melbourne

ADJUSTMENT OF NEEDS BASIC WAGE.

2. (a) For work done before the beginning of the first pay period to commence in November, 1945, the rates prescribed in clause 1 of Part I and clause 1 of Part II hereof shall be paid.

(b) For work done during each future period of or near a quarter beginning with the first pay period to commence in a November, a February, a May, or an August, the amounts of the said rates shall be adjusted by the following method according to the position and fluctuations (if any) of the Commonwealth Statistician's "All Items" retail price index numbers.

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

(1) The index number set to be applied to a place is that assigned thereto in clause 1 of this Part.

(2) The index number for the calendar quarter next preceding the period of or near a quarter for which adjustment is to be made is to be ascertained.

(3) The amounts of addition or deduction assigned in the following table (or any extension thereof) in the index number division comprising such number are to be ascertained.

(4) These assigned amounts shall for work done during such period of or near a quarter be added to or deducted from the originally prescribed amounts of the rates in accordance with that table.

(5) The division called "original" in the following table is that for the Needs Basic Wage upon which the rates are to be deemed to have been originally prescribed.

Table.—Original Index Number Division.

Index Number Divisions for Additions.	Amounts of Addition or Deduction.		Index Number Divisions for Deduction.
	Per Week.	Per Week.	
	s.	s. d.	
994-1006	Nil	Nil	994-1006
1007-1018	1	0 0 ³ / ₁₁	982- 993
1019-1030	2	0 0 ⁴ / ₁₁	970- 981
1031-1043	3	0 0 ⁵ / ₁₁	957- 969
1044-1055	4	0 1 ¹ / ₁₁	945- 956
1056-1067	5	0 1 ⁴ / ₁₁	933- 944
1068-1080	6	0 1 ⁷ / ₁₁	920- 932
1081-1092	7	0 1 ¹⁰ / ₁₁	908- 919
1093-1104	8	0 2 ³ / ₁₁	896- 907
1105-1117	9	0 2 ⁵ / ₁₁	883- 895
1118-1129	10	0 2 ⁸ / ₁₁	871- 882

The index number divisions in this table are based upon the equating of the index number 1000 with a basic wage of 8s. per week and any extension of this table must be of the same construction as the table.

The wages rates of apprentices and improvers shall at the same time be adjusted proportionately to the adjustment of the Needs Basic Wage.

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

J. W. RYAN, Secretary.

Melbourne, 5th October, 1945.

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