



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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No. 186]

FRIDAY, MARCH 14.

[1947

Factories and Shops Acts.

DETERMINATION OF THE ENGRAVERS BOARD.

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

(2) The Engravers Board when first constituted had power to fix rates for any person or persons, or classes of persons, employed in the process, trade, or business of a process engraver. This power was taken away by Order in Council dated 26th August, 1913.

(3) On the 2nd October, 1917, the powers of the Engravers Board were extended to enable it to fix the lowest prices or rates which may be paid to any persons employed in the process, trade, business, or occupation of making (but not enamelling) metal badges.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the process, trade, or business of an engraver or die-sinker," has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 1st December, 1946, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers.							PROPORTION (IN ANY PLACE).		
WAGES PER WEEK OF 44 HOURS.							<i>Apprentices.</i>		
Apprentices.			Improvers.				One apprentice to every three or fraction of three workers receiving not less than 108s. per week.		
—	Weekly Rate.	War Loading.	Total Weekly Wage.	Weekly Rate.	War Loading.	Total Weekly Wage.	An indenture of apprenticeship prescribed was approved on 13th March, 1914.		
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>Improvers.</i>		
1st year's experience	15 3	0 6	15 9	26 6	0 9	27 3	One improver to every four workers receiving not less than 132s. per week.		
2nd "	22 0	0 9	22 9	33 3	1 0	34 3			
3rd "	33 9	1 0	34 9	40 0	1 3	41 3			
4th "	43 9	1 3	45 0	47 0	1 6	48 6			
5th "	51 6	1 6	53 0	60 6	1 9	62 3			
6th "	74 9	2 3	77 0	74 3	2 3	76 6			
and thereafter the minimum wage.									
WAGES PER WEEK OF 44 HOURS.							Other Employees.		
—	Weekly Rate.	War Loading.	Total Weekly Wage.	—	Weekly Rate.	War Loading.	Total Weekly Wage.		
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>		<i>£ s. d.</i>	<i>s. d.</i>	<i>£ s. d.</i>		
1st year	23 0	0 9	23 9	Die-sinkers by hand	6 19 0	6 0	7 5 0		
2nd "	27 9	0 9	28 6	Engravers by hand	6 8 0	4 0	6 12 0		
3rd "	33 9	1 0	34 9	Engravers, copper plate	6 8 0	4 0	6 12 0		
4th "	45 6	1 6	47 0	Steel stamp cutters	6 12 6	4 0	6 16 6		
5th "	56 6	1 9	58 3	Pantagraph operators	5 19 0	3 0	6 2 0		
6th "	68 6	2 0	70 6	Badge tool-makers	5 15 0	3 0	5 18 0		
				Stencil plate cutters	5 9 0	3 0	5 12 0		
				All others	5 6 0	2 0	5 8 0		

TIME OF BEGINNING AND ENDING WORK.

			Time of Beginning.	Time of Ending.
3.	On the day on which the half-holiday is usually observed .. ..	..	7.45 a.m.	12.30 p.m.
	On the other working days of the week .. ..	..	7.45 a.m.	6 p.m.

OVERTIME.

4. (a) Outside the hours fixed in clause 3—
- (i) Between 10 p.m. and midnight Time and three-quarters.
 - (ii) Between midnight and 6.30 a.m. Double time.
 - (iii) Any other time outside the times of beginning and ending work Time and a half.
- (b) Within the hours fixed in clause 3 in excess of 44 hours in any week Time and a half.

HOLIDAYS AND SUNDAY WORK.

5. Employees shall be entitled to the following public holidays without deduction of pay:—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, King's Birthday, Labour Day, Anzac Day, Christmas Day, and Boxing Day, or such other day as is generally observed in the locality as a substitute for any of the said days respectively.

In any year prior to King's Birthday where a majority of the employees in any establishment so decides, Melbourne Cup Day may be substituted for King's Birthday.

Work done on Sunday or on any of the above-mentioned holidays shall be paid for at the rate of double time.

EMPLOYMENT FOR LESS THAN FULL WEEK.

6. Subject to clause 5 persons who are employed for less than 44 hours during any week shall be paid not less than the ordinary wages rate calculated *pro rata* according to the number of hours worked.

SICK LEAVE.

7. (a) An employee on weekly hiring who is absent from his work on account of personal illness, or on account of injury by accident arising out of and in the course of his employment, shall be entitled to leave of absence without deduction of pay, subject to the following conditions and limitations:—

- (i) He shall not be entitled to paid leave of absence for any period in respect of which he is entitled to workers' compensation.
- (ii) He shall, within 24 hours of the commencement of such absence, inform the employer of his inability to attend for duty and, as far as practicable, state the nature of the injury or illness and the estimated duration of the absence.
- (iii) He shall prove to the satisfaction of his employer (or in the event of dispute the Wages Board) that he was unable on account of such illness or injury to attend for duty on the day or days for which sick leave is claimed.
- (iv) He shall not be entitled in any year (whether in the employ of one employer or of several) to leave in excess of 44 hours of working time.

For the purpose of administering paragraph (iv) of this sub-clause an employer may, within one month of this Determination coming into operation or within two weeks of the employee entering his employment, require an employee to make a sworn declaration or other written statement as to what paid leave of absence he has had from any employer during the then current year; and upon such statement the employer shall be entitled to rely and act.

Single Day Absences.

(b) In the case of an employee who claims to be allowed paid sick leave in accordance with this clause for an absence of one day only such employee if in the year he has already been allowed paid sick leave on more than one occasion for one day only, shall not be entitled to payment for the day claimed unless he produces to the employer a certificate of a duly-qualified medical practitioner that in his, the medical practitioner's, opinion, the employee was unable to attend for duty on account of personal illness or on account of injury by accident. Nothing in this sub-clause shall limit the employer's rights under sub-clause (a) (iii) hereof.

Cumulative Sick Leave.

(c) Sick leave shall accumulate from year to year so that any balance of the period specified in sub-clause (a) (iv) of this clause which has in any year not been allowed to an employee by an employer as paid sick leave may be claimed by the employee and subject to the conditions hereinbefore prescribed shall be allowed by that employer in a subsequent year without diminution of the sick leave prescribed in respect of that year. Provided that sick leave which accumulates pursuant to this sub-clause shall be available to the employee for a period of two years, but for no longer from the end of the year in which it accrues.

Attendance at Hospital, &c.

(d) Notwithstanding anything contained in sub-clause (a) hereof 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 the 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.

ANNUAL HOLIDAY.

8. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1946* and any amendments which may be made thereto from time to time.

DEFINITION.

9. "Year" means the period between the 1st day of June in each year and the next 31st day of May.

PERIODICAL ADJUSTMENT OF WAGES.

10. The wages rates set out in clause 2 are based upon the following basic wage rates, 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 adjusted as prescribed by Clause 11. Provided that the wages of apprentices, improvers, and juveniles shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded.

Basic Wage.

Place.	Needs Basic Wage (Adjustable).	Loading (Constant).	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Victoria	5 0 0	6 0	5 6 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

11. (a) For the purposes of this Determination the expression "Commonwealth Statistician's 'all items' retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician.

(b) Until the beginning of the first pay period to commence in February, 1947, the amounts of the basic wage shall be as prescribed in clause 10.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, the amount of the basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "all items" retail price index number by the factor .087 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach .5 or more the basic wage shall be taken to the next higher shilling.

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

J. W. RYAN. Secretary.

Melbourne, 7th January, 1947.



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FRIDAY, MARCH 14.

[1947

Factories and Shops Acts.

DETERMINATION OF THE TINSMITHS BOARD.

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

NOTE.—(2) Sheet Metal.—First Class Bench Work was proclaimed on 24th May, 1938, as an Apprenticeship Trade under the *Apprenticeship Act 1928*, for the Metropolitan District.

Full particulars of the Apprenticeship Regulations for this trade may be obtained on application to the Secretary, Apprenticeship Commission, Melbourne (price 3d.).

NOTE.—(3) On the 7th February, 1938, the Board was deprived of the power to determine the lowest prices or rates which may be paid to any person employed in the process, trade, or business of metal polishing, and such power was conferred exclusively on the Electroplaters Board.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which since the 7th February, 1938, has had the power to determine the lowest prices or rates which may be paid to any persons or classes of persons employed in the process trade or business of preparing or manufacturing articles made of tin plate or other metal, 10 gauge or lighter, including the japanning of such articles, but not including persons cutting patterns of boots, shoes, and slippers, or persons employed in the process trade or business of metal polishing, has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 1st December, 1946, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

WAGES.

Adults.	Per Week of 44 Hours—		
	Within 20 Miles of G.P.O., Melbourne; 10 Miles of G.P.O., Geelong; at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
	£ s. d.	£ s. d.	£ s. d.
<i>(a) Sheet Metal Section.</i>			
Sheet metal worker (1st class)	7 2 0	7 8 6	6 19 0
Sheet metal worker (2nd class)	6 10 0	6 16 6	6 7 0
Spinner (1st class)	6 14 0	6 0 6	6 11 0
Spinner other	6 1 0	6 7 6	5 18 0
Die setter	6 1 0	6 7 6	5 18 0
Die setter—press operator working from blue prints or plans	6 10 0	6 16 6	6 7 0
Press operator (heavy)	5 19 0	6 5 6	5 16 0
Press operator (light)	5 17 0	6 3 6	5 14 0
Solderer and dipper	5 19 0	6 5 6	5 16 0
Drop hammer stamper	5 19 0	6 5 6	5 16 0
Guillotine operator (as defined)	6 10 0	6 16 6	6 7 0
Guillotine operator (other)	5 17 0	6 3 6	5 14 0
Cutting machinist	5 17 0	6 3 6	5 14 0
Power machinist (not otherwise specified)	5 17 0	6 3 6	5 14 0
<i>(b) Welding Division.</i>			
Welder—			
1st class, other than when using Cutler machine	7 5 0	7 11 6	7 2 0
1st class, using Cutler machine	6 12 0	6 18 6	6 9 0
2nd class	6 3 0	6 9 6	6 0 0
3rd class	5 19 0	6 5 6	5 16 0
Tack welder	6 1 0	6 7 6	5 18 0
<i>(c) Canister-making.</i>			
Die setter and/or machine setter and/or leading press hand	6 1 0	6 7 6	5 18 0
Canister-maker by hand and riveter by hand	6 1 0	6 7 6	5 18 0
Solderer and dipper	5 17 0	6 3 6	5 14 0
Canister vent closer and solderer working on tins containing substances with an artificial temperature of 150° F. and over	6 1 0	6 7 6	5 18 0
Operator of power capping machines or metal pots on automatic machines	5 19 0	6 5 6	5 16 0
Operator of other power presses and other power machines	5 17 0	6 3 6	5 14 0
Cap solderer (not otherwise classified)	5 17 0	6 3 6	5 14 0

WAGES—continued.

Adults.	Per Week of 44 Hours—		
	Within 20 Miles of G.P.O., Melbourne; 10 Miles of G.P.O., Geelong; at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
	£ s. d.	£ s. d.	£ s. d.
<i>(d) Galvanizing.</i>			
Galvanizer	6 8 0	6 14 6	6 5 0
Tinner and grease tinner	6 8 0	6 14 6	6 5 0
Assistant working over metal pot	5 19 0	6 5 6	5 16 0
Pickler	5 18 0	6 4 6	5 15 0
All others in this Division	5 14 0	6 0 6	5 11 0
<i>(e) Painting and Japanning.</i>			
Artistic japanner and goldworker	6 10 0	6 16 6	6 7 0
Spray operator	6 1 0	6 7 6	5 18 0
Grainer, liner, and filliter	5 17 0	6 3 6	5 14 0
Painter and lacquerer	5 17 0	6 3 6	5 14 0
Dipper	5 17 0	6 3 6	5 14 0
<i>(f) Porcelain Enamelling.</i>			
Fuser	6 7 0	6 13 6	6 4 0
Fuser on medallions, badges, or buckles	5 17 0	6 3 6	5 14 0
Inspector—1st class (i.e., one who inspects finished enamel work as to quality)	5 18 0	6 4 6	5 15 0
Inspector (other)	5 15 0	6 1 6	5 12 0
Mill hand and mixer	5 18 0	6 4 6	5 15 0
Packer and despatcher	5 18 0	6 4 6	5 15 0
Pickler	5 18 0	6 4 6	5 15 0
Racksman	5 13 0	5 19 6	5 10 0
Sand and shot blaster	6 11 0	6 17 6	6 8 0
Sprayer	5 19 0	6 5 6	5 16 0
Swiller, gripper, and brusher	5 17 0	6 3 6	5 14 0
Employee not elsewhere classified in any Division	5 9 0	5 15 6	5 6 0
<i>(g) General.</i>			
Process worker	5 17 0	6 3 6	5 14 0
*Storeman and/or packer (tool and/or material store)	5 18 0	6 4 6	5 15 0

* Nothing in this classification shall require or permit the payment by an employer of any rates of ordinary wages lower than those paid or purporting to have been paid to storemen and packers by that employer pursuant to any Wages Board Determination when such rates were paid immediately prior to the 1st August, 1944.

Leading Hands.

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

Ship Repairing.

Employees engaged on ship repairs shall be paid the following additional margins:—

Tradesmen	s. d.
.. .. .	3 0 per week.
All other labour	2 0 per week.

APPRENTICESHIP.

3. (Other than those covered by the Apprenticeship Commission.)

Apprenticeship Trades.

(a) An employer shall not employ minors in the following trade or occupation otherwise than under a contract of apprenticeship as hereinafter provided:—

Sheet-metal worker—1st class.

Period of Apprenticeship.

(b) If the apprentice when indentured is under the age of seventeen years—five years; if over the age of seventeen years—four or five years, at the option of the contracting parties.

Contract of Apprenticeship.

(c) Every contract of apprenticeship hereinafter made shall contain—

- (i) the names of the parties;
- (ii) the date of birth of the apprentice;
- (iii) a statement of the trade or trades to which the apprentice is to be bound and which he is to be taught during the course and for the purpose of the apprenticeship;
- (iv) a covenant by the master to teach and instruct or cause the apprentice to be taught or instructed in the trade to which the apprentice is bound;
- (v) the date at which the apprenticeship is to commence or from which it is to be calculated;
- (vi) all other conditions of apprenticeship.

Cancellation or Suspension of Indenture.

(d) Subject to the approval of the Secretary for Labour, but not otherwise, an indenture of apprenticeship may be suspended or cancelled—

- (i) by mutual consent;
- (ii) if through lack of orders or financial difficulties an employer is unable to find suitable employment for an apprentice and a transfer to another employer cannot be arranged;
- (iii) if, in the opinion of the Secretary for Labour, circumstances exist which render such suspension or cancellation necessary or desirable.

Any covenant in an indenture inconsistent with the provisions of this clause shall be null and void and of no force or effect while this Determination remains in force and applies to the parties to the indenture.

Instruction in Welding.

(e) The training of apprentices to sheet-metal work shall include instruction in electric welding and/or oxy-acetylene welding as far as is practicable with the facilities available in the shop in which they are trained.

Proportion.

(f) An employer shall not employ apprentices in excess of the proportion hereinafter prescribed.

Subject to this sub-clause the proportion of apprentices who may be taken by an employer shall not exceed one apprentice to every three or fraction of three tradesmen in the trade concerned.

In the trade of—

Welder—1st class ;

the proportion of apprentices who may be taken by an employer shall not exceed one apprentice for every two or fraction of two tradesmen in the trade concerned.

For the purpose of ascertaining the number of apprentices, the number of tradesmen shall be deemed to be the average number working during the immediately preceding six months, and, in ascertaining such proportion, an employer actually working in any workshop shall be deemed to be a tradesman.

A person who is for a term not exceeding two years taking practical training in a workshop in continuance of a course of training for professional work shall not be taken into account in calculating the proportion of apprentices to journeymen.

Adult Apprentices.

(g) Any apprentice who cannot complete his full term of apprenticeship before reaching his twenty-second birthday may, by agreement with his master, serve as an apprentice until he reaches the age of 23 years.

Probationary Period.

(h) Minors may be taken on probation for three months and if apprenticed such three months shall count as part of their period of apprenticeship. An employer shall within fourteen days of employing a probationer notify the apprenticeship authorities of the employment of such probationer to any of the trades mentioned herein.

Wages.

(i) The minimum weekly rates of wages for apprentices shall be the under-mentioned percentages of the contemporaneous needs basic wage prescribed for the area in which they are employed, and in addition thereto the constant and war loadings specified, and in all contracts of apprenticeship hereafter made the employer shall covenant to pay wages of not less than such rates.

The total wage of apprentices shall be calculated to the nearest sixpence, any broken part of sixpence in the result not exceeding threepence to be disregarded.

(j) WAGES PER WEEK OF 44 HOURS.

	Percentage of Needs Basic Wage.	Constant Loading.	War Loading.	Total Wage Payable—		
				Within 20 Miles of G.P.O., Melbourne; 10 Miles of G.P.O., Geelong; at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
<i>Four and Five-year Terms.</i>						
	Per Week.	Per Week.	Per Week.	£ s. d.	£ s. d.	£ s. d.
1st year	22½	..	0 9	1 3 0	1 4 6	1 2 6
2nd year	30	1 0	1 0	1 12 0	1 14 0	1 11 0
3rd year	45	1 6	1 6	2 8 0	2 11 0	2 6 6
4th year	75	2 0	2 3	3 19 0	4 4 0	3 17 0
5th year	95	2 0	3 0	5 0 0	5 6 0	4 17 0
<i>Four-year Terms.—Apprentices commencing after the Age of 17 Years.</i>						
1st year	26	..	0 9	1 6 6	1 8 6	1 6 0
2nd year	45	1 0	1 6	2 7 6	2 10 6	2 6 0
3rd year	75	2 0	2 3	3 19 0	4 4 0	3 17 0
4th year	95	2 0	3 0	5 0 0	5 6 0	4 17 0

An employee who is under 21 years of age on the expiration of his apprenticeship and thereafter works as a minor in the occupation to which he has been apprenticed shall be paid at not less than the adult rate prescribed for that classification.

Hours.

(k) The ordinary hours of employment of apprentices shall not in each workshop exceed those of the journeymen.

Overtime and Shift Work.

(l) No apprentice under the age of 18 years shall be required to work overtime or shift work unless he so desires.

No apprentice shall except in an emergency work or be required to work overtime or shift work at times which would prevent his attendance at technical school as required by any statute, Determination or regulation applicable to him.

Payment by Results.

(m) An apprentice shall not work under any system of payment by results.

Lost Time.

(n) The apprentice at the end of the calendar period of any year in which he has actually given service to the master upon less than the ordinary working days prescribed in this Determination, or in which he has unlawfully absented himself without the master's consent shall, for every day short of the said number of working days, and for every day of such absence, serve one day, and the calendar period of the succeeding year of his service shall not be deemed to begin until the said additional day or days shall have been served. Provided that in calculating the extra time to be so served the apprentice shall be credited with time which he has worked during the relevant year in excess of his ordinary hours.

Prohibition of Premiums.

(o) An employer shall not, either directly or indirectly, or by any pretence or device receive from any person or require or permit any person to pay or give any consideration in the nature of a premium or bonus for the taking or binding of any probationer or apprentice.

Attendance at Technical Schools.

(p) Apprentices attending technical colleges or schools and presenting reports of satisfactory conduct shall be reimbursed all fees paid by them.

Annual and Sick Leave.

(g) Apprentices shall be entitled to sick and annual leave in accordance with the provisions of clauses 15 and 16 hereof respectively.

FEMALES AND UNAPPRENTICED MALE JUNIORS.

4. (a) Subject to the exception hereinafter provided, the minimum rates of wages for adult and junior females and for unapprenticed male juniors employed in occupations for which apprenticeship is not provided by this Determination shall be as follows:—

WAGES PER WEEK OF 44 HOURS.

	Percentage of Needs Basic Wage.	Constant Loading.	Total Wage Payable—		
			Within 20 miles of G.P.O., Melbourne; 10 miles of G.P.O., Geelong; at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
		s. d.	£ s. d.	£ s. d.	£ s. d.
<i>I.—Adult Females.</i>					
Under three months' experience	65	3 0	3 8 0	3 12 0	3 6 0
All others	75	3 0	3 18 0	4 3 0	3 15 6
<i>II.—Junior Females.</i>					
17 years of age and under	40	1 0	2 1 0	2 3 6	2 0 0
18 years of age	47½	1 3	2 8 6	2 12 0	2 7 6
19 years of age	55	1 6	2 16 6	3 0 0	2 15 0
20 years of age	62½	2 0	3 4 6	3 8 6	3 2 6
<i>III.—Male Junior Labour.</i>					
Under 16 years of age	25	0 6	1 5 6	1 7 0	1 4 6
16 years of age	35	0 9	1 15 6	1 18 0	1 14 6
17 years of age	47½	1 0	2 8 6	2 11 6	2 7 6
18 years of age	60	1 0	3 1 0	3 5 0	2 19 0
19 years of age	75	2 0	3 17 0	4 2 0	3 14 6
20 years of age	90	2 0	4 12 0	4 18 0	4 9 6

Provided that the rate payable to any employee shall not, excluding the constant loading, be less than 20s.

The total wage shall be calculated to the nearest sixpence, any broken part of sixpence in the result not exceeding threepence to be disregarded.

The minimum rate payable to a junior female of any age or a junior male of eighteen years or more each with less than six months' experience under this Determination shall, until he or she has had six months' experience, be 10 per cent. less than the amount represented by the percentage of the needs basic wage hereby prescribed for a junior employee of his or her age and in addition thereto the constant loading prescribed for such an employee.

Provided that this sub-clause shall not operate to reduce the rates paid to any female employee as from the beginning of the first pay period to commence in August, 1942.

Prohibited Occupations.

(b) Junior employees shall not be employed:—

- (i) If under the age of 16 years—
using electric arc or oxy-acetylene blow pipe; or
- (ii) If under 18 years of age—
die setting on power presses, or as operators of power driven guillotines.

SPECIAL RATES.

5. In addition to the wages prescribed in clauses 2, 3, and 4 hereof, the following special rates and allowances shall be paid to employees including apprentices and unapprenticed juniors:—

Boiling-down Works.

(a) Working in boiling-down works—1d. per hour extra.

Cold Places.

(b) Working for more than one hour in places where the temperature is reduced by artificial means below 32 degrees Fahrenheit, 1½d. per hour extra. Where the work continues for more than two hours employees shall be entitled to a rest period of twenty minutes every two hours without loss of pay.

Confined Spaces.

(c) Working in confined space (as defined), 3d. per hour extra.

Dirty Work.

(d) Work which a foreman and workman shall agree is of an unusually dirty or offensive nature, 1½d. per hour extra.

In case of disagreement between the foreman and workman, the workman or a shop steward on his behalf shall be entitled, within 24 hours, to ask for a decision on the workman's claim by the employer's industrial officer (if there be one), or otherwise by the employer or the executive officer responsible for the management or superintendence of the plant concerned. In such case a decision shall be given on the workman's claim within 48 hours of its being asked for (unless that time expires on a non-working day in which case it shall be given during the next working day), or else the said allowance shall be paid.

In any case where an organization alleges that an employer or his representative is persistently unreasonable or capricious in relation to such claims, it shall have the right to bring such case before the Wages Board.

Hot Places.

(e) Working for more than one hour in the shade in places where the temperature is raised by artificial means to between 115 and 130 degrees Fahrenheit, 1½d. per hour extra; in places where the temperature exceeds 130 degrees Fahrenheit, 3d. per hour extra. Where work continues for more than two hours in temperatures exceeding 130 degrees Fahrenheit, employees shall also be entitled to twenty minutes' rest after every two hours' work without deduction of pay. The temperature shall be decided by the foreman of the work after consultation with the employees who claim the extra rate.

(f) Working in lead works—1d. per hour extra.

Lead Works.

Meat Digestors and Oil Tanks.

(g) Working on repairs in oil tanks or meat digestors—1½d. per hour extra. Provided that if any employee is so engaged for more than half of one day or shift he shall be paid the prescribed allowance for the whole day or shift.

Sanitary Works.

(h) Working in sanitary works—1d. per hour extra.

Slag Wool.

(i) Employees handling loose slag wool, loose insul wool or other loose material of a like nature used for providing insulation against heat, cold or noise, shall when so employed on ship construction or ship repairing or on the construction, repair or demolition of furnaces, walls, floors and/or ceilings be paid 4d. per hour extra.

Slaughtering Yards.

(j) Working in slaughtering yards—1d. per hour extra.

War Damaged Ships.

(k) All employees engaged in the cutting and removal of torn, twisted, and displaced structural materials from vessels which have been damaged by bomb, mine, shell, or torpedo shall be paid extra rates as follows:—

- (i) where such damaged structural materials are covered in oil residue and/or other unusually obnoxious substances, and there is a risk of such materials falling, or there are difficulties in the way of securing a safe foothold for working—2d. per hour extra;
- (ii) where the work is carried out in the presence of explosives or combustible materials under conditions under which there is a risk of fire or explosion—4d. per hour extra;
- (iii) where as well as working under the conditions specified in paragraph (i) hereof an employee works under those specified in paragraph (ii) hereof—6d. per hour extra.

The question of whether the conditions specified in paragraphs (i) or (ii) hereof or both of them exist in any particular case shall be settled by agreement between the foreman and the workman concerned provided that in cases of disagreement the matter shall be settled as provided in sub-clause (d) hereof in the case of dirty work, and the provisions of that clause shall apply to claims under this sub-clause. In any case in which it is agreed or decided that the specified conditions exist the extra rate prescribed shall be paid for the whole of the time the employees are engaged cutting and removing the materials mentioned.

Wet Places.

(l) An employee working in any place where his clothing or boots become saturated, whether by water, oil or otherwise, shall be paid 2d. per hour extra: Provided that this extra rate shall not be payable to an employee who is provided by the employer with suitable and effective protective clothing and/or footwear: And provided further that any employee who becomes entitled to this extra rate shall be paid such extra rate for such part of the day or shift as he is required to work in wet clothing or boots.

Special Rates not cumulative.

(m) Where more than one of the disabilities entitling a workman to extra rates exist on the same job, the employer shall be bound to pay only one rate, namely, the highest for the disabilities so prevailing.

Rates not Subject to Penalty Additions.

(n) The special rates herein prescribed shall be paid irrespective of the times at which the work is performed, and shall not be subject to any premium or penalty additions.

TRAVELLING AND BOARD.

6. (a) An employee who on any day or from day to day is required to work at a job away from his accustomed workshop or depot shall at the direction of his employer present himself for work at such job at the usual starting time; but for all time reasonably spent in reaching and returning from such job (in excess of the time normally spent in travelling from his home to such workshop or depot and returning) he shall be paid travelling time, and also any fares reasonably incurred in excess of those normally incurred in travelling between his home and such workshop or depot.

An employee who with the approval of his employer uses his own means of transport for travelling to or from outside jobs shall be paid the amount of excess fares which he would have incurred in using public transport unless he has an arrangement with his employer for a regular allowance.

(b) An employee—

- (i) engaged in one locality to work in another; or
- (ii) sent from his usual locality to another for employment which can reasonably be regarded as permanent, involving a change of residence, shall be paid travelling time whilst necessarily travelling between such localities, and, for a period not exceeding three months, expenses.

(c) An employee sent from his usual locality to another (in circumstances other than those prescribed in sub-clause (b) hereof) and required to remain away from his usual place of abode shall be paid travelling time whilst necessarily travelling between such localities, and expenses whilst so absent from his usual locality.

(d) The rate of pay for travelling time shall be ordinary rates, except on Sundays and holidays, when it shall be time and a half.

(e) The maximum travelling time to be paid for shall be twelve hours out of every twenty-four hours, or when sleeping berth is provided by the employer for all-night travel, eight hours out of every twenty-four.

(f) "Expenses" for the purpose of this clause means:—

- (i) All fares reasonably incurred.

For boat travel the fares allowed shall be first-class on coastal boats, and on interstate boats where there is no second-class as distinct from steerage; and for rail travel, second-class, except where all-night travelling is involved, when they shall be first-class, with sleeping berth where available.

- (ii) Reasonable expenses incurred whilst travelling, including 2s. 6d. for each meal taken.
- (iii) A reasonable allowance to cover the cost incurred for board and lodging.

(g) A camping allowance of 3s. per day for every day, including Sunday, shall be paid to employees engaged on country jobs at places where ordinary board and residence is not obtainable and camping in tents, cubicles or other temporary shelter is necessary; Provided that where cooked meals are procurable by the employee at a mess established by the employer, the amount of such country allowance shall be 9d. per day for every day, including Sunday.

(h) Until further order an employer shall be free to engage labour on the site of a job carried on away from the workshop, without payment of any travelling time or fares, unless such employee is sent from the workshop; Provided that if any employee engaged for the erection of a job had previously been engaged by the same employer in the fabrication of the job in a workshop he shall be paid fares in excess of those incurred in travelling to and from the workshop.

HOURS OF WORK.

Day Workers.

7. (a) Subject to the exceptions hereinafter provided the ordinary hours of work shall be 44 per week to be worked in five days of 8 hours (Monday to Friday inclusive) and one day (Saturday) of 4 hours; or five days (Monday to Friday inclusive) of 8 hours 48 minutes each continuously except for meal breaks at the discretion of the employer, between 7 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 7 a.m. and noon on Saturday.

In localities where the recognized half-holiday is on a day other than Saturday the day so recognized may be substituted for Saturday for all the purposes of this Determination.

Provided that the spread of hours herein prescribed may be altered as to all or a section of the employees by mutual agreement between an employer and the representative of the union in that shop.

Five-days Week.

(b) In any case in which the ordinary week's work of 44 hours can be performed in five days as aforesaid without—

- (i) detriment to the public interest;
- (ii) loss in the value of goods handled or to be handled;
- (iii) reducing the efficiency of production; or
- (iv) reducing the efficacy of the necessary service,

the employer shall on or before the 1st July, 1946, allow those employees who so desire to do so to work their ordinary hours in five days as aforesaid. Any dispute as to whether the ordinary hours of work can in any case or cases be worked in five days without detriment, loss or reduction as aforesaid shall be determined by the Wages Board upon application made by or on behalf of the employees. Upon such an application proof that the working of a five-days week will result in such detriment, loss or reduction as aforesaid shall be upon the employer.

This sub-clause shall not apply to employees engaged on the maintenance and servicing of plant.

It is a condition of the allowing of a five-days week hereunder that if required employees shall comply with the reasonable and lawful orders of the employer as to working overtime, including the working of overtime on Saturday.

SHIFT WORK.

Definitions.

8. (a) For the purposes of this clause:—

- "Afternoon shift" means any shift finishing after 6 p.m. and at or before midnight.
- "Continuous work" means work carried on with consecutive shifts of men throughout the 24 hours of each of at least six consecutive days without interruption except during breakdowns or meal breaks or due to unavoidable causes beyond the control of the employer.
- "Night shift" means any shift finishing subsequent to midnight and at or before 8 a.m.
- "Rostered shift" means a shift of which the employee concerned has had at least 48 hours' notice.

Hours—Continuous Work Shifts.

(b) This sub-clause shall apply to shift workers on continuous work as hereinbefore defined.

The ordinary hours of such shift workers shall not exceed—

- (i) 8 in any one day; or
- (ii) 48 in any one week; or
- (iii) 88 in 14 consecutive days; or
- (iv) 176 in 28 consecutive days.

Subject to the following conditions such shift workers shall work at such times as the employer may require:—

- (i) A shift shall consist of eight hours, inclusive of crib time.
- (ii) Except at the regular change-over of shifts, an employee shall not be required to work more than one shift in each 24 hours.
- (iii) twenty minutes shall be allowed to shift workers each shift for crib, which shall be counted as time worked.

Hours—Other than Continuous Work.

(c) This sub-clause shall apply to shift workers not upon continuous work as hereinbefore defined. The ordinary hours of such shift workers shall not exceed—

- (i) 44 in any week to be worked in five shifts of 8 hours 48 minutes, on Monday to Friday inclusive, or five shifts of 8 hours and one shift (Saturday) of 4 hours; or
- (ii) 88 in fourteen consecutive days in which case an employee shall not, without payment for overtime, be required to work more than eight consecutive hours on any shift or more than six shifts in any week; or
- (iii) 132 in 21 consecutive days in which case an employee shall not, without payment of overtime, be required to work more than eight consecutive hours on any shift or more than six shifts in any week.

Such ordinary hours shall be worked continuously except for meal breaks at the discretion of the Employer. An employee shall not be required to work for more than six hours without a break for a meal.

Except at regular change over of shifts an employee shall not be required to work more than one shift in each 24 hours.

Rosters.

(d) Shift rosters shall specify the commencing and finishing times of ordinary working hours of the respective shifts.

Variation by Agreement.

(e) The method of working shifts may in any case be varied by agreement between the employer and the accredited representative of the union to suit the circumstances of the establishment.

The time of commencing and finishing shifts once having been determined may be varied by agreement between the employer and the accredited representative of the union to suit the circumstances of the establishment, or in the absence of agreement by seven days' notice of alteration given by the employer to the employees.

Afternoon or Night Shift Allowances.

(f) Shift workers on continuous work whilst on afternoon or night shifts shall be paid $7\frac{1}{2}$ per cent. more than the ordinary rates for such shifts.

Shift workers on other than continuous work whilst on afternoon or night shifts shall be paid 10 per cent. more than the ordinary rates for such shifts.

Shift workers who work on any afternoon or night shift which does not continue for at least five successive afternoons or nights in a five-day workshop or for at least six successive afternoons or nights in a six-day workshop shall be paid at the rate of time and a half.

An employee who—

- (i) during a period of engagement on shift works night shift only; or
 - (ii) remains on night shift for a longer period than four consecutive weeks; or
 - (iii) works on a night shift which does not rotate or alternate with another shift or with day work so as to give him at least one-third of his working time off night shift in each shift cycle,
- shall during such engagement, period or cycle, be paid at the rate of time and a quarter for all time worked during ordinary working hours on such night shifts.

Overtime.

(g) Shift workers for all time worked in excess of or outside the ordinary working hours prescribed by this Determination or on a shift other than a rostered shift shall—

- (i) if employed on continuous work be paid at the rate of double time; or
- (ii) if employed on other shift work at the rate of time and a half for the first four hours and double time thereafter,

except in each case when the time is worked—

- (iii) by arrangement between the employees themselves;
- (iv) for the purpose of effecting the customary rotation of shifts; or
- (v) is due to the fact that the relief man does not come on duty at the proper time; or
- (vi) on a shift to which an employee is transferred on short notice as an alternative to standing the employee off in circumstances which would entitle the employer to deduct payment for a day in accordance with clause 14 (b) hereof.

Provided that when not less than 8 hours' notice has been given to the employer by the relief man that he will be absent from work and the employee whom he should relieve is not relieved the unrelieved employee shall be paid at the rate of time and a half for the first four hours on duty after he has finished his ordinary shift and at the rate of double time thereafter except where the employee is required to continue to work on his rostered day off when he shall be paid double time.

Sundays and Holidays.

(h) Shift workers on continuous work shifts for work done on a rostered shift the major portion of which is performed on a Sunday or holiday shall be paid at the rate of time and a half.

Shift workers on other than continuous work for all time worked on a Sunday or holiday shall be paid at the rates prescribed by clause 11 of this Determination. Where shifts commence between 11 p.m. and midnight on a Sunday or holiday the time so worked before midnight shall not entitle the employee to the Sunday or holiday rate: provided that the time worked by an employee on a shift commencing before midnight on the day preceding a Sunday or holiday and extending into a Sunday or holiday shall be regarded as time worked on such Sunday or holiday.

Junior and Female Employees.

(i) Female shift workers, apprentices or juniors whilst on afternoon or night shifts shall be paid not less than the rates hereinbefore prescribed or 1s. per shift, whichever is the higher.

MIXED FUNCTIONS.

9. An employee engaged for more than half of one day or shift on duties carrying a higher rate than his ordinary classification shall be paid the higher rate for such day or shift. If for less than half of one day or shift he shall be paid the higher rate for the time so worked.

OVERTIME.

10. (a) For all work done outside ordinary hours the rates of pay shall be time and a half for the first four hours and double time thereafter, such double time to continue until the completion of the overtime work. Provided that in the case of an apprentice or a junior the rate for overtime shall be not less than the rate herein prescribed or 1s. 6d. per hour, whichever is the higher.

Except as provided in this sub-clause or sub-clause (b) hereof in computing overtime each day's work shall stand alone.

Rest Period after Overtime.

(b) When overtime work is necessary it shall, wherever reasonably practicable, be so arranged that employees have at least eight consecutive hours off duty between the work of successive days.

An employee (other than a casual employee) who works so much overtime between the termination of his ordinary work on one day and the commencement of his ordinary work on the next day that he has not at least eight consecutive hours off duty between those times shall, subject to this sub-clause, be released after completion of such overtime until he has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

If on the instructions of his employer such an employee resumes or continues work without having had such eight consecutive hours off duty he shall be paid at double rates until he is released from duty for such period and he shall then be entitled to be absent until he has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

Call Back.

(c) An employee recalled to work overtime after leaving his employer's business premises (whether notified before or after leaving the premises) shall be paid for a minimum of three hours' work at the appropriate rate for each time he is so recalled; provided that, except in the case of unforeseen circumstances arising, the employee shall not be required to work the full three hours if the job he was recalled to perform is completed within a shorter period. This sub-clause shall not apply in cases where it is customary for an employee to return to his employer's premises to perform a specific job outside his ordinary working hours, or where the overtime is continuous (subject to a reasonable meal break) with the completion or commencement of ordinary working time.

Overtime worked in the circumstances specified in this sub-clause shall not be regarded as overtime for the purposes of sub-clause (b) of this clause where the actual time worked is less than three hours on such recall or on each of such recalls.

Saturday Work—Five-days Week.

(d) A day worker on a five-days week required to work overtime on a Saturday shall be afforded at least three hours' work or paid for three hours at the appropriate rate except where such overtime is continuous with overtime commenced on the day previous.

Standing By.

(e) Subject to any custom now prevailing under which an employee is required regularly to hold himself in readiness for a call back, an employee required to hold himself in readiness to work after ordinary hours shall until released be paid standing-by time at ordinary rates from the time from which he is so to hold himself in readiness.

Meal Hours—General.

(f) For work done during meal hours and thereafter until a meal-hour break is allowed time and a half rates shall be paid. An employee shall not be compelled to work for more than six hours without a break for a meal.

Meal Hours—Maintenance Employees.

(g) Subject to the provisions of the second part of sub-clause (f) of this clause an employee employed as a regular maintenance man shall work during meal breaks at the ordinary rates herein prescribed whenever instructed to do so for the purpose of making good breakdowns of plant or upon routine maintenance of plant which can only be done while such plant is idle.

Crib Time.

(h) An employee working overtime shall be allowed a crib time of twenty minutes without deduction of pay after each four hours of overtime worked if the employee continues work after such crib time.

Provided that where a day worker on a five-days week is required to work overtime on a Saturday the first prescribed crib time shall, if occurring between 10 a.m. and 1 p.m., be paid at ordinary rates.

Unless the period of overtime is less than one and a half hours an employee before starting overtime after working ordinary hours shall be allowed a meal break of twenty minutes which shall be paid for at ordinary rates. An employer and employee may agree to any variation of this provision to meet the circumstances of the work in hand provided that the employer shall not be required to make any payment in respect of any time allowed in excess of twenty minutes.

Tea Money.

(i) An employee required to work overtime for more than two hours without being notified on the previous day or earlier 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 workshops who can reasonably return home for meals.

Unless the employer advises an employee on the previous day or earlier that the amount of overtime to be worked will necessitate the partaking of a second or subsequent meal (as the case may be) the employer shall provide such second and/or subsequent meals or make payment in lieu thereof as above prescribed.

If an employee pursuant to notice has provided a meal or meals and is not required to work overtime or is required to work less than the amount advised he shall be paid as above prescribed for meals which he has provided, but which are surplus.

Transport of Employees.

(j) When an employee, after having worked overtime, or a shift for which he has not been regularly rostered, finishes work at a time when reasonable means of transport are not available, the employer shall provide him with a conveyance to his home, or pay him his current wage for the time reasonably occupied in reaching his home.

HOLIDAYS AND SUNDAY WORK.

11. (a) Employees shall be entitled to the following public holidays without loss of pay as regards employees on weekly hiring:—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, King's Birthday, Labour Day, Anzac Day, Christmas Day, and Boxing Day, or such other day as is generally observed in the locality as a substitute for any of the said days respectively.

By agreement between any employer and his employees, other days may be substituted for the said days or any of them as to such employer's undertaking.

Exceptions.

(b) An employee not engaged on continuous work shall be paid at the rate of double time for work done on Sundays and public holidays, such double time to continue until he is relieved from duty.

Provided that where employees are necessarily engaged in repairs to or renewals of their employer's plant and machinery necessary for resumption of work the next following working day, work done on Sundays and holidays shall be paid for at the rate of time and a half for the first eight hours and double time thereafter.

(c) An employee, other than a casual employee, not engaged in continuous work who works on a Sunday or a public holiday and (except for meal breaks) immediately thereafter continues such work shall, on being relieved from duty, 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) Employees, other than on shift, required to work on Sundays or public holidays shall be paid for a minimum of three hours' work.

EXTRA RATES NOT CUMULATIVE.

12. Extra rates in this Determination, except rates prescribed in clause 5, are not cumulative so as to exceed the maximum of double the ordinary rates.

PAYMENT OF WAGES.

13. (a) Wages shall be paid weekly or fortnightly.

(b) On the first pay day occurring during his employment, an employee shall be paid whatever wages are due to him up to the completion of his work on the previous day: Provided that this sub-clause shall not apply to employers who make a practice of allowing advances to employees approximating wages due.

(c) Upon termination of the employment wages due to an employee shall be paid to him on the day of such termination, or forwarded to him by post on the next working day.

(d) An employee kept waiting for his wages on pay day for more than a quarter of an hour after the usual time for ceasing work shall be paid at overtime rates after that quarter hour, with a minimum of a quarter of an hour.

(e) On or prior to pay day, the employer shall state to each employee, in writing, the amount of wages to which he is entitled, the amount of deductions made therefrom, and the net amount being paid to him.

CONTRACT OF EMPLOYMENT.

Weekly Employment.

14. (a) Except as hereinafter provided, employment shall be by the week. Any employee not specifically engaged as a casual employee shall be deemed to be employed by the week.

(b) Employment shall be terminated by a week's notice on either side given at any time during the week or by the payment or forfeiture of a week's wages as the case may be. This shall not affect the right of the employer to dismiss any employees without notice for malingering, inefficiency, neglect of duty or misconduct, and in such cases the wages shall be paid up to the time of dismissal only or to deduct payment for any day the employee cannot be usefully employed because of any strike or through any break down in machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

(c) An employee not attending for duty shall except as provided by clause 15 hereof lose his pay for the actual time for such non-attendance.

Casual Employment.

(d) A casual employee is one engaged and paid as such. A casual employee for working ordinary time shall be paid per hour one-fortieth of the weekly rate prescribed by this Determination for the work which he or she performs.

Late Comers.

(e) Notwithstanding anything elsewhere contained in this Determination an employer may select and utilize for time-keeping purposes any fractional or decimal proportion of an hour (not exceeding a quarter of an hour) and may apply such proportion in the calculation of the working time of employees who without reasonable cause promptly communicated to the employer, report for duty after their appointed starting times or cease duty before their appointed finishing times.

An employer who adopts a proportion for the aforesaid purpose shall apply the same proportion for the calculation of overtime.

SICK LEAVE.

15. (a) An employee on weekly hiring who is absent from his work on account of personal illness, or on account of injury by accident arising out of and in the course of his employment, shall be entitled to leave of absence without deduction of pay, subject to the following conditions and limitations:—

- (i) He shall not be entitled to paid leave of absence for any period in respect of which he is entitled to workers' compensation.
- (ii) He shall, within 24 hours of the commencement of such absence, inform the employer of his inability to attend for duty and, as far as practicable, state the nature of the injury or illness and the estimated duration of the absence.
- (iii) He shall prove to the satisfaction of his employer (or in the event of dispute the Wages Board) that he was unable on account of such illness or injury to attend for duty on the day or days for which sick leave is claimed.
- (iv) He shall not be entitled in any year (whether in the employ of one employer or of several) to leave in excess of 44 hours of working time.

For the purpose of administering paragraph (iv) of this sub-clause an employer may, within one month of this Determination coming into operation or within two weeks of the employee entering his employment, require an employee to make a sworn declaration or other written statement as to what paid leave of absence he has had from any employer during the then current year; and upon such statement the employer shall be entitled to rely and act.

Single Day Absences.

(b) In the case of an employee who claims to be allowed paid sick leave in accordance with this clause for an absence of one day only such employee if in the year he has already been allowed paid sick leave on more than one occasion for one day only, shall not be entitled to payment for the day claimed unless he produces to the employer a certificate of a duly-qualified medical practitioner that in his, the medical practitioner's, opinion the employee was unable to attend for duty on account of personal illness or on account of injury by accident. Nothing in this sub-clause shall limit the employer's rights under sub-clause (a) (iii) hereof.

Cumulative Sick Leave.

(c) Sick leave shall accumulate from year to year so that any balance of the period specified in sub-clause (a) (iv) of this clause which has in any year not been allowed to an employee as paid sick leave may be claimed by the employee and subject to the conditions hereinbefore prescribed shall be allowed by that employer in a subsequent year without diminution of the sick leave prescribed in respect of that year. Provided that sick leave which accumulates pursuant to this sub-clause shall be available to the employee for a period of two years, but for no longer from the end of the year in which it accrues.

Attendance at Hospital, &c.

(d) Notwithstanding anything contained in sub-clause (a) hereof 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 the 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.

ANNUAL LEAVE.

Period of Leave.

16. (a) A period of fourteen consecutive days' leave shall be allowed annually to an employee after twelve months' continuous service (less the period of annual leave) as an employee on weekly hiring in any one or more of the occupations to which this Determination applies.

Seven-day Shift Workers.

(b) In addition to the leave hereinbefore prescribed seven-day shift workers, that is shift workers who are rostered to work regularly on Sundays and holidays shall be allowed seven consecutive days' leave, including non-working days.

Where an employee with twelve months' continuous service is engaged for part of the twelve-monthly period as a seven-day shift worker, he shall be entitled to have the period of fourteen consecutive days' annual leave prescribed in sub-clause (a) hereof increased by half a day for each month he is continuously engaged as aforesaid.

Annual Leave Exclusive of Public Holidays.

(c) Subject to this sub-clause the annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by clause 11 of this Determination and if any such holiday falls within an employee's period of annual leave and is observed on a day which in the case of that employee would have been an ordinary working day there shall be added to the period of annual leave time equivalent to the ordinary time which the employee would have worked if such day had not been a holiday.

Where a holiday falls as aforesaid and the employee fails without reasonable cause proof whereof shall be upon him to attend for work at his ordinary starting time on the working day immediately following the last day of the period of his annual leave he shall not be entitled to be paid for any such holiday.

Broken Leave.

(d) The annual leave shall be given and taken in a continuous period or, if the employee and the employer so agree, in two separate periods and not otherwise.

Calculation of Continuous Service.

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

- (i) any interruption or termination of the employment by the employer if such interruption or termination 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 personal sickness or accident or on account of leave lawfully granted by the employer; or
- (iii) any absence with reasonable cause proof whereof shall be upon the employee.

In cases of personal sickness or accident or absence with reasonable cause the employee to become entitled to the benefit of this sub-clause shall inform the employer in writing if practicable within 24 hours of the commencement of such absence of his inability to attend for duty and as far as practicable the nature of the illness injury or cause and the estimated duration of his absence. A notification given by an employee pursuant to clause 15 shall be accepted as a notification under this sub-clause.

Any absence from work by reason of any cause not being a cause specified in this sub-clause shall not be deemed to break the continuity of service for the purposes of this clause unless the employer during the absence or within fourteen days of the termination of the absence notifies the employee in writing that such absence will be regarded as having broken the continuity of service.

In cases of individual absenteeism such notice shall be given in writing to the employee concerned, but in cases of concerted or collective absenteeism notice may be given to employees by the posting up of a notification in the plant, in the manner in which general notifications to employees are usually made in that plant and by posting to the union whose members have participated in such concerted or collective absenteeism a copy of same not later than the day it is posted up in the plant.

A notice to an individual employee may be given by delivering same to him personally or by posting it to his last recorded address, in which case it shall be deemed to have reached him in due course of post.

In calculating the period of twelve months' continuous service any such absence as aforesaid shall not, except to the extent of not more than fourteen days in a twelve-monthly period in the case of sickness or accident, be taken into account in calculating the period of twelve months' continuous service.

Calculation of Service.

(f) Service before the date of operation of this Determination shall be taken into consideration for the purpose of calculating annual leave, but an employee shall not be entitled to leave or payment in lieu thereof for any period in respect of which leave or a payment in lieu thereof has been allowed or made under the clause hereby revoked. Provided however that in respect of service before the 1st January, 1946, the annual leave shall be allowed at the rate of $3\frac{3}{4}$ hours for each completed one month of continuous service and in respect of service after that date at the rate of $7\frac{1}{2}$ hours for each completed one month of continuous service. Any broken part of a month served before the 1st January, 1946, shall for the purposes of this clause be deemed to be service after the 1st January, 1946. The period of annual leave to be allowed under this sub-clause shall be calculated to the nearest day any broken part of a day in the result not exceeding half a day to be disregarded.

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 service of the predecessor shall for the purpose of this clause be deemed to be in the service of the employer.

Calculation of Month.

(g) 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.

Leave to be Taken.

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

Time of Taking Leave.

(i) Annual leave shall be given at a time fixed by the employer within a period not exceeding six months from the date when the right to annual leave accrued and after not less than two weeks' notice to the employee.

Leave Allowed Before Due Date.

(j) 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.

Where leave has been granted to an employee pursuant to this sub-clause 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 one complete month 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-twelfth 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 by clause 11 of this Determination.

Payment for Period of Leave.

(k) Each employee before going on leave shall be paid two weeks' wages, except a shift worker or an employee taking his leave pursuant to sub-clause (d) of this clause either of whom shall be paid the amount of wage he would have received in respect of the ordinary time which he would have worked had he not been on leave during the relevant periods. For the purposes of this sub-clause and sub-clause (l) hereof wages shall be at the rate prescribed by clauses 2, 3 and 4 of this Determination for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment, as the case may be. Payment in the case of employees employed on piece or bonus work or any other system of payment by results shall be at time rates.

Proportionate Leave on Dismissal.

(l) If after one month's continuous service in any qualifying twelve-monthly period an employee lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid at his ordinary rate of wage for $3\frac{3}{4}$ hours in respect of each completed one month of continuous service before the 1st January, 1946, and for $7\frac{1}{2}$ hours at the same rate in respect of each completed month of continuous service after that date, the service in each case being service in respect of which leave has not been granted hereunder.

Annual Close Down.

(m) Where an employer closes down his plant or a section or sections thereof, for the purposes of allowing annual leave to all or the bulk of the employees in the plant, or section or sections concerned, the following provisions shall apply:—

- (i) He may by giving not less than one month's notice of his intention so to do stand off for the duration of the close down all employees in the plant or section or sections concerned, and allow to those who are not then qualified for two full weeks' leave, paid leave on a proportionate basis of one-sixth of a week's leave for each completed month of continuous service.
- (ii) An employee who has then qualified for two full weeks' leave, and has also completed a further month or more of continuous service shall be allowed his leave, and shall subject to sub-clause (f) hereof also be paid one-sixth of a week's wages in respect of each completed month of continuous service performed since the close of his last twelve-monthly qualifying period.
- (iii) The next twelve-monthly qualifying period for each employee affected by such close down shall commence from the day on which the plant, or section or sections concerned is re-opened for work.

Provided that all time during which an employee is stood off without pay for the purposes of this sub-clause shall be deemed to be time of service in the next twelve-monthly qualifying period.

- (iv) If in the first year of his service with an employer an employee is allowed proportionate annual leave under paragraph (i) hereof, and subsequently within such year lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, he shall be entitled to the benefit of sub-clause (l) of this clause subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

*MISCELLANEOUS.**Accommodation and Conveniences.**Boiling Water.*

17. (a) (i) Employers shall provide boiling water for employees at meal times.

Drinking Water.

- (ii) Employers shall provide for the use of employees in workshops a sufficient supply of wholesome cool drinking water from bubble taps or other suitable drinking fountains.

First Aid Outfit.

(iii) In each workshop, and at other places where employees are regularly employed, the employer shall provide and continuously maintain at a place or places reasonably accessible to all employees an efficient First Aid Outfit.

Clause 8 of Chapter 9 of the Regulations under the *Factories and Shops Act 1928* requires that a first-aid ambulance chest shall be kept in some accessible place upon the premises, and that such chest shall be equipped and supplied with the following articles :—

Articles.	Quantities to be kept in Ambulance Chest—
Antiseptic solution	1 bottle
Bandages, cotton and gauze	1 dozen assorted sizes
Castor oil	2 oz.
Iodine, tincture of	2 oz.
Manual, first-aid	1
Petrolatum, carbolized	1 jar
Picric acid solution, made according to the following recipe or prescription :— 1½ teaspoonfuls of powdered picric acid, 3 oz. of absolute alcohol, and 2 pints of distilled water	1 pint
Pins, safety	1 packet
Sal volatile	6 oz.
Scissors	1 pair
Tourniquet	1
Tweezers	1 pair
Cotton, absorbent	} An adequate assortment
Gauze, sterilized, plain	
Lint, absorbent	
Plaster, adhesive	

Lockers.

(iv) An employer shall at some reasonably convenient place on his premises provide a suitable locker for each employee in his workshop, or hanging facilities which afford reasonable protection for employees' clothes. In any case in which compliance with this paragraph necessitates the provision of lockers or new or improved hanging facilities, they shall be provided by the 1st July, 1946, unless the employer proves to the satisfaction of the Wages Board that he is unable by reason of shortage of material or labour or any other difficulties to provide such new or improved facilities, in which case their provision may be postponed for such period or periods as the Wages Board determines.

Washing and Sanitary Conveniences.

(v) Employers shall provide proper and sufficient washing and sanitary conveniences.

*Clothing, Equipment and Tools.**Damage to Clothing and Tools.*

(b) (i) 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 molten metal 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.

Gloves.

(ii) Suitable canvas or leather gloves shall be provided by employers for operators of pneumatic tools and/or punch and shearing machines and suitable gloves or pads for such other work as the foreman and employee may agree.

In case of disagreement between the foreman and workman, the workman or a shop steward on his behalf shall be entitled, within 24 hours, to ask for a decision on the workman's claim by the employer's industrial officer (if there be one) or otherwise by the employer or the executive officer responsible for the management or superintendence of the plant concerned. In such case a decision shall be given on the workman's claim within 48 hours of its being asked for (unless that time expires on a non-working day, in which case it shall be given during the next working day), or else the said equipment shall be provided.

In any case where an organisation alleges that an employer or his representative is persistently unreasonable or capricious in relation to such claims, it may bring such case before the Wages Board.

Goggles.

(iii) Suitable mica or other goggles shall be provided by the employer for each employee using emery wheels or where used by more than one employee such goggles shall be sterilized before being used by another employee. An employee when working on emery wheels shall wear the goggles provided for his protection.

Goggles containing celluloid shall not be considered suitable for the purposes of this provision.

Masks.

(iv) Where necessary suitable masks shall be provided for employees required to use compressed air for blowing dust from electrical machinery or equipment. An employee when performing such work shall wear the mask provided for his protection. Masks containing celluloid shall not be considered suitable for the purposes of this provision.

Protective Clothing—Galvanising, &c.

(v) Employers shall provide suitable protective aprons, rubber gloves, and rubber boots or clogs, to employees engaged in the manual handling of materials over hot galvanising or tinning pots or pickling or plating baths.

Protective Equipment—Welding.

(vi) Employers shall provide a sufficient supply of the undermentioned equipment to enable each welder and his assistant when engaged on work necessitating its use to be supplied with same :—

- (a) Suitable asbestos sheets,
- (b) Hand screens or helmets fitted with coloured glass (or in the case of oxy-acetylene operators protective glasses with side shields),
- (c) Anti-flash goggles,
- (d) Aprons, leather sleeves and leggings (or coveralls of flame-proof material) and gauntlet gloves; and
- (e) Gum or other insulating boots when working in places so damp that danger of electric shock exists.

An employee who is pursuant to this paragraph supplied with any of the equipment specified herein shall wear or use as the case may be such equipment in such a way as to achieve the purpose for which it is supplied.

Where electric arc operators are working screens which shall be suitable and sufficient for the purpose shall be provided by the employer for the protection of employees from flash.

Tools.

(vii) Until further order the employer shall provide for each employee such tools as were customarily provided at the time of the making of this Determination, and for sheet metal workers, snips used in the cutting of stainless steel, monel metal, and similar hard metals. The employee shall replace or pay for any tools so provided if lost through his negligence.

Females—Rest Period and Seats.

(c) Female employees shall be allowed a rest period of not less than ten minutes during each day or shift, to be taken during the first or second half of the day or shift as may be decided by a majority of the female employees in a shop.

When requested by employees and where practicable suitable seats shall be provided by the employer for female employees.

Ventilation.

(d) (i) While any work is being carried on in any confined or enclosed space in which—

(a) fumes, gases, dust or vapours which may be dangerous or injurious are liable to be present or to be generated in the course of the work; or

(b) the atmosphere may otherwise become vitiated,

the employer shall install a suction exhaust apparatus, through which by means of a power-driven fan air is drawn from the vicinity of the work in relation to which it is installed.

Where it is impracticable to install such suction exhaust apparatus the employer shall take all such steps as are necessary to ensure safe working conditions in any such confined or enclosed space.

This sub-clause shall not be deemed to be inconsistent with the Harmful Gases, Vapours, Mists, Smokes and Dust Regulations 1945 (published in the Victorian Government Gazette No. 21, dated 7th February, 1945) and shall not apply to any processes or occupations to which those Regulations apply.

(ii) Employers shall provide adequate ventilation in workshops where tinning or galvanising and pickling is carried on, and in workshops where fusing of wet enamel is carried on, facilities for the free circulation of air. Any dispute, under this sub-clause shall be determined by the Wages Board.

SHOP STEWARDS.

18. An employee appointed shop steward in the shop or department in which he is employed shall, upon notification thereof to his employer, be recognized as the accredited representative of the union to which he belongs, and he shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees whom he represents.

RIGHT OF ENTRY OF UNION OFFICIALS.

19. (a) For the purpose of interviewing employees on legitimate union business, a duly accredited union representative shall have the right to enter employers' premises during the midday meal break on the following conditions:—

(i) That he produces his authority to the gatekeeper or such other person as may be appointed by the employer.

(ii) That he interviews employees only at places where they are taking their meal.

(iii) That not more than one representative of each of not more than three unions be on the premises at any one time.

(iv) That no one representative visit the premises more than once in each week.

(v) That if any employer alleges that a representative is unduly interfering with his work or is creating dissatisfaction amongst his employees, or is offensive in his methods, or is committing a breach of any of the previous conditions, such employer may refuse the right of entry, but the representative shall have the right to bring such refusal before the Wages Board.

Provided that where certain employees are working under a system of shift work which precludes a representative from interviewing them during the midday meal break the representative shall have the right to enter the employer's premises for the purpose of interviewing such employees at such time and under such conditions as to notice as may be mutually arranged by the representative and the employer or, failing agreement, at such times and under such conditions as the Wages Board may decide.

(b) For the purpose of investigating complaints concerning the application of this Determination, or the employment of females upon work which is alleged to be unsuitable for females, a duly accredited union representative shall be afforded reasonable facilities for entering an employer's workshop or plant during working hours, subject to the following conditions:—

(i) That he discloses to the employer or his representative the complaint which he desires to investigate.

(ii) That he makes his investigations in the presence of the employer or his representative (if the employer so desires).

(iii) That he does not interfere with work proceeding in the workshop or plant.

(iv) That he conducts himself properly.

(c) A union representative shall be a duly accredited representative of an organization concerned if he be the holder for the time being of a certificate, signed by the general secretary of that organization and bearing the seal of that organization, in the following form, or in a form not materially differing therefrom:—

(Name of organization.)

This is to certify that
above-named organization.

is a duly accredited representative of the

(SEAL)

General Secretary.

Specimen signature of holder—

Date—

Strictly not transferable.

TIME AND WAGES BOOK.

20. (a) Each employer shall keep a record from which can be readily ascertained the name of each employee and his occupation, the hours worked each day, and the wages and allowances paid each week.

(b) The time occupied by an employee in filling in any time record or cards or in the making of records shall be treated as time of duty, but this does not apply to checking in or out when entering or leaving the employer's premises.

(c) The time and wages record shall be open for inspection to a duly accredited union official during the usual office hours at the employer's office or other convenient place: Provided that an inspection shall not be demanded unless the secretary of the union or the district secretary or organizer of any division suspects that a breach of the Determination has been committed: Provided also that only one demand for such inspection shall be made in one fortnight at the same establishment.

(d) The official making such inspection shall be entitled to take a copy of entries in a time and wages record relating to the suspected breach of the Determination.

NOTICE BOARD.

21. The employer shall permit a notice board of reasonable dimensions to be erected in a prominent position in his establishment, upon which accredited Union representatives shall be permitted to post formal union notices, signed or countersigned by the representative posting same.

Any notice posted on such board not so signed or countersigned may be removed by an accredited Union representative or by the employer.

DEFINITIONS.

22. (1) "Confined space" means a compartment or space access to which is through a man-hole or similar opening, or a place the dimensions of which necessitate an employee working in a stooped or otherwise cramped position, or without proper ventilation, and includes such a space:—

(i) in the case of a ship, inside complete tanks, chain lockers, and peaks; in bilges, under engine beds, under engine room and stokehold floors, or under or inside boilers.

(ii) in other cases, inside boilers, steam drums, mud drums, fire boxes of vertical or road vehicle boilers, furnaces, flues, combustion chambers, receivers, buoys, tanks, superheaters, or economizers.

- (2) "Process worker" means an employee engaged on :—
- (i) Repetition work on any automatic, semi-automatic, or single purpose machine or any machine fitted with jigs, gauges, or other tools rendering operations mechanical (and in connexion with which he is not responsible for the setting up of the machine nor for the dimensions of the products other than by checking with gauges, which gauges shall be either unadjustable or, if adjustable, shall not be set by the operator); or
 - (ii) in the assembling of parts of mechanical appliances or other articles so made, in which no fitting or adjustment requiring skill is required; or
 - (iii) In specialized processes not requiring use of hand tools except hammers, pliers, screw drivers, spanners, and files, and such tools as are necessary for deburring or removing rags or edging.
- (3) "Ship repairs" means :—
- (i) All repair work done on ships.
 - (ii) All work other than the making of spare parts and stores done in a workshop used for ship repairs only.
 - (iii) Work done in a workshop used for both ship repairing and other heavy metal fabrication on which employees are engaged both on the ship and in the workshop.
- (4) "Sunday" means all time between midnight Saturday and midnight Sunday.
- (5) "Year" means the period between the 1st day of June in each year and the next 31st day of May.

Welding.

- (6) "Welder—1st class" means a tradesman using electric arc and/or oxy-acetylene blowpipe and/or coal gas cutting plant or flame hardening who is required to apply general trade experience as a welder or flame hardener respectively.
- (7) "Welder—2nd class" means an adult employee using an electric arc or oxy-acetylene blowpipe who is not a welder—1st class or welder—3rd class.
- (8) "Welder—3rd class" means an adult employee using an electric spot or butt welding machine or cutting scrap with an oxy-acetylene blowpipe.

Sheet Metal.

- (9) "Sheet metal worker—1st class" means a tradesman working to scaled prints or drawings or applying general trade experience or knowledge to the making of sheet metal products and/or the erection or installation thereof.
- (10) "Sheet metal worker—2nd class" means an adult employee working at the bench in the making and/or repairing of sheet metal products not calling for the use of prints or drawings or measurements.
- (11) "Canister making" means the making of canisters and other tin containers in quantities by specialized processes.
- (12) "Guillotine operator" means an adult male employee who for the greater part of his time is engaged on work involving the use by him of prints or drawings or the determination by him of sizes of material to be cut for the production of sheet-metal products by 1st or 2nd class sheet-metal workers.
- (13) "Sheet metal" means sheets of metal 10-gauge or lighter.
- (14) "Spinner—1st class" means an adult employee required to make his own chucks, spin up the job to drawings, measurement, or blue prints, and/or who applies general trade knowledge and experience to the making of spun articles by jobbing methods.

PERIODICAL ADJUSTMENT OF WAGES.

23. The wages rates set out in clause 2 are based upon the following basic wage rates, 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 adjusted as prescribed by Clause 24.

Basic Wage.

Place.	Needs Basic Wage (Adjustable).	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
Victoria—	£ s. d.	s. d.	£ s. d.	
Within 20 miles of G.P.O., Melbourne; 10 miles of G.P.O., Geelong; at Warrnambool, and within Mildura and Gippsland Districts	5 0 0	6 0	5 6 0	Melbourne
Yallourn—6s. 6d. in excess of basic wage for Melbourne.				
Elsewhere—3s. less than the contemporaneous basic wage for Melbourne.				

ADJUSTMENT OF BASIC WAGE.

24. (a) For the purposes of this Determination the expression "Commonwealth Statistician's 'all items' retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician.

(b) Until the beginning of the first pay period to commence in February, 1947, the amounts of the basic wage shall be as prescribed in Clause 23.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, the amount of the needs basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's 'all items' retail price index number by the factor .087 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach .5 or more the basic wage shall be taken to the next higher shilling.

In addition to the basic wage prescribed by clause 23, any adult employee of a classification specified hereunder shall be paid the margin and loading hereinafter assigned to that classification, and such loading shall be deemed to be part of his ordinary rate of wage for all purposes of this Determination:—

Classification.	Margin.	Loading.
<i>(a) Sheet Metal Section.</i>		
Sheet metal worker (1st class)	s. d. 30 0	s. d. 6 0
Sheet metal worker (2nd class)	20 0	4 0
Spinner—1st class	24 0	4 0
Spinner, other	12 0	3 0
Die setter	12 0	3 0
Die setter—press operator working from blue prints or plans	20 0	3 0
Press operator (heavy)	10 0	3 0
Press operator (light)	8 0	3 0
Solderer and dipper	10 0	3 0
Drop hammer stamper	10 0	3 0
Guillotine operator (as defined)	20 0	4 0
Guillotine operator (other)	8 0	3 0
Guttering machinist	8 0	3 0
Power machinist (not otherwise specified)	8 0	3 0
<i>(b) Welding Division.</i>		
Welder—		
1st class, other than when using Cutler machine	33 0	6 0
1st class, using Cutler machine	22 0	4 0
2nd Class	14 0	3 0
3rd class	10 0	3 0
Tack welder	12 0	3 0
<i>(c) Canister-making.</i>		
Die setter and/or machino setter and/or leading press hand	12 0	3 0
Canister-maker by hand and rivoter by hand	12 0	3 0
Solderer and dipper	8 0	3 0
Canister vent closer and solderer working on tins containing substances with an artificial temperature of 150° F. and over	12 0	3 0
Operator of power capping machines or metal pots on automatic machines	10 0	3 0
Operator of other power presses and other power machines	8 0	3 0
Cap solderer (not otherwise classified)	8 0	3 0
<i>(d) Galvanizing.</i>		
Galvanizer	10 0	3 0
Tinners and grease tanners	10 0	3 0
Assistant working over metal pot	10 0	3 0
Pickler	9 0	3 0
All others in this Division	5 0	3 0
<i>(e) Painting and Japanning.</i>		
Artistic japanner and goldworker	20 0	4 0
Spray operator	12 0	3 0
Grainer, liner, and filliter	8 0	3 0
Painter and lacquerer	8 0	3 0
Dipper	8 0	3 0
<i>(f) Porcelain Enamelling.</i>		
Fuser	18 0	3 0
Fuser on medallions, badges, or buckles	8 0	3 0
Inspector—1st class (i.e., one who inspects finished enamel work as to quality)	9 0	3 0
Inspector (other)	6 0	3 0
Mill hand and mixer	9 0	3 0
Packer and despatcher	9 0	3 0
Pickler	9 0	3 0
Racksman	4 0	3 0
Sand and shot blaster	10 0	6 0
Sprayer	10 0	3 0
Swiller, gripper, and brusher	8 0	3 0
Employee not elsewhere classified in any Division	Nil	3 0
<i>(g) General.</i>		
Process worker	8 0	3 0
Storeman and/or packer (tool and/or material store)	9 0	3 0

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

J. W. RYAN, Secretary.

Melbourne, 20th December, 1946.



VICTORIA GOVERNMENT GAZETTE.

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No. 188]

FRIDAY, MARCH 14.

[1947.

Factories and Shops Acts.

DETERMINATION OF THE STOREMEN, PACKERS, AND SORTERS 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 now has the power to determine the lowest prices or rates which may be paid—

(a) to any person employed—

- (i) as a Storeman, Packer, or Sorter ;
- (ii) in assisting a Storeman, Packer or Sorter ;
- (iii) as an assembler, collector, or checker of goods in course of receipt or despatch ;

(b) to any person or persons or classes of persons employed at wiping eggs in any place where eggs are stored, sorted, or packed for trade or sale—

but not including any persons subject to the jurisdiction of any of the following Boards :—

Aerated Water Trade Board	Furniture Board (Wood Mantelpiece or Overmantel)	Printers Board (Provincial)
Agricultural Implements Board	Glassworkers Board	Retail Dairy Board
Bedstead Makers Board	Grocers Sundries Board	Rubber Trade Board
Biscuit Board	Ham and Bacon Curers Board	Shops Board No. 1 (Boot Dealers)
Boarding Houses Board	Hotel and Restaurant Board	Shops Board No. 7 (Country Shoe Assistants)
Brewers Board	Ice Board	Shops Board No. 9 (Drapers and Men's Clothing)
Butter Board	Jam Trade Board	Shops Board No. 12 (Fuel and Fodder)
Butter Factories Board	Leather Goods Board	Shops Board No. 13 (Fuel and Fodder—Country)
Cardboard Box Trade Board	Marine Stores Board	Shops Board No. 14 (Furniture Dealers)
Cigar Trade Board	Meat Preservers Board	Shops Board No. 15 (Grocers)
Condenseries Board	Millet Broom Board	Shops Board No. 16 (Hardware)
Confectioners Board	Nailmakers Board	Slaughtering for Export Board
Cordage Board	Paper Board	Tea Packing Board
Fellmongers Board	Paper Bag Trade Board	Tinsmiths Board
Flock Board	Pastrycooks Board	Wholesale Grocers Board
Flour Board	Plate Glass Board	Wireworkers Board
Flour Board (Country)	Pottery Board	Woodworkers Board
Frozen Goods Board	Printers Board	Woollen and Cotton Trade Board
Fruit Packing Board	Printers Board (Country)	

has made the following Determination, namely :—

1. That as from the beginning of the first pay period to commence on or after the 1st December, 1946, the last previous Determination of this Board shall be revoked and replaced by this Determination.

No. 188.—648/47.

PART I.

WAGE RATES.

ALL PLACES OTHER THAN OIL, GREASE, AND PETROLEUM PRODUCTS STORES.

2. APPRENTICES AND IMPROVERS.

	Wages Per Week of 44 Hours.					Number (in any place).
	Males.		Females.			
	Bread-making Establishments.	Any Other Place.	Establishments in which are sorted Waste Pieces or Clippings of Cottons, Silks, Woollens, or Woolen and Cotton Pieces.	Egg Packing Establishments.	Any Other Place.	
	s. d.	s. d.	s. d.	s. d.	s. d.	
Under 16 years of age	} 79 3	26 3	29 6	28 6	26 3	<p>APPRENTICES. One apprentice to every three or fraction of three workers of the same sex receiving not less than the minimum wage. An indenture of apprenticeship prescribed by the Board was approved on 24th May, 1923.</p> <p>MALE IMPROVERS. <i>Egg Packing Establishments.</i> One male improver to every two or fraction of two male workers receiving not less than 120s. per week of 44 hours. <i>Any Other Place.</i> One male improver to every four or fraction of four male workers receiving not less than 119s. per week of 44 hours.</p> <p>FEMALE IMPROVERS. <i>Laundries.</i> One female improver to every three or fraction of three female workers receiving not less than 75s. 3d. per week of 44 hours. <i>Establishments in which are sorted waste pieces or clippings of cottons, silks, woollens, or woollen and cotton pieces.</i> Two female improvers to every three or fraction of three female workers receiving not less than 74s. 6d. per week of 44 hours. <i>Egg Packing Establishments.</i> One female improver to every three or fraction of three female workers receiving not less than 72s. 3d. per week of 44 hours. <i>Any Other Place.</i> One female improver to every four or fraction of four female workers receiving not less than 69s. 3d. per week of 44 hours.</p>
16 to 17 years of age		35 0	33 6	36 3	34 3	
17 to 18 years of age		45 3	39 9	41 6	38 3	
18 to 19 years of age		63 3	44 6	49 0	44 3	
19 to 20 years of age		101 0	81 3	52 0	53 6	
20 to 21 years of age	120 6	99 3	59 3	60 9	<p>Provided that any female improver employed packing or sorting laundry-work shall, after completing three years' experience, be paid the wage fixed for an adult</p>	

3. OIL GREASE, AND PETROLEUM PRODUCTS STORES ONLY.

JUNIOR RATES.

Wages Per Week of 44 Hours.

	s. d.
Under 16 years of age	37 0
16 to 17 years of age	46 0
17 to 18 years of age	53 0
18 to 19 years of age	64 0
19 to 20 years of age	83 6
20 to 21 years of age	99 0

(a) Provided that any youth called upon to stack full cases more than three high, to stack barrels, or to lift any weight over 1 cwt. shall be classed as an adult and entitled to receive the adult rate of pay whilst so engaged.

(b) Provided further that no employee under 21 years of age shall be employed on the filling of rail or road tank waggons.

4. (a) OTHER EMPLOYEES.

MALES.

IN OIL, GREASE, AND PETROLEUM PRODUCTS STORES.

	Wages Per Week of 44 Hours.
	s. d.
(i) Storemen or Packers	120 0
Leading hands—as defined in clause 22 hereof—	
(I)	125 0
(II.)	130 0
(III.)	130 0
(IV.)	140 0
(ii) Casual hands shall be paid at the rate per hour of 3s. 9½d. adjustable under clause 53 hereof.	

PART I.—continued.

4. (b) IN (OR ON) ANY PLACE OTHER THAN OIL, GREASE, AND PETROLEUM PRODUCTS STORES.

Column No.	Males employed in (or on) or in connexion with—											
	Wharfs, Wharf Sheds, Customs Railway Sheds, or Fumigating Sheds.	Potato or Onion Stores.	Bond or Free Stores or Establishments engaged in the General Bulk Storage Business.	Lime, Cement, or Plaster Stores.	Fibrous Plaster Stores, or Wholesale Softgoods Warehouses.	Root Factories, or Wholesale Chemists' or Manufacturing Chemists' Establishments.	Bread-making Establishments.	Bag (Hessian, Jute or Cotton) Stores, Bins, or Bulk Stores, Oil, Colour and Varnish Stores.	Machinery Stores.	Dye Stores other than Dye Stores connected with the business of dyeing or the manufacture of piece-goods or apparel.	Seed Stores.	Any Other Place.*
	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.
	WAGES PER WEEK OF—											
Any person engaged as a Storeman, Packer, or Sorter who (notwithstanding he may be under the orders of a superior who does not devote the whole of his time to supervising the storing, packing, or sorting)—												
(a) Works singly	138 0	129 8	126 6	125 0	122 0	124 6	135 0	124 6	126 6	134 0	122 0	126 6
(b) Supervises or directs the number of persons 18 years of age or over indicated hereunder, viz. :—												
(a) 1, 2, 3, 4, 5, or 6 such persons	138 0	129 8	126 6	127 6	124 3	126 9	141 3	126 9	133 9	136 3	124 3	128 9
(b) 7 or more such persons	138 0	129 8	126 6	141 6	138 9	141 6	155 9	141 6	142 9	150 3	146 9	142 9
Storeman in charge of a bulk store removed from the main place of business	..	..	..	..	122 0	124 6	..	124 6	126 6	134 0	122 0	126 6
Packers of crockery, china, or glassware	..	..	..	..	..	..	..	..	..	..	..	125 3
Packers of metal window frames	..	..	..	..	..	..	..	..	..	..	..	122 0
Persons handling pianos, piano-players, or organs	..	..	..	..	..	..	..	..	..	..	..	122 0
Egg packers, sorters, or testers with six months' or more experience	..	..	..	..	..	..	..	..	..	..	..	120 0
All male adults not otherwise provided for	138 0	129 8	126 6	122 0	119 0	120 0	135 0	120 0	122 0	130 0	120 0	122 0

Storemen or packers called upon to work in cool stores shall be paid 3s. 3¹³/₂₃d. per hour whilst so employed. This rate includes 1¹/₁₁d. as a war loading. Such war loading shall not be taken into account when computing overtime or holiday pay.

* NOTE.—The rates set out in column No. 12 above apply to males employed—

- (a) (i) As storemen in Figured, Roll, and Sheet Glass Stores; and
- (ii) As storemen in Engineering Establishments, or who are in charge of, or issue stores and tools for use in such establishments.
- (b) In (or on) or in connexion with—
 - (i) Bulk paper stores or rubber goods manufacturers' stores.
 - (ii) Iron yards in which steel or iron bars, plates, pipes or sheets, black or galvanized, are handled.
 - (iii) Hardware stores.
 - (iv) Electrical goods manufacturers' stores.
 - (v) Electrical goods stores (wholesale or retail establishments) other than electrical goods manufacturers' stores.
 - (vi) Match factory stores.
 - (vii) Wholesale confectionery stores.
 - (viii) Bulk salt stores, stores in which stoves are stocked (except stove or oven manufacturers' stores) and stores in which sausage casings are stored, packed, or sorted.
 - (ix) Stove, oven, or metal goods manufacturers' stores.
 - (x) Dye stores connected with the business of dyeing, or the manufacture of piece-goods or apparel; and
 - (xi) Any place not elsewhere included in clause 4 (b).

4. (c) FEMALES.

	Females Employed in or in Connexion with—			
	Manufacturing Chemists' Factories.	Establishments in which are sorted Waste Pieces or Clippings of Cottons, Silks, Woollens, or Woollen and Cotton Pieces.	Egg Packing Establishments.	Any Other Place.
	44 Hours. s. d.	Wages per 44 Hours. s. d.	Week of— 44 Hours. s. d.	44 Hours. s. d.
Any person engaged as a female Packer or Sorter who (notwithstanding she may be under the orders of a superior who does not devote the whole of his time to supervising the storing, packing, or sorting)—				
(a) Works singly	72 3	79 6	85 3	72 3
(b) Supervises or directs the number of persons 18 years of age or over, indicated hereunder, viz. :—				
(i) 1, 2, 3, 4, 5, or 6 such persons	76 6	85 3	90 3	76 6
(ii) 7 or more such persons	86 6	93 6	100 0	86 6
Females employed packing or sorting laundry work	..	..	..	75 3
Packers of crockery, china, or glassware	..	..	..	86 0
Egg Packers, Sorters, or Testers—				
With less than eight weeks' experience	..	..	73 6	..
With eight weeks' or more experience	..	..	81 3	..
All female adults not otherwise provided for	69 3	74 6	72 3	69 3

PART II.

PROVISIONS APPLICABLE ONLY TO PERSONS EMPLOYED IN OIL, GREASE, AND PETROLEUM PRODUCTS STORES.

5. SPECIAL RATES.

In addition to the wages prescribed in clauses 3 and 4 of this Determination the following special rates shall be paid :—

- (a) When not more than two storemen and packers are employed for more than half an hour handling or rolling barrels or drums weighing over 5 cwt., they shall be paid 6d. per hour extra whilst so employed.
- (b) *Confined Space*.—Employees working in a confined space as defined in clause 22 hereof, 3d. per hour extra.
- (c) *Dirty Work*.—Employees performing dirty work as defined in clause 22 hereof, 3d. per hour extra.
- (d) *Cumulative Rates*.—Where an employee performs work which is covered by sub-clauses (b) and (c) of this clause the rates shall be cumulative so as to provide a total rate of 6d. per hour for dirty work performed within a confined space.

6. HOURS.

(a) Forty-four hours shall constitute a week's work, and they shall be worked as follows :—

Eight hours per day from Monday to Friday, both inclusive, and four hours on Saturday to be worked between the hours of 7 a.m. and 5.30 p.m. Monday to Friday, both inclusive, and between the hours of 7 a.m. and noon on Saturday.

(b) Provided that it shall be optional for an employer to work either a six-day or a five-day week. When a five-day week is worked, the daily hours on Monday to Friday, both inclusive, shall not exceed 8 hours 48 minutes, within the hours provided in the immediately preceding paragraph, without the payment of the overtime rate.

(c) Subject to the above, the hours of starting and knocking off may be fixed by each employer, but having once been fixed they shall not be altered without seven days' notice to the employees.

7. SHIFT WORK.

(a) Where the industry necessitates a continuous process, three shifts of eight hours each may be worked. Employees working on such shifts shall be paid 8s. per week in addition to the rates prescribed in clauses 3 and 4 hereof.

(b) Employees required for duty in connection with the loading of tank waggons and fully assembled composite waggons with petroleum products in bulk or drums or packages may be employed on shifts provided that such shift work extends over one calendar month, and when so employed shall be paid 8s. per week in addition to the rates prescribed in clauses 3 and 4 hereof.

(c) Five shifts of eight hours including crib time of half an hour and one shift of four hours or five shifts of eight hours 48 minutes, including crib time of half an hour shall constitute a week's work.

(d) Overtime shall be calculated in accordance with the provisions of clause 8 of this Determination.

8. OVERTIME.

(a) For all work done on Sundays, Holidays and after 12.30 p.m. Saturdays the rates of pay shall be double time.

(b) For all work done outside ordinary hours except as provided in sub-clause (a) hereof, the rates of pay shall be time and a half for the first three hours and double time thereafter, such double time to continue until the employee has been released from duty.

(c) An employee, other than a casual employee, after the completion of overtime work performed after his usual ceasing time 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.

(d) An employee recalled to work overtime after leaving his employer's business premises shall be paid for a minimum of three hours work at the appropriate rate for each time he is so recalled; provided that, except in the case of unforeseen circumstances arising, the employee shall not be required to work the full three hours if the job he was recalled to perform is completed within a shorter period.

(e) For all work done during supper, breakfast or lunch hours and thereafter until a full meal break is allowed double time shall be paid.

9. MEAL HOURS.

(a) One hour on Monday to Friday, both inclusive, shall be allowed for each meal except tea, provided that should any employer and any employee agree, the meal hour may be shortened to meet the exigencies of transport or for the purpose of more effectively operating either a rostered five day working week or a five day working week.

(b) The hours for breakfast and lunch shall be fixed in each case by mutual arrangement, but having once been fixed, they shall not be altered without seven days' notice to the employees.

(c) Unless the period of overtime is less than one and a half hours an employee before starting overtime after working ordinary hours shall be allowed a tea break of twenty minutes which shall be paid for at ordinary rates. An employer and employee may agree to any variation of this provision to meet the circumstances of the work in hand provided that the employer shall not be required to make any payment in respect of any time allowed in excess of twenty minutes.

(d) The interval for supper shall be between midnight and 1 a.m.

10. MEAL ALLOWANCE.

A weekly or casual employee required to work overtime for more than one and a half hours after his usual knock off time, shall either be supplied with a meal by the employer or be paid 2s. for each meal.

11. HOLIDAYS.

(a) Weekly employees shall be entitled without deduction of pay to the holidays observed in respect of—Union Picnic Day to be held on a day to be mutually agreed upon between the union and the employers or, if no agreement is reached, at a date to be fixed by the Wages Board—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, King's Birthday, Labour Day, Christmas Day, Boxing Day and one other holiday on the day fixed as follows :—Within 25 miles of the General Post Office, Melbourne—Melbourne Cup Day, elsewhere any day agreed by the employer and employee concerned or fixed by the Wages Board.

(b) Provided that in addition to the above mentioned holidays all gazetted public holidays upon which Railway Goods Yards are closed for the receipt of ordinary goods shall be observed as holidays.

12. ANNUAL LEAVE.

(a) Employees shall be entitled to two weeks' leave, exclusive of any public holidays as provided in clause 11, on full pay at the expiration of each twelve months' service. The annual leave provided by this clause shall be allowed, and shall be taken within three months of such leave falling due, and payment shall not be made or accepted in lieu of annual leave.

Provided that when an employee leaves or is dismissed before the expiration of twelve months, he shall be paid one-sixth of a week's wages for each month of completed service.

(b) Each employee, before going on leave, shall be paid two weeks' wages. For the purpose of this sub-clause the two-weeks' wages shall be at the rate at which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment as the case may be.

(c) When the right to annual leave has accrued the employer shall give not less than one week's notice to the employee concerned of his intention to grant such leave.

PART II.—continued.

13.

TERMS OF ENGAGEMENT.

- (a) Employees are to be engaged either as weekly or casual hands.
- (b) In the case of casual hands the engagement shall be terminable at any time by either party. In the case of weekly hands the engagement shall be terminable by a week's notice on either side. Provided that any employee, being incompetent, disobedient or misconducting himself may be dismissed without notice.
- (c) Men engaged for stacking ex ship shall be deemed to be casual hands during the whole time they are engaged on such work.
- (d) Where an employer is not satisfied as to the reason of an employee absenting himself from work he may deduct from the wages of such employee the time he has been so absent, unless the employee produces a medical certificate or other satisfactory evidence of sickness if required by the employer, in which case the employer shall make no deduction for such sickness. Should any dispute as to satisfactory evidence of sickness occur it shall be determined by the Wages Board. Provided that should an employee remain absent for more than six days in all during any calendar year the employer may thereafter make such deduction.
- (e) Casual employees who are instructed to report for work at a stipulated time, and who report for work at such time, but for whom work is not available within 30 minutes of the said stipulated time, shall be paid ordinary casual rates from the said stipulated starting time.
- (f) In the event of a casual worker being instructed to report for work and his services are not required, he shall be paid for two hours at casual rates.

14.

PAYMENT OF WAGES.

- (a) The payment of weekly employees shall be made during working hours in each week on a day suitable to the employer. Provided that in the case of weekly employees two days' wages may be kept in hand.
- (b) Casual hands shall be paid at the time of their services being dispensed with and at the place where the work has been performed.

15.

DUAL CAPACITY.

- (a) Where a weekly employee is put to work temporarily at a classification higher than that under which he was engaged or deemed to be working, he shall be paid as follows:—
- (i) Up to four hours on any one day—the rate prescribed for such higher classification with a minimum of one hour;
 - (ii) Over four hours on any one day—a full day's pay at the rate prescribed for such higher classification;
 - (iii) Over 22 hours in any one week—a full week's pay at the rate prescribed for such higher classification.
- (b) A weekly employee shall not suffer any deduction in wages during any week by reason of his having been put to work for a part of such week at a classification lower than that under which he was engaged or deemed to be working.

16.

TRAVELLING TIME.

- (a) In the case of the engagement of casual labour the time during which the employee is travelling from the place of engagement to the place of employment, or waiting at the job after engagement, shall be treated as ordinary time of duty in addition to the time of actual work. Provided that such travelling time shall not exceed 30 minutes.
- (b) Where circumstances arise necessitating a longer period of travelling time than 30 minutes the extra time so required shall be paid for. Should any dispute arise as to whether payment should be made such dispute shall be determined by the Wages Board.

17.

SMOKE-OHS.

Employees shall be allowed smoke-oh periods of ten minutes during each period of at least 4 hour ordinary working time. This provision shall also apply to work performed on Saturday afternoons, Sundays and holidays.

18.

FIRST AID.

In each establishment the employer shall provide a properly equipped first aid chest at a place reasonably accessible to all employees. Such a chest shall, as to its contents, comply with any Act or Regulation in force from time to time.

19.

FARES.

Transport from store to store in the employers' time shall be arranged by the employers at their own expense or the actual expense incurred shall be paid by the employers.

20.

FOOTWEAR.

Suitable and approved footwear shall be provided for employees whilst engaged in places where employers require special footwear to be used.

21.

DINING ROOM.

The employer shall provide a suitable place in which the employee may change his clothing and eat his meals. In any case in which the employer objects that it is impracticable or unreasonable to make such provisions, or in which the suitability of the place is called in question, the matter shall be determined by the Wages Board.

22.

DEFINITIONS.

- (a) A "Storeman and Packer" shall mean every employee engaged in the work of receiving, stacking, storing, packing, delivering or handling in any way whatsoever petroleum products, equipment or other merchandise sold, used or employed in connexion with a petroleum merchant's business.
- (b) A "Leading Hand" shall be an employee who:—
- (i) has 1 or 2 employees under his supervision.
 - (ii) is in charge of a store.
 - (iii) is in charge of 3-9 employees.
 - (iv) is in charge of 10 or more employees.
- (c) "Confined Space" shall mean a working place, the dimensions of which necessitate an employee working in a stooped or otherwise cramped position, or without proper ventilation, or where confinement within a limited space is productive of unusual discomfort.
- (d) A "Casual Hand" shall be one whose period of engagement is less than two weeks.
- (e) "Dirty Work" shall mean handling the following substances other than in closed containers—Agrol, Sulphuric Acid, Graphite, Aluminium Stearate, and filling and handling lime sulphur; also, subject to the proviso hereinafter mentioned, other work which a foreman and a workman shall agree is of an unusually dirty or offensive nature. In cases of disagreement between a foreman and a workman, the workman or a shop steward on his behalf shall be entitled within 24 hours to ask for a decision on the workman's claim by the executive officer responsible for the management or superintendence of the plant concerned. In such a case a decision shall be given on the workman's claim within 48 hours of its being asked for (unless that time expires on a non-working day, in which case it shall be given during the next working day) or else the said allowance shall be paid. In any case, where the Union alleges that an employer or his representative is unreasonable or capricious in relation to such claims he shall have the right to bring such case before the Wages Board.
- Provided that the normal handling of materials used in the oil industry other than those listed above shall not be regarded as work of an unusually dirty or offensive nature.

PART III.
PROVISIONS APPLICABLE ONLY TO PERSONS EMPLOYED IN BOND OR FREE STORES OR ESTABLISHMENTS
ENGAGED IN THE GENERAL BULK STORAGE BUSINESS.

TERMS OF ENGAGEMENT.

23. (a) Employees are to be engaged as weekly or casual employees. A weekly employee is one engaged by the week, and paid by the week, and whose engagement shall be terminable by one week's notice on either side, notice not to be continued from week to week.

(b) Such notice shall be given on and take effect from pay day, or, in lieu of such notice, a week's pay shall be given.

(c) Where a weekly employee is engaged on any day other than the day immediately following pay day, he shall be entitled to casual rates for the broken portion of the week worked by him.

(d) A casual employee is one whose period of engagement is for less than four weeks, and whose engagement may be terminated at any time.

(e) Casual employees shall be guaranteed not less than two hours' work every start.

(f) Weekly employees may be summarily dismissed by the employer for dishonesty, misconduct, or for absence from work without reasonable cause, without liability to pay for more than actual time worked.

(g) Where an employer is not satisfied as to the reason of an employee absenting himself from work, he may deduct from the wages of such employee the time he has been so absent, unless the employee produces a medical certificate of sickness if required by the employer; in which case the employer shall make no deduction for such sickness. Provided that should an employee remain absent for more than six days in all during any calendar year the employer may thereafter make such deduction.

CASUAL WORK.

24. Casual employees, i.e., persons employed in Bond or Free Stores or Establishments engaged in the general bulk storage business for less than four weeks, shall be paid at the rate of 3s. 6d. per hour, and such employees shall be guaranteed not less than two hours' work at every start.

HOURS.

25. The working hours shall not exceed 44 per week to be worked between the hours of 7.30 a.m., and 5.30 p.m. on Monday to Friday inclusive and 7.30 a.m. to 12 noon on Saturday, provided that a week's notice shall be given by the employer to the hands concerned of intention to change the usual hours of starting and finishing.

Different starting and finishing times may be fixed in distinct departments in the same establishment of the employer but not for men working together in the same department.

OVERTIME.

26. Overtime shall be paid to both weekly and casual employees for all work done before the usual starting time, and after the usual finishing time, at the rate of time and a half for the first three hours and double time thereafter.

Provided that after 12 noon on Saturday casual employees shall be paid double rates, and after 12.30 p.m. on Saturday weekly employees shall be paid double rates.

SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS.

27. (i) 6s. per hour shall be paid for all work done on Sunday, Christmas Day, or Good Friday, and (ii) for all work done on all other statutory or gazetted public holidays observed by the Customs Authority, weekly employees shall be paid at the rate of double time in addition to their weekly wage and casual employees shall be paid at the rate of double time.

HOLIDAYS.

28. All statutory and gazetted public holidays observed by the Customs Authority shall be recognized holidays without any deductions from the weekly wages to be paid under this Determination.

MEAL HOURS.

29. Meal hours shall be as follows:—

Dinner: One hour between 12 noon and 2 p.m.

Tea: 5 p.m. to 6 p.m.

Each employer shall fix the meal hour, which shall not be altered without seven days' notice to the employees.

MEAL HOUR RATES.

30. All meal hours if worked shall, except as otherwise provided, be paid for at double rates, such rates to be continued until such time as the meal hour has been allowed, provided that should work not continue after 6 p.m. meal hour rates shall not apply.

MEAL ALLOWANCE.

31. Employees called upon to work overtime after 6 p.m. on Monday to Friday or 1 p.m. on Saturday shall receive a meal allowance of 2s.

ANNUAL LEAVE.

32. (a) Employees shall be entitled to two weeks' leave exclusive of any public holidays as provided in clause 28 on full pay at the expiration of each twelve months' service. The annual leave provided by this clause shall be allowed and shall be taken within three months of such leave falling due and payment shall not be made or accepted in lieu of annual leave; provided that when an employee leaves or is dismissed before the expiration of twelve months' service but on or after completing six months' service he shall be paid one sixth of two weeks' wages for each completed two months' service.

(b) Each employee before going on leave shall be paid two weeks' wages. For the purpose of this sub-clause the two weeks' wages shall be at the rate at which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment as the case may be.

(c) When the right to annual leave has accrued the employer shall give not less than one week's notice to the employee concerned of his intention to grant such leave.

CARRYING HEAVY GOODS.

33. Casual employees when receiving and carrying continuously for one hour or more bagged stuff, case goods, or other packages exceeding 180 lb. in weight shall be paid 6d. per hour above the ordinary rates, provided that when carrying 10-bushel bags of bran, both temporary employees and weekly employees shall be paid 9½d. per hour above the ordinary rates.

PART IV.

PROVISIONS APPLICABLE TO PERSONS OTHER THAN THOSE EMPLOYED IN OIL, GREASE, AND PETROLEUM PRODUCTS STORES, OR IN BOND OR FREE STORES OR ESTABLISHMENTS ENGAGED IN THE GENERAL BULK STORAGE BUSINESS.

TERMS OF ENGAGEMENT.

34. (a) Employees are to be engaged as weekly or casual employees. A weekly employee is one engaged by the week and paid by the week, and whose engagement shall be terminable by one week's notice on either side, such notice not to be continued from week to week.

(b) After one full week's work, such notice may be given to a weekly employee at any time, but an employer may pay one week's wages in lieu of notice.

(c) Casual employees shall be guaranteed not less than two hours' engagement every start.

(d) A weekly employee to be entitled to the weekly wage shall be available, ready, and willing to perform his or her usual work during the days and hours usually worked by such class of employee, and may be summarily dismissed for dishonesty, misconduct, neglect of duty, or for absence from work without reasonable cause, and in the event of such dismissal the employee shall be paid only for the time actually worked. Provided that an employer may deduct payment for time lost during which the employee cannot be usefully employed by reason of any strike, breakdown of machinery, or other cause for which the employer cannot reasonably be held responsible.

(e) Any employee not attending for duty shall lose his pay for the actual time lost unless such employee has had not less than three months' service with the same employer, and produces or forwards within twenty-four 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 44 hours of working time in each year. Provided that he shall not be entitled to paid leave of absence for any period in respect of which he is entitled to workers' compensation. For the purpose of administering this sub-clause, "year" means the period between the 1st July and the next following 30th June.

(f) Notwithstanding anything contained in sub-clause (e) hereof, if the full period of sick leave therein prescribed has not been taken in any year, such portion of the sick leave which was or is not taken shall be cumulative from year to year up to a period not exceeding 132 hours of working time which shall be the maximum amount of leave to which an employee may be entitled in any year without deduction of pay. For the purpose of administering this sub-clause, service prior to the 1st July, 1945, shall not be taken into account.

ORDINARY HOURS FOR A WEEK'S WORK.

35. (a) The ordinary hours for a week's work shall be 44 except in the case of any week in which any of the holidays specified in clause 41 occur.

(b) In any such week the ordinary hours of work shall be reduced by the number of hours regarded as an ordinary day's work for any day on which any of the said holidays occur.

CASUAL WORK.

36. Casual work, i.e., work for less than two full weeks, other than in potato or onion stores, shall be paid for at the following rates:—

On wharfs or in wharf sheds, customs railway sheds, or fumigating sheds	..	..	..	..	Ordinary wages rate with an addition of twenty per cent. calculated to the nearest $\frac{1}{4}$ d., half or less than half of $\frac{1}{4}$ d. to be disregarded.
Elsewhere, except in potato or onion stores	..	..	..	..	Ordinary wages rate with an addition of thirty-three and one-third per centum.

HOURS OF WORK FOR ALL PERSONS OTHER THAN THOSE EMPLOYED IN BREAD-MAKING ESTABLISHMENTS.

37. Hours of work for all persons other than those employed in Bread-making Establishments shall be:—

	Times of Beginning.	Times of Ending.
(a) On the ordinary working days of the week	.. 7 a.m.	.. 6 p.m.
On Saturday	.. 7 a.m.	.. Noon in bulk paper, bulk lime, or cement stores. 12.30 p.m. in any other place.

An employer shall not alter the starting and finishing times in his establishment without giving one week's notice.

(b) The ordinary hours shall be worked on five days of eight hours (Monday to Friday, inclusive), and one day (Saturday) of four hours; or five days (Monday to Friday, inclusive) of eight hours forty-eight minutes, each continuously, except for meal breaks, at the discretion of the employer.

HOURS OF WORK IN BREAD-MAKING ESTABLISHMENTS.

38. The number of hours to be worked in Bread-making Establishments on each night between 9 p.m. and 7.30 a.m. shall not exceed—

On ordinary nights	..	..	..	..	7 hours.
On double nights (i.e., nights on which bread for more than one day's consumption is produced)	..	..	..	..	10 hours.

OVERTIME.

39. The following rates shall be paid for all work done—

(a) by persons employed in Bread-making Establishments—
In excess of the number of hours fixed in clause 38, or
In excess of the ordinary hours for a week's work prescribed in clause 35 } Time and a half.

(b) by all other persons—
Outside the times of beginning and ending work } Time and a half for the first three hours, and double time
as prescribed in clause 37 (a), or, in excess } thereafter. When double time becomes payable it shall
of the ordinary hours prescribed in } continue until the completion of the overtime work.
clause 37 (b) }

SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS.

40. Double time shall be the rate for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day (in industries named in the Second Schedule to the *Anzac Day Act 1928*), King's Birthday, Christmas Day, or Boxing Day; provided that Melbourne Cup Day shall be substituted for King's Birthday for persons employed in laundries within the areas to which the Determination of the Laundry Workers Board applies; provided further that in any case where Melbourne Cup Day has been substituted as a holiday, as provided for in clause 34, the special rate herein provided shall operate on such day in lieu of King's Birthday, 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 days so substituted.

HOLIDAYS.

41. Weekly employees 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, Boxing Day, Easter Saturday (except those employed in establishments in which perishable goods are handled), and the Picnic Day or Trade Holiday fixed for the majority of the employees in any establishment.

Provided that within the Metropolitan District as defined in the Factories and Shops Acts, Melbourne Cup Day may be substituted for King's Birthday by agreement between the Secretary of the Federated Storemen and Packers Union and any employer concerned.

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.

All employees working on piecework shall be granted the same holidays as are provided for weekly wage workers, and they shall be paid for such holidays the amount for each holiday based on the minimum weekly wage as set out in this Determination for the class of work performed.

PART IV.—continued.**PERSONS EMPLOYED IN POTATO OR ONION STORES FOR LESS THAN FULL WEEK.**

42. Persons employed in potato or onion stores, who work less than the number of hours fixed for an ordinary week's work, shall be paid not less than the ordinary wages rate calculated *pro rata*, according to the number of hours worked.

ANNUAL LEAVE.*Period of Leave.*

43. (a) Except as hereinafter provided a period of fourteen consecutive days' leave shall be allowed annually to an employee after twelve months' continuous service (less the period of annual leave) as an employee in any one or more of the occupations to which this Part of this Determination applies.

Annual Leave Exclusive of Public Holidays.

(b) Subject to this sub-clause the annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by clause 41 of this Determination, and if any such holiday falls within an employee's period of annual leave and is observed on a day which in the case of that employee would have been an ordinary working day; there shall be added to that period one working day for each such holiday falling as aforesaid.

Where a holiday falls as aforesaid and the employee fails without reasonable cause proof whereof shall be upon him to attend for work on the working day immediately preceding the first day or at his ordinary starting time on the working day immediately following the last day of the period of his annual leave, he shall not be entitled to be paid for any such holiday.

Broken Leave.

(c) The annual leave shall be given and taken in a continuous period or, if the employee and the employer so agree, in two separate periods and not otherwise.

Calculation of Continuous Service.

(d) 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 personal sickness or accident or on account of leave lawfully granted by the employer; or
- (iii) any absence with reasonable cause proof whereof shall be upon the employee.

In calculating the period of twelve months' continuous service any such absence as aforesaid shall not, except to the extent of not more than fourteen days in a twelve-monthly period in the case of sickness or accident, be taken into account in calculating the period of twelve months' continuous service.

In cases of personal sickness or accident or absence with reasonable cause the employee to become entitled to the benefit of this sub-clause shall inform the employer in writing if practicable within 24 hours of the commencement of such absence of his inability to attend for duty and as far as practicable the nature of the illness injury or cause and the estimated duration of his absence. A notification given by an employee pursuant to clause 34 (e) shall be accepted as a notification under this sub-clause.

Any absence from work by reason of any cause not being a cause specified in this sub-clause shall not be deemed to break the continuity of service for the purposes of this clause unless the employer during the absence or within fourteen days of the termination of the absence notifies the employee in writing that such absence will be regarded as having broken the continuity of service.

In cases of individual absenteeism such notice shall be given in writing to the employee concerned, but in cases of concerted or collective absenteeism notice may be given to employees by the posting up of a notification in the plant, in the manner in which general notifications to employees are usually made in that plant and by posting to the union whose members have participated in such concerted or collective absenteeism a copy of same not later than the day it is posted up in the plant.

A notice to an individual employee may be given by delivering same to him personally or by posting it to his last recorded address, in which case it shall be deemed to have reached him in due course of post.

Calculation of Service.

(e) Service before the 1st January, 1946, shall be taken into consideration for the purpose of calculating annual leave, but an employee shall not be entitled to leave or payment in lieu thereof for any period in respect of which leave or a payment in lieu thereof has been allowed or made under the clause hereby revoked. Provided however, that in respect of service before the 1st January, 1946, the annual leave shall be allowed at the rate of 3½ hours for each completed one month of continuous service and in respect of service after that date at the rate of 7½ hours for each completed one month of continuous service. Any broken part of a month served before the 1st January, 1946, shall for the purposes of this clause be deemed to be service after the 1st January, 1946. The period of annual leave to be allowed under this sub-clause shall be calculated to the nearest day any broken part of a day in the result not exceeding half a day to be disregarded.

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 service of the predecessor shall for the purpose of this clause be deemed to be in the service of the employer.

Calculation of Month.

(f) 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.

Leave to be Taken.

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

Time of Taking Leave.

(h) Annual leave shall be given at a time fixed by the employer within a period not exceeding six months from the date when the right to annual leave accrued and after not less than two weeks' notice to the employee.

Leave Allowed Before Due Date.

(i) 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.

Where leave has been granted to an employee pursuant to this sub-clause 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 one complete month 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-twelfth 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 by clause 41 of this Determination.

Payment for Period of Leave.

(j) Each employee before going on leave shall be paid two weeks' wages. For the purposes of this sub-clause and sub-clause (k) hereof, wages shall be at the rate prescribed by clauses 2, 4 (b), and 4 (c) of this Determination for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment, as the case may be. Payment in the case of employees employed on piece or bonus work or any other system of payment by results shall be at time rates.

PART IV—continued.*Proportionate Leave on Dismissal.*

(k) If after one month's continuous service in any qualifying twelve-monthly period an employee lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid at his ordinary rate of wage for 3½ hours in respect of each completed one month of continuous service before the 1st January, 1946, and for 7½ hours at the same rate in respect of each completed month of continuous service after that date, the service in each case being service in respect of which leave has not been granted hereunder.

Annual Close Down.

(l) Where an employer closes down his plant, or a section or sections thereof, for the purposes of allowing annual leave to all or the bulk of the employees in the plant, or section or sections concerned, the following provisions shall apply—

- (i) He may by giving not less than one month's notice of his intention so to do stand off for the duration of the close down all employees in the plant or section or sections concerned, and allow to those who are not then qualified for two full weeks' leave paid leave on a proportionate basis of one-sixth of a week's leave for each completed month of continuous service.
- (ii) An employee who has then qualified for two full weeks' leave, and has also completed a further month or more of continuous service shall be allowed his leave, and shall also be paid one-sixth of a week's wages in respect of each completed month of continuous service performed since the close of his last twelve-monthly qualifying period.
- (iii) The next twelve-monthly qualifying period for each employee affected by such close down shall commence from the day on which the plant, or section or sections concerned is re-opened for work.
- (iv) If in the first year of his service with an employer an employee is allowed proportionate annual leave under paragraph (i) hereof, and subsequently within such year lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, he shall be entitled to the benefit of sub-clause (k) of this clause subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

Disputes.

(m) Any dispute arising in connexion with annual leave shall be referred to the Wages Board.

MEAL ALLOWANCE.

44. An employee (other than an employee in an egg packing establishment) required to work overtime for any period in excess of one hour after the usual hour of ceasing duty shall be paid an allowance of 2s. 6d. as meal money. Provided that such meal allowance shall not be payable to an employee who can reasonably return home for a meal.

REST PERIOD.

45. A rest period of ten minutes, at a time fixed by the employer, between 10 a.m. and 11.30 a.m. each day shall be allowed to all employees (other than those employed in egg packing establishments), such time to count as time worked.

RIGHT OF ENTRY OF UNION OFFICIAL.

46. A duly accredited representative of the Federated Storemen and Packers' Union of Australia shall have the right to enter employers' establishments during the midday meal hour for the purpose of interviewing employees on legitimate Union business on the following conditions:—

- (a) That he produces his authority to the employer or his representative.
- (b) That he interviews employees only at the place where they are taking their meal.
- (c) That not more than one representative in all be in any establishment at any one time.
- (d) That no one representative visit an establishment more than once a fortnight.
- (e) That if an employer alleges that a representative is unduly interfering with his establishment or is creating disaffection amongst his employees or is offensive in his methods or is committing a breach of any of the previous conditions, such employer may refuse the right of entry, but the representative shall have the right to bring such refusal before this Wages Board.

EMPLOYER TO PROVIDE TOOLS.

47. All tools which employees (other than those employed in, or on, or in connexion with Wharfs, Wharf Sheds, Customs Railway Sheds, or Fumigating Sheds) are required to use in the course of their work shall be provided by the employer.

PIECEWORK.

48. The Board determines, under the provisions of sub-sections (1) and (2) of section 150 of the *Factories and Shops Act 1928* (No. 3877), that any employer may fix and pay piecework prices for wholly or partly packing or sorting any articles for which wages rates are fixed, provided that such employer shall base such piecework prices on the earnings of an average worker working under like conditions, and such piecework prices shall be fixed so that an average worker can earn not less than the wages rate fixed by the Board for such work.

PART IVA.**ADDITIONAL PROVISIONS APPLICABLE ONLY TO PERSONS EMPLOYED IN EGG PACKING ESTABLISHMENTS.****MELBOURNE CUP DAY HOLIDAY.**

49. Employees shall be either permitted to be absent from duty without deduction of pay from 12 noon on Melbourne Cup Day or paid at the rate of double time for all work done after 12 noon on that day.

RESTRICTION AS TO FEMALES LIFTING HEAVY WEIGHTS.

50. The maximum weight to be lifted by any female over eighteen years of age shall be thirty pounds.

REST PERIODS.

51. A rest period of ten minutes in the forenoon and ten minutes in the afternoon shall be given all female workers without any deduction from wages.

MEAL ALLOWANCE.

52. An employee required to work overtime for any period in excess of one hour after the usual hour of ceasing duty shall be paid an allowance of 2s. 6d. as meal money. Provided that such meal allowance shall not be payable to an employee who can reasonably return home for a meal.

PART V.**WAGE ADJUSTMENT PROVISIONS APPLICABLE TO ALL SECTIONS.****PERIODICAL ADJUSTMENT OF WAGES.**

53. The wages rates set out in clauses 4 (a) (i), 4 (a) (ii), 4 (b) (other than the hourly rate for storemen or packers called upon to work in cool stores) and 24 are based upon the following basic wages, and pursuant to the provisions of section 21 of the *Factories and Shops Act 1934*, this Board hereby determines that the such rates for males in the said clauses 4 (a) (i), 4 (a) (ii), and 4 (b), shall be automatically adjusted as prescribed by clause 54, provided that the wages for females in clause 4 (c), and for apprentices, improvers and juvenile workers in clauses 2 and 3, shall be adjusted proportionately to adjustments of the basic wage—such adjustments to be in the case of juveniles in clause 3 to the nearest 6d. and in other cases to the nearest 3d.

PART V—continued.*Basic Wages.*

Place.	Basic Wage.	Index Number Set Assigned.
	£ s. d.	
Throughout the State—		
(a) For all employees other than casual hands employed in Oil, Grease, and Petroleum Products Stores	5 0 0	Melbourne
(b) For casual hands employed in Oil, Grease, and Petroleum Products Stores ..	4 19 0	Melbourne, Adelaide, and Hobart (weighted average)

ADJUSTMENT OF BASIC WAGE.

54. (a) For the purposes of this Determination the expression "Commonwealth Statistician's 'all items' retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician.

(b) Until the beginning of the first pay period to commence in February, 1947, the amounts of the basic wages shall be as prescribed in clause 53.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, the amount of the basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "all items" retail price index number by the factor .087 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach .5 or more the basic wage shall be taken to the next higher shilling.

55. The hourly rate for storemen or packers called upon to work in cool stores shall be adjusted at the same time and at the same rate as that provided for a chamber hand in the Determination of the Frozen Goods Board.

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

J. W. RYAN, Secretary.

Melbourne, 19th December, 1946.



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FRIDAY, MARCH 14.

[1947

Factories and Shops Acts.

DETERMINATION OF THE GENERAL BOARD.

(Paper Articles (not elsewhere included) Section.)

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

(b) On 18th July, 1938, 11th November, 1940, and 30th September, 1941, respectively, by Orders in Council, the following additional trades and branches of trades were specified to be trades, or branches of trades, for the purposes of section (6) of the *Factories and Shops Act 1936*, that is to say:—

Gold beating.

Ornamenting cakes, where such work is not subject to the Determination of the Pastrycooks Board.

Manufacturing or preparing—

Designs for paper patterns or for other paper articles whatsoever.

Paper crackers or bon-bons.

Lampshades of all types other than those made of silk, parchment, glass, metal, porcelain, earthenware, synthetic resin, casein, or other substance of a nature similar to synthetic resin or casein.

Abrasive articles (other than abrasive paper or cloth), including carborundum wheels, emery wheels, and sharpening stones.

Articles made of feathers, including dress ornaments and boas.

Vinegar and yeast.

Carbon dioxide or other industrial gases for trade or sale in gas, liquid, or solid form.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed "to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the following trades and branches of trades, that is to say:—

Renovating carpets;
Preparing feathers;
Treating flax;
Treating pyrites and other metalliferous ores;
Mixing seed and making poultry foods;
Glass badging;
Gold stamping;
Ivory working;
Show-card and ticket-writing;
Manufacturing or preparing—
Abrasive paper or cloth;
Asbestos articles:
Blue prints;
Buttons and buckles other than those subject to the Determination of the Plastic Moulding Board;
Button badges;
Carbon articles;

Chalk, crayons, or other articles from mineral earth;
Cinematograph film;
Composition flooring;
Cutlery;
Artificial flowers and bouquets;
Paper articles not subject to any Board heretofore appointed;
Honey;
Ink or adhesives;
Silk or parchment lampshades;
Fishing and other nets;
Ornaments for cakes;
Plaster models;
Sporting goods not provided for under any Board heretofore appointed;
Surgical instruments;
Toys;
Watch cases "

has made, in respect of the manufacturing or preparing of—

(a) designs for paper patterns or for other paper articles whatsoever;

(b) paper articles not subject to any Board heretofore appointed—

the following Determination, namely:—

(1) That as from the beginning of the first pay period to commence on or after the 1st December, 1946, the last previous Determination for this Section shall be revoked and replaced by this Determination.

(2) WAGES PER WEEK OF 44 HOURS.

(a) IMPROVERS.				(b) ADULTS.			
Males.		Females.		Males.		Females.	
	s.	d.			s.	d.	
1st year's experience ..	22	3	1st six months' experience ..	18	0	All adults ..	110 0
2nd ..	31	6	2nd ..	22	3		
3rd ..	43	3	3rd ..	26	3		
4th ..	58	0	4th ..	30	9		
5th ..	74	6	5th ..	34	9		
6th ..	85	9	6th ..	39	9		
7th ..			7th ..	43	6	(a) Designer of patterns to be used for producing articles of wearing apparel ..	144 9
years of age ..	91	9	8th ..	49	6	(b) Assistant to (a) above ..	101 6
			9th ..	53	3	(c) Designers of patterns used for the production of transfers as applied to fabrics ..	101 6
			10th ..			(d) Assistants to (c) above ..	81 9
			until 21 years of age ..	57	9	(e) Operator of perforating machine ..	75 0
						(f) Any other adult ..	61 0

NOTE.—The rates prescribed for improvers shall apply only to such employees as are under 21 years of age, or who, being over 21 years of age, are the holders of improvers' licences.

PROPORTION (IN ANY PLACE).

Males.

One male improver to each male person receiving not less than the minimum wage.

Females.

Three female improvers to the first female person receiving not less than the minimum wage; thereafter one additional improver to each additional female person receiving not less than the minimum wage.

(3) PROHIBITION OF EMPLOYMENT.—The Board determines that no person shall be employed as an apprentice.

(4) WEEKLY HOURS.—That the number of hours to constitute an ordinary week's work shall be 44.

(5) TIMES OF BEGINNING AND ENDING WORK.—That the times of beginning and ending work shall be:—

Time of Beginning (not earlier than).	Time of ending (not later than).
7.30 a.m.	12 noon on Saturday.
7.30 a.m.	5.30 p.m. on the other working days of the week.

(6) OVERTIME.—That all time worked—

- (a) Outside the times of beginning and ending work prescribed in clause (5); or
- (b) Within such prescribed times, but in excess of 44 hours in any one week—

shall be paid for at the rate of time and a half for the first four hours' work, and double time thereafter. Provided that, in computing overtime, each day's work shall stand alone.

(7) HOLIDAYS.—(a) All 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 Saturday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, and Boxing Day.

(b) 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 only when the working week consists of five and a half days.

(c) All 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.

(d) 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.

(e) Any person who is employed on a Sunday or any holiday provided for herein shall receive a minimum payment for four hours' work at the rate of double time, which hours shall be worked continuously. In the event of more than four hours being worked such person shall be paid for a minimum of eight hours' work at the rate of double time.

(8) TERMS OF EMPLOYMENT.—(a) That notice equivalent to 44 working hours shall be given on either side to terminate employment. Such notice may be given at any time. This shall not affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty, or misconduct (in which case wages shall be paid up to time of dismissal only), or to deduct payment for any day the employee cannot be usefully employed because of any strike, or through any breakdown of machinery, or any stoppage of work or any cause for which the employer cannot be reasonably held responsible.

(b) In lieu of such 44 working hours' notice, except in circumstances referred to above, the employer may pay 44 hours' wages; and vice versa the employee leaving his employment without notice shall forfeit 44 hours' wages, which may be deducted from any wages due.

(c) Provided that any notice determining the employment solely for the purpose of evading payment for prescribed holidays, and not to determine finally the engagement, shall not deprive the employee of payment for any prescribed holidays occurring or observed between such notice to terminate and the re-engagement, if any.

(9) REST ROOM.—A rest room shall be provided by every employer. Such room shall contain a suitable couch and seating accommodation, and shall be properly lighted and ventilated.

(10) REST PERIOD FOR FEMALES.—Except on Saturday, a rest period of ten minutes (to be counted as part of time worked) shall be allowed females during each morning or afternoon. Whether the rest period shall be taken during the morning or afternoon shall be determined by a majority of the female employees in the establishment concerned.

(11) ANNUAL HOLIDAY.—The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1946*, and any amendments which may be made thereto from time to time.

(12) PERIODICAL ADJUSTMENT OF WAGES.—The wages rates for males set out in clause (2) (b) are based upon the following basic wage rates 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 adjusted as prescribed by clause (13). Provided that the wages of improvers and of females shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded, and to be made upon the rates prescribed in the Determination for this section, which came into force as from the beginning of the first pay period to commence on or after the 1st December, 1946.

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	5 0 0	6 0	5 6 0	Melbourne

(13) ADJUSTMENT OF BASIC WAGE.—(a) For the purposes of this Determination, the expression "Commonwealth Statistician's 'all items' retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician.

(b) Until the beginning of the first pay period to commence in February, 1947, the amounts of the Basic Wage shall be as prescribed in clause (12).

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, the amount of the needs basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "all items" retail price index number by the factor .087 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach .5 or more the basic wage shall be taken to the next higher shilling.

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

J. V. WILLOX, Secretary.

Melbourne, 14th January, 1947.



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Factories and Shops Acts.

DETERMINATION OF THE PAINTERS BOARD.

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

(2) **Painting, Decorating, and Signwriting** were proclaimed on 28th November, 1923, as apprenticeship trades under the "Apprenticeship Act 1927" for the Metropolitan District.

Full particulars of the apprenticeship regulations for these trades may be obtained on application to the Secretary, Apprenticeship Commission, Melbourne. (Price 3d.)

IN accordance with the provisions of the Factories and Shops Acts the Wages Board which, since 7th August, 1933, has had the power to determine the lowest prices or rates which may be paid to any persons employed in the process, trade, or business of—

- (a) Painting, other than ship painting or painting under the jurisdiction of any Wages Board heretofore appointed of hereafter to be appointed;
- (b) Paperhanging;
- (c) Sign or poster writing, and any work incidental thereto;

(d) Producing signs or posters by means of stencils, screens, or other like methods, and any work incidental thereto—has made the following Determination which embodies the Determination of the Industrial Appeals Court made on the 15th day of August, 1946, as reviewed and altered by the Board, pursuant to leave granted by the said Court on the 7th day of October, 1946.

The operative date shall be as follows:—

- (i) That as from the operative date as prescribed in paragraph (ii) hereof, the last previous Determination of this Board shall be revoked and replaced by this Determination.
- (ii) (a) Clause 2 (b) of Part I. hereof shall come into force from the beginning of the first pay period to commence on or after the 1st December, 1946, Clauses in Part I., other than Clause 2 (b), shall come into operation as from the 13th December, 1946, and shall continue in force whilst the Building Trades of Victoria Award of the Commonwealth Court of Conciliation and Arbitration remains in force:

If and when the provisions of this Part cease to apply by virtue of the limitation prescribed in the previous paragraph, all employees covered by the said provisions will automatically be subject to the provisions of Part III. hereof.

- (b) Clause 2 (c) of Part II., hereof shall come into force from the beginning of the first pay period to commence on or after the 1st December, 1946. Clauses in Part II., other than Clause 2 (c) shall come into operation as from the 18th December, 1946.

PART I.

1. This Part applies only in respect of the employment of persons on the construction renovation alteration repair or demolition of buildings performed on the site thereof, and in particular it shall have no application—

- (i) to employment by an employer in any industry where the work performed by the employee is subsidiary or auxiliary to the chief and principal purpose and business of such industry; or
- (ii) to employment in workshops or joinery mills.

WAGES.

(a)		(b)	
Apprentices or Improvers.		Other Employees.	
	Per week of 44 Hours. s. d.	Per Hour. s. d.	Per week of 44 Hours. s. d.
1st year's experience	30 0	All classes of work	3 8½
2nd " "	40 6		
3rd " "	56 6		
4th " "	78 0		
5th " "	103 0		

PROPORTION (BY ANY EMPLOYER).

Apprentices.

One apprentice to every three journeymen or fraction of three journeymen employed.

In cases where not more than three journeymen are employed at the trades, a second apprentice may be employed on the completion, by the first apprentice, of the second year of his apprenticeship course.

** Improvers.*

One improver to three) workers receiv-
Two improvers to six) ing not less
Three improvers to twelve and there-) than 163s. 6d.
after one additional improver to every) per week of
twelve additional) 44 hours.

*** Note.—The employment, within the Metropolitan District, of any improver is illegal.**

Leading Hand, i.e., a tradesman who is given responsibility of direction and supervision of the work by his employer or by his employer's responsible representative of not fewer than five tradesmen shall receive in addition to his ordinary wage, allowances as follows:—

- (a) If in charge of five tradesmen as aforesaid—1s. per day;
- (b) If in charge of more than five tradesmen as aforesaid, 1s. per day for being in charge of the first five tradesmen, plus an additional 1s. per day for each additional five, or fraction of five tradesmen in excess of such first five tradesmen.

HOURS.

3. The ordinary hours shall be 44 per week to be worked on five or five and a half days, the daily hours being respectively 8 hours 48 minutes Monday to Friday inclusive or 8 hours Monday to Friday inclusive and 4 hours on Saturday between the hours of 7.30 a.m. and 5.30 p.m. Monday to Friday inclusive and 7.30 a.m. to 12 noon on Saturday. The lunch break shall be not less than 42 minutes and shall be taken between the hours of noon, and 1 p.m. on each day, provided that by mutual agreement between the parties concerned, the said lunch break may be taken between the hours of 11.30 a.m. and 1 p.m.

OVERTIME.

4. All work done outside of or in excess of the ordinary hours for a day's work as prescribed, shall be paid for at the rate of time and a half for the first two hours and double time thereafter.

HOLIDAYS AND SUNDAY WORK.

5. Double time shall be the rate for all work done on Sundays, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Melbourne Cup Day, Christmas Day, or Boxing Day.

SPECIAL RATES.

(Payable in addition to ordinary wages prescribed in clause 2 of this Part.)

6. (a) *Swing Scaffold Work, and Ladder Work.*—Any person employed on a swing scaffold, or any scaffold suspended by a rope or cable, or any person employed on a ladder at a height of 35 feet or more above the nearest horizontal plane, shall be paid 1s. for the first four hours or any portion thereof, and 3d. per hour for each hour thereafter, on any day.

(b) *Scaffold Work.*—Any person employed on a scaffold (except a scaffold protected by a guard rail) at a height of 50 feet or more above the nearest horizontal plane, shall be paid 1s. for the first four hours or any portion thereof, and 3d. per hour for each hour thereafter, on any day.

(c) *Work in Wet Places.*—Any person required to work in a wet place (i.e., when water other than rain is flowing or dripping from overhead to such an extent as to saturate the clothing of the worker, or when the worker is required to work in water more than 2 inches deep), shall be paid 2d. per hour for each hour, or part thereof, he is so required to work. Provided that this extra rate shall not be payable to an employee who is provided by the employer with suitable protective clothing and/or footwear.

(d) *Work in Hot Places.*—Any person required to work for more than one hour in the shade in places, (i) where the temperature is raised by artificial means to between 115 and 130 degrees Fahrenheit, shall be paid 1½d. per hour, (ii) in places where the temperature exceeds 130 degrees Fahrenheit, the additional amount to be paid shall be 3d. per hour. Where work continues for more than two hours in temperatures exceeding 130 degrees Fahrenheit, employees shall also be entitled to twenty minutes' rest after every two hours' work without deduction of pay.

(e) *Work in Cold Places.*—Any person required to work for more than one hour in places where the temperature is reduced by artificial means below 32 degrees Fahrenheit, shall be paid 1½d. per hour. Where the work continues for more than two hours employees shall be entitled to a rest period of twenty minutes every two hours without loss of pay.

(f) *Dirty Work.*—Any person required to do work which a foreman and workman shall agree is of an unusually dirty or offensive nature shall be paid 1½d. per hour.

(g) *Work in Confined Spaces.*—Any person required to work in a confined space (i.e., a compartment or space, access to which is through a manhole or similar opening, or a place the dimensions of which necessitate an employee working in a stooped or otherwise cramped position, or without proper ventilation, and which is of a class not usually associated with the painting and decorating trade) shall be paid 3d. per hour.

(h) *Special Rates not Cumulative.*—Where more than one of the conditions entitling a workman to special rates exist on the same job the employer shall be bound to pay only one rate, namely, the highest for the conditions so prevailing.

(i) *Rates not Subject to Penalty Additions.*—The special rates herein prescribed shall be paid irrespective of the times at which the work is performed, and shall not be taken into account when computing the penalty rate payable for overtime, or for work done on Sundays and holidays.

INCLEMENT WEATHER.

7. Each employee shall be paid an allowance at ordinary rates for time lost through inclement weather, subject to the following conditions:—

- (i) That such allowance shall not exceed the equivalent of eight hours' pay in any one week.
- (ii) That weather shall not be regarded as inclement for the purposes of this clause, unless the employer or his representative on the job, and a representative of the men on such job, agree that it shall be so regarded. Failing such agreement weather shall not be regarded as inclement and work shall continue.
- (iii) Any intermission of work owing to inclement weather so regarded as aforesaid shall immediately cease and work shall be immediately resumed on the employer or his representative calling for a resumption of work.
- (iv) An employee shall not be entitled to payment as provided for in this clause, unless he remains on the job until a decision to cease work for the day has been made by agreement between the employer or his representative and a representative of the men.
- (v) The intermission of work by employees who would be exposed to or working in inclement weather so regarded in accordance with this clause shall not be a ground for intermission of work in places where employees are not so exposed to or are not called upon to work in such inclement weather.

ALLOWANCE IN RESPECT OF EXCESS FARES AND TRAVELLING TIME.

8. (a) The following payments shall be made in lieu of fares and travelling time within the radii named using G.P.O., Melbourne (cr. Bourke and Elizabeth streets) or the principal post offices at Ballarat, Bendigo, and Geelong as centres:—

	s.	d.
Up to and including 12 miles	2	0 per day
Over 12 miles and including 20 miles	2	6 per day
Over 20 miles and including 30 miles	3	0 per day

These allowances shall not be payable if the employer provides or offers to provide transport free of charge, in which case 1s. 4d. per day travelling allowance shall be paid.

(b) Where fares are necessarily incurred on distant jobs, as defined in clause 9 (a) of this Part, or on work performed outside the radii named in sub-clause (a) hereof the provisions of that sub-clause shall apply except that the local Post Office shall be the centre.

ALLOWANCES IN RESPECT OF DISTANT JOBS.

9. (a) When distance and/or travelling facilities reasonably prevent an employee going from and returning each day to his usual place of residence suitable board and sleeping accommodation including stretcher and mattress for each employee shall be provided. When work is situated away from suitable accommodation, the employer shall supply tents or huts with sleeping accommodation therein including stretcher and mattress for each employee in addition to any allowance provided in this clause; the allowance to be made shall be—

	s.	d.
For less than a full week	10	0 per day
For a full working week at the rate of	42	0 per week

(b) In lieu of the payments prescribed in clause 8 (a) of this Part an employee to whom sub-clause (a) applies shall be paid travelling time (not exceeding ordinary working hours per day) at ordinary rates of pay, and, where incurred, second-class return fare, and 5s. to cover expense of reaching his home railway station and transport of tools if any cost necessary. Provided that the return fare shall not be payable if the employee is dismissed for misconduct or is held incompetent within one week of starting work or leaves within one month of engagement. Travelling time shall be calculated as from Spencer-street and Flinders-street Railway Stations or the home Central Railway Station (if residing in the country) to destination by rail or usual travelling facilities.

(c) If an employee elects to return to his home at the week end after three months of continuous service and thereafter at three-monthly periods he shall be paid a second-class return fare (Victorian Railways only) on the pay day which immediately follows the date on which he returns to the job.

If the work upon which the employee is engaged will terminate in the ordinary course within a further 28 days after the expiration of three months this sub-clause shall not apply.

(d) Any person who has travelled from a "centre" to a place of work, and is required, in the course of his employment to travel further on the same day, shall be paid all fares necessarily expended in such further travelling.

ALLOWANCE IN RESPECT OF MEALS.

10. 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 an amount of 2s. 6d. for a meal. When working overtime for two hours or more, employees shall be allowed to take, without deduction of pay, 20 minutes for crib immediately after the ordinary ceasing time, and thereafter 30 minutes for crib shall be allowed after each four hours of continuous work. Provided that where an employee works overtime for two hours without taking the prescribed interval of 20 minutes, he shall be deemed to have worked two and one-third hours.

EXCESS OF HOURS.

11. An employee who has worked continuously (except for meal intervals) for 20 hours, shall have a break of at least twelve hours before again starting work.

REST PAUSE.

12. (a) There shall be a rest period of ten minutes from the time of ceasing to the time of resuming work between the hours of 9.30 a.m. and 11 a.m. without deduction of pay.

(b) The employer shall provide facilities to enable the employees to obtain an adequate supply of boiling water at meal times and rest periods.

ANNUAL LEAVE.

13. (a) Subject to the provisions of sub-clause (c) and (d) hereof, a period of fourteen consecutive days inclusive of public holidays occurring during the period shall be allowed as leave annually to all employees after twelve months' continuous service (less the period of annual leave) with an employer. Unless otherwise mutually agreed upon between an employer and the employee concerned, in which case the leave shall be given and taken within three months of becoming due, such leave shall be given and taken in conjunction with the Christmas and New Year holidays.

(b) If after 88 hours' continuous service, excluding overtime, in any qualifying twelve-monthly period an employee leaves his employment or his employment is terminated by the employer, the employee shall be paid 1/13th of a week's wage in respect of each completed 88 hours of continuous service in respect of which leave has not been granted hereunder.

(c) Where an employee absents himself from work during any qualifying period of service for any reason other than a reason set out in sub-clause (d) hereof the amount of leave or payment in lieu to which he would otherwise be entitled under sub-clause (a) and (b) hereof, shall be reduced by 1/50th for each week or part thereof during which any such absence occurs.

(d) For the purpose of administering the provisions of this clause, service shall be deemed to be continuous notwithstanding an employee's absence from work for the following reasons—

- (i) Injury received during the course of employment and for which an employee received workers' compensation—up to a maximum period of two months.
- (ii) Any reason satisfactory to the employer or, in event of dispute, the Secretary for Labour.
- (iii) Where called up for military service up to three months in any qualifying period.

(e) Each employee before going on leave, shall be paid in advance the wage which would ordinarily accrue to him during the currency of the leave.

(f) Service before the 1st day of October, 1945, shall be disregarded for the purpose of calculating annual leave.

(g) Notwithstanding anything elsewhere contained in this Determination, an employer giving leave at the Christmas-New Year period may, at his option either:—

- (i) Stand off without pay during the period of leave any employee who has not then qualified for the full period; or
- (ii) Stand off for the period of leave any employee who has not then qualified for fourteen consecutive days' leave and pay him pro rata for the leave for which he has then qualified on the basis of one-thirteenth of a week's wages in respect of each 88 hours' consecutive service (exclusive of overtime) during his current qualifying twelve-monthly period.

PAYMENT OF WAGES.

14. Wages, allowances, and other moneys due shall be paid not later than the time of ceasing work on Thursday of each working week, or otherwise by mutual arrangement. On termination of employment by the employer all wages allowances, and other moneys shall be paid at the time of dismissal.

INSPECTION OF TIME SHEETS AND BOOKS.

15. The Secretary for Labour may authorize at any time (except pay day) or place, the inspection of all wages sheets, time sheets or other wages records by a person nominated by the Painters and Decorators Union of Australia and approved by the Secretary for Labour, provided that 24 hours' notice of such inspection is given to the employer.

TOOLS AND APPLIANCES.

16. (a) Each painter shall provide himself with an ordinary dusting brush and all necessary stripping and stopping knives, hammer, hacking knife, screwdriver, and glazing knife.

(b) Each paperhanger shall provide himself with a lay-brush, scissors, rule, plumb-bob, chalk-line, and trimming knife (if he requires such an instrument), and also with surface and joint rollers.

(c) Each signwriter shall provide himself with a mahl-stick, rule, straight-edge, chalk-line, pencils and gilding cushion, mop, knife and tip.

If any employee is required to provide any tools or appliances other than those above enumerated, 6d. per hour in addition to the ordinary rates fixed by this Determination shall be paid by the employer. The employer shall supply all tools necessary for the use of apprentices.

TRANSPORT.

17. Where an employee is required to work overtime and no regular means of transport is available, the employer shall provide suitable transport to convey him to the job or his residence as the case may be. If the employer fails to provide such transport, he shall pay to the employee such reasonable amount as has been necessarily incurred by him.

WASHING TIME.

18. Each employee shall be allowed five minutes prior to the lunch interval and immediately prior to the time of ceasing work for the day in order to clean up and wash.

EMPLOYEES REPORTING FOR DUTY.

19. An employee notified to commence duty and actually attending for duty, when notified by the employer or his representative that his services are not required shall be paid for two hours as time worked.

WAITING TIME.

20. An employee who is required to attend for work and is kept waiting to commence work by instructions of the employer or his representative, shall be paid at his ordinary rate of pay for the time he is so kept waiting.

TERMINATION OF EMPLOYMENT.

21. 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.

APPRENTICES.

22. The provisions of clause 21 of this Part shall not apply to the employment of apprentices.

TIME OFF FOLLOWING ACCIDENT.

23. 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, pursuant to the provisions of the *Workers' Compensation Act 1946*) 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.

PERIODICAL ADJUSTMENT OF WAGES.

24. The wages rates set out in clause 2 (b) of this Part are based upon the following basic wage for adult males, and, pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, the Wages Board hereby determines that such rates shall be automatically adjusted as prescribed in clause 25.

Place.	Needs Basic Wage for Adult Males (adjustable).	Loading (Constant).	Total Basic Wage for Adult Males.	Index Number Set Assigned.
Throughout the State	£ s. d. 5 0 0	£ s. d. 0 6 0	£ s. d. 5 6 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

(25) (a) For the purposes of this Determination, the expression "Commonwealth Statistician's 'all items' retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician.

(b) Until the beginning of the first pay period to commence in February, 1947, the amounts of the basic wage shall be as prescribed in clause 24.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, the amount of the needs basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "all items" retail price index number by the factor .087 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach .5 or more the basic wage shall be taken to the next higher shilling.

ADJUSTMENT OF WAGES OF APPRENTICES, IMPROVERS, AND JUVENILE WORKERS.

26. The wages rates of apprentices and improvers, as prescribed in clause 2, shall be automatically adjusted to accord with the wages rates, as adjusted from time to time, for apprentices in the metropolitan district who are under the jurisdiction of the Apprenticeship Commission.

PART II.

1. This Part applies in respect of the employment of all persons coming within the ambit of the Determination, other than those provided for in Part I. hereof.

2.

WAGES.

(a) Apprentices or Improvers.		(b) Juvenile Workers, i.e., Persons under 21 years of Age (other than Apprentices or Improvers) engaged in producing Signs or Posters by means of Stencils, Screens, or other like methods or at any work incidental thereto.	
		Per week of 44 hours.	
		s. d.	
1st year's experience	.. .. .	30	0
2nd .. .. .	.. .. .	40	6
3rd .. .. .	.. .. .	56	6
4th .. .. .	.. .. .	78	0
5th .. .. .	.. .. .	103	0

PROPORTION (BY ANY EMPLOYER).		PROPORTION.	
<p><i>Apprentices.</i> One apprentice to every three journeymen or fraction of three journeymen employed. In cases where not more than three journeymen are employed at the trades, a second apprentice may be employed on the completion, by the first apprentice, of the second year of his apprenticeship course.</p>		<p>(i) Where one screen table is in operation— Two juvenile workers to each person receiving not less than 155s. 6d. per week of 44 hours. (ii) Where two or more screen tables are in operation— For each two screen tables, four juvenile workers to each two fully-paid workers, provided that one of such fully-paid workers shall receive not less than 155s. 6d. per week of 44 hours.</p>	
<p><i>* Improvers.</i> One improver to three } workers receive- Two improvers to six } ing not less Three improvers to twelve and there- } than 155s. 6d. after one additional improver to every } per week of twelve additional } 44 hours.</p>			

* Note—The employment, within the Metropolitan District, of any improver is illegal.

(c) OTHER EMPLOYEES.

	(i) Within 30 Miles of the Principal Post Office at Elizabeth street, Melbourne;		(ii) Within 5 Miles of the Post Office at Mildura;		(iii) Within the Gippsland District as defined herein (except within a radius of 3 Miles of the Post Office at Yallourn).		(iv) Within 10 Miles of the Principal Post Offices at Geelong and Warrnambool, respectively.	
	WAGES.		WAGES.		WAGES.		WAGES.	
	Per hour.	Per week of 44 hours.	Per hour.	Per week of 44 hours.	Per hour.	Per week of 44 hours.	Per hour.	Per week of 44 hours.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
(A) All classes of work, other than the production of signs or posters by means of stencils, screens, or other like methods. Persons employed at— Sign or poster writing, gilding or painting, or paper-hanging, or at any other work specified in (A) ..	3	6 ⁹ / ₂₂ 155 6	3	8 ² / ₁₁ 162 0	3	5 ¹³ / ₂₂ 152 6		
(B) Producing signs or posters by means of stencils, screens, or other like methods, or any work incidental thereto. Persons employed at— (i) Signwriting designing forming or lettering any pictorial design, including the cutting of stencils (ii) Any other work specified in (B)	3	6 ⁹ / ₂₂ 155 6	3	8 ² / ₁₁ 162 0	3	5 ¹³ / ₂₂ 152 6	2	4 ¹⁶ / ₁₁ 106 0
	2	5 ⁸ / ₁₁ 109 0	2	7 ¹ / ₂ 115 6				

Notwithstanding anything contained in clause 2 (c) (A) and (B) (i) of this Part any employee, within six months of his first employment in any place, whose employment is terminated by the employer for any cause other than misconduct or incompetence, shall on such termination be entitled to be paid for such work performed by him an additional amount at the rate of 3s. per week.

Leading Hand, i.e., a tradesman who is given responsibility of direction and supervision of the work by his employer or by his employer's responsible representative of not fewer than five tradesmen shall receive in addition to his ordinary wage, allowances as follows—

- (a) If in charge of five tradesmen as aforesaid—1s. per day;
- (b) If in charge of more than five tradesmen as aforesaid, 1s. per day for being in charge of the first five tradesmen, plus an additional 1s. per day for each additional five, or fraction of five tradesmen in excess of such first five tradesmen.

TIMES OF BEGINNING AND ENDING WORK.

- 3. (a) Except as provided in sub-clause (b) hereof, the ordinary hours of work shall be 8 hours on five days a week (Monday to Friday inclusive), to be worked between 8 a.m. and 5 p.m., and 4 hours on Saturday to be worked between 8 a.m. and noon.
- (b) By agreement between an employer and the majority of his employees on the job, the ordinary hours for a week's work may be worked on five days between 7.30 a.m. and 5.30 p.m. (Monday to Friday inclusive) each day's work consisting of 8 hours 48 minutes.
- (c) The lunch hour break shall be not less than 42 minutes and shall be taken between the hours of noon, and 1 p.m. on each day, provided that by mutual agreement between the parties concerned, the said lunch break may be taken between the hours of 11.30 a.m., and 1 p.m.

OVERTIME.

4. All work done outside of or in excess of the ordinary hours for a day's work as prescribed, shall be paid for at the rate of time and a half for the first two hours and double time thereafter.

An employee who has worked continuously (except for meal intervals) for 20 hours shall have a break of at least 12 hours before again starting work.

HOLIDAYS AND SUNDAY WORK.

5. Double time shall be the rate for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Melbourne Cup Day, Christmas Day, or Boxing Day; but 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.

INCLEMENT WEATHER.

6. Each employee shall be paid an allowance at ordinary rates for time lost through inclement weather, subject to the following conditions:—

- (i) That such allowance shall not exceed the equivalent of eight hours' pay in any one week.
- (ii) That weather shall not be regarded as inclement for the purposes of this clause, unless the employer or his representative on the job, and a representative of the men on such job, agree that it shall be so regarded. Failing such agreement weather shall not be regarded as inclement and work shall continue.
- (iii) Any intermission of work owing to inclement weather so regarded as aforesaid shall immediately cease and work shall be immediately resumed on the employer or his representative calling for a resumption of work.
- (iv) An employee shall not be entitled to payment as provided for in this clause, unless he remains on the job until a decision to cease work for the day has been made by agreement between the employer or his representative and a representative of the men.
- (v) The intermission of work by employees who would be exposed to or working in inclement weather so regarded in accordance with this clause shall not be a ground for intermission of work in places where employees are not so exposed to or are not called upon to work in such inclement weather.

ALLOWANCE IN RESPECT OF EXCESS FARES AND TRAVELLING TIME.

7. (a) The following payments shall be made in lieu of fares and travelling time within the radii named using G.P.O., Melbourne (cr. Bourke and Elizabeth-streets) or the principal post offices at Ballarat, Bendigo, and Geelong as centres:—

	<i>s.</i>	<i>d.</i>
Up to and including 12 miles	2	0 per day
Over 12 miles and including 20 miles	2	6 per day
Over 20 miles and including 30 miles	3	0 per day

(b) If the employer provides or offers to provide transport free of charge, 1s. 4d. per day travelling allowance shall be paid: Provided that this sub-clause shall not operate if the employee is transported in the employer's time.

(c) Where fares are necessarily incurred on distant jobs, as defined in clause 8 (a) of this Part, or on work performed outside the radii named in sub-clause (a) hereof the provisions of that sub-clause shall apply except that the local Post Office shall be the centre.

(d) Sub-clauses (a), (b), and (c) of this clause shall not operate when an employee is employed on maintenance work at his recognized centre. Such centre shall be fixed for a period of not less than six months, and shall be specified at the time of the commencement of the employment, or on request.

ALLOWANCES IN RESPECT OF DISTANT JOBS.

8. (a) When distance and/or travelling facilities reasonably prevent an employee going from and returning each day to his usual place of residence suitable board and sleeping accommodation including stretcher and mattress for each employee shall be provided. When work is situated away from suitable accommodation, the employer shall supply tents or huts with sleeping accommodation therein including stretcher and mattress for each employee in addition to any allowance provided in this clause; the allowance to be made shall be—

	<i>s.</i>	<i>d.</i>
For less than a full week	10	0 per day
For a full working week at the rate of	42	0 per week

(b) In lieu of the payments prescribed in clause 7 (a) of this Part an employee to whom sub-clause (a) applies shall be paid travelling time (not exceeding ordinary working hours per day) at ordinary rates of pay, and, where incurred, second-class return fare, and 5s. to cover expense of reaching his home railway station and transport of tools if any cost necessary. Provided that the return fare shall not be payable if the employee is dismissed for misconduct or is held incompetent within one week of starting work or leaves within one month of engagement. Travelling time shall be calculated as from Spencer-street and Flinders-street Railway Stations or the home Central Railway Station (if residing in the country) to destination by rail or usual travelling facilities.

(c) If an employee elects to return to his home at the week-end after three months of continuous service and thereafter at three-monthly periods, he shall be paid a second-class return fare (Victorian Railways only) on the pay day which immediately follows the date on which he returns to the job.

If the work upon which the employee is engaged will terminate in the ordinary course within a further 28 days after the expiration of three months this sub-clause shall not apply.

(d) Any person who has travelled from a "centre" to a place of work, and is required, in the course of his employment, to travel further on the same day, shall be paid all fares necessarily expended in such further travelling.

SPECIAL RATES.

(Payable in addition to ordinary wages prescribed in clause 2.)

9. (a) *Swing Scaffold Work, and Ladder Work.*—Any person employed on a swing scaffold, or any scaffold suspended by a rope or cable, or any person employed on a ladder at a height of 35 feet or more above the nearest horizontal plane, shall be paid 1s. for the first four hours or any portion thereof, and 3d. per hour for each hour thereafter, on any day.

(b) *Scaffold Work.*—Any person employed on a scaffold (except a scaffold protected by a guard rail) at a height of 50 feet or more above the nearest horizontal plane, shall be paid 1s. for the first four hours or any portion thereof, and 3d. per hour for each hour thereafter, on any day.

(c) *Work in Wet Places.*—Any person required to work in a wet place (i.e., when water other than rain is flowing or dripping from overhead to such an extent as to saturate the clothing of the worker, or when the worker is required to work in water more than 2 inches deep), shall be paid 2d. per hour for each hour, or part thereof, he is so required to work. Provided that this extra rate shall not be payable to an employee who is provided by the employer with suitable protective clothing and/or footwear.

(d) *Work in Hot Places.*—Any person required to work for more than one hour in the shade in places, (i) where the temperature is raised by artificial means to between 115 and 130 degrees Fahrenheit, shall be paid 1½d. per hour, (ii) in places where the temperature exceeds 130 degrees Fahrenheit, the additional amount to be paid shall be 3d. per hour. Where work continues for more than two hours in temperatures exceeding 130 degrees Fahrenheit, employees shall also be entitled to twenty minutes' rest after every two hours' work without deduction of pay.

(e) *Work in Cold Places.*—Any person required to work for more than one hour in places where the temperature is reduced by artificial means below 32 degrees Fahrenheit, shall be paid 1½d. per hour. Where the work continues for more than two hours employees shall be entitled to a rest period of twenty minutes every two hours without loss of pay.

(f) *Dirty Work.*—Any person required to do work which a foreman and workman shall agree is of an unusually dirty or offensive nature shall be paid 1½d. per hour.

(g) *Work in Confined Spaces.*—Any person required to work in a confined space (i.e., a compartment or space, access to which is through a manhole or similar opening, or a place the dimensions of which necessitate an employee working in a stooped or otherwise cramped position, or without proper ventilation, and which is of a class not usually associated with the painting and decorating trade), shall be paid 3d. per hour.

(h) *Special Rates not Cumulative.*—Where more than one of the conditions entitling a workman to special rates exist on the same job the employer shall be bound to pay only one rate, namely the highest for the conditions so prevailing.

(i) *Rates not Subject to Penalty Additions.*—The special rates herein prescribed shall be paid irrespective of the time at which the work is performed, and shall not be taken into account when computing the penalty rate payable for overtime, or for work done on Sundays and holidays.

REST PERIOD.

10. 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.

PAYMENT OF WAGES.

11. (a) If an employee leaves or is dismissed he shall be paid his wages on leaving or being dismissed, or paid by post or otherwise on the next working day.

(b) Except as provided in the preceding sub-clause, payment of wages and other moneys due shall be made not later than 5 p.m. on Thursday in each week. Provided that this provision may be varied by the mutual agreement of the employer and the majority of employees on any job.

TOOLS AND APPLIANCES.

12. (a) Each painter shall provide himself with an ordinary dusting brush and all necessary stripping and stopping knives, hammer, hacking knife, screwdriver, and glazing knife.

(b) Each paperhanger shall provide himself with a lay brush, scissors, rule, plumb-bob, chalk-line, and trimming knife (if he requires such an instrument), and also with surface and joint rollers.

(c) Each signwriter shall provide himself with a mahl-stick, rule straight-edge, chalk-line, pencils and gilding cushion, mop, knife and tip.

If any employee is required to provide any tools or appliances other than those above enumerated, 6d. per hour in addition to the ordinary rates fixed by this Determination shall be paid by the employer. The employer shall supply all tools necessary for the use of apprentices.

ALLOWANCE IN RESPECT OF MEALS.

13. 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 an amount of 2s. 6d. for a meal. When working overtime for two hours or more, employees shall be allowed to take, without deduction of pay, 20 minutes for crib immediately after the ordinary ceasing time, and thereafter 30 minutes for crib shall be allowed after each four hours of continuous work. Provided that where an employee works overtime for two hours without taking the prescribed interval of 20 minutes, he shall be deemed to have worked two and one-third hours.

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.

CARE OF EMPLOYEES' TOOLS, ETC.

15. The employer shall make, in respect of each job, adequate arrangements to secure the proper care and safety of the employees' tools and gear when not in use.

TIME BOOK.

16. The employer shall keep at his centre a time book or a time sheet in which shall be recorded indelibly the name of each worker and the following particulars:—

- (a) the number of hours worked each day;
- (b) the total number of hours worked each week;
- (c) the wages, amount for overtime, and allowances paid therefor.

INSPECTION OF TIME SHEETS AND BOOKS.

17. The Secretary for Labour may authorize in writing the inspection, at any specified time (except on pay-day) or place, of all wages sheets, time sheets, or other wages records by a person nominated by the Painters and Decorators' Union of Australia (Victorian Branch), and approved by the Secretary for Labour, provided that 24 hours' notice of such inspection is given to the employer, to whom shall be produced such authority.

TRANSPORT.

18. Where an employee is required to work overtime and no regular means of transport is available, the employer shall provide suitable transport to convey him to the job or his residence as the case may be. If the employer fails to provide such transport, he shall pay to the employee such reasonable amount as has been necessarily incurred by him.

WASHING TIME.

19. Each employee shall be allowed five minutes prior to the lunch interval and immediately prior to the time of ceasing work for the day in order to clean up and wash.

ANNUAL HOLIDAY.

20. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1946*, and any amendments which may be made thereto from time to time.

ADDITIONAL ANNUAL AND SICK LEAVE FOR SPECIAL CIRCUMSTANCES.

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

- (a) one week's additional leave with pay, and
- (b) payment for a maximum of 44 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 of 132 hours for sickness. For the purposes of sub-clause (b) hereof service prior to the 1st July, 1945, shall be disregarded. "Mixed Industry" means an industry where the work performed by painters (that is, any work to which this Determination applies) is subsidiary and auxiliary to the chief and principal purpose and business of such industry.

EMPLOYEES REPORTING FOR DUTY.

22. An employee notified to commence duty and actually attending for duty, when notified by the employer or his representative that his services are not required shall be paid for two hours as time worked.

TERMINATION OF EMPLOYMENT.

23. 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.

When notice has been given by the employer such hour shall be allowed the employee to gather, clean, pack and transport his tools.

The provisions of this clause shall not apply to the employment of apprentices.

WAITING TIME.

24. An employee who is required to attend for work and is kept waiting to commence work by instructions of the employer or his representative, shall be paid at his ordinary rate of pay for the time he is so kept waiting.

TIME OFF FOLLOWING ACCIDENT.

25. 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 pursuant to the provisions of *Workers' Compensation Act 1946*), 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.

DEFINITIONS.

26. "Gippsland District" shall mean the following area, viz.:—From Hallam (beyond Dankenong) to the south to Lyndhurst, Wonthaggi, across to Port Albert, to Orbost, to Briagolong, to Wadhalla, to Noojee, to Hallam.

"Centre" shall mean the employer's usual place of business.

PERIODICAL ADJUSTMENT OF WAGES.

27. The wages rates set out in clause 2 (c) of this Part are based upon the following basic wage for adult males and, pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, the Wages Board hereby determines that such rates shall be automatically adjusted as prescribed in clause 28.

Place.	Needs Basic Wage for Adult Males (adjustable),	Loading (Constant).	Total Basic Wage for Adult Males.	Index Number Set Assigned.
	£ s. d.	£ s. d.	£ s. d.	
Within 20 miles of the Principal Post Office at Elizabeth-street, Melbourne—Males	5 0 0	0 6 0	5 6 0	Melbourne
Within 10 miles of the principal Post Offices at Geelong and Warrnambool respectively—same as the contemporaneous basic wage for Melbourne.				
Within 5 miles of the Post Office at Mildura; within the Gippsland District as herein defined (except Yallourn)—same as the contemporaneous basic wage for Melbourne.				
Yallourn—until further order the same amount in excess of Melbourne as at present, viz., 6s. 6d. per week. Elsewhere—3s. less than the contemporaneous basic wage for Melbourne.				

ADJUSTMENT OF BASIC WAGE.

28. (a) For the purposes of this Determination, the expression "Commonwealth Statistician's 'all items' retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician.

(b) Until the beginning of the first pay period to commence in February, 1947, the amounts of the Basic Wage shall be as prescribed in Clause 27.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November, the amount of the needs basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "all items" retail price index number by the factor .087 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach .5 or more the basic wage shall be taken to the next higher shilling.

ADJUSTMENT OF WAGES OF APPRENTICES AND IMPROVERS.

29. The wages rates of apprentices, improvers, and juvenile workers as prescribed in clause 2, shall be automatically adjusted to accord with the wages rates, as adjusted from time to time, for apprentices in the metropolitan district who are under the jurisdiction of the Apprenticeship Commission.

ADJUSTMENT OF LOADINGS.

30. The loadings set out, and included as part of the ordinary wage in clause 2 (c) (A) and (B) (i) represent approximately 15 days' pay per annum in payment or compensation for—

(a) The holidays prescribed in clause 5—6s. 4d.;

(b) Five days' sickness each year—3s. 2d.

The existing loadings of 9s. 6d. per week are based upon a Needs Basic Wage Group of 96s. to 100s. per week, and shall be automatically adjusted by increasing or decreasing the allowance by 6d. for each increase or decrease of 5s. (in the aggregate) of such Needs Basic Wage Group as shown in the schedule hereunder—

Basic Wage Group.	Total Loadings Payable.
86s. to 90s. (inclusive) per week	8s. 6d. per week
91s. to 95s.	9s. 0d. ..
96s. to 100s.	9s. 6d. ..
101s. to 106s.	10s. 0d. ..

Any extension of this table must be of the same construction as the table.

Should any increase or decrease of the loadings take place as the result of the operation of this clause, a corresponding increase or decrease as the case may be shall be made in the ordinary wages rates prescribed in clause 2 (c) (A) and (B) (i) hereof.

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

J. W. RYAN, Secretary.

Melbourne, 28th January, 1947.



VICTORIA GOVERNMENT GAZETTE.

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FRIDAY, MARCH 14.

[1947

Factories and Shops Acts.

DETERMINATION OF THE COMMERCIAL ARTISTS BOARD.

NOTE.—This Determination applies throughout the State of Victoria.

IN accordance with the provisions of the Factories and Shops Acts the Board appointed to “determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than persons subject to the Determination of any Wages Board heretofore appointed) engaged in the process, trade, business or occupation of making (for reproduction by means of printing processes) original designs, drawings, illustrations or lettering, in colour or otherwise, for advertising purposes, for use in connexion with commerce or industry, or in connexion with the marketing of commodities” has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 1st December, 1946, the last previous Determination of this Board shall be revoked and replaced by this Determination.

WAGES (Adult Artists, other than Apprentices or Improvers).

2. All employees £7 7 0 per week of 44 hours.

JUNIORS.

3. (a) No person other than a senior artist shall be employed at any work covered by this Determination otherwise than—

- (i) under a contract of apprenticeship as hereinafter provided;
- (ii) those who prior to the 11th April, 1945, had been employed for at least six months in the trade; or
- (iii) as a female improver.

(b) *Proportion.*—The proportion of apprentices or improvers in any place shall not exceed:—

Where the Number of Senior Artists Employed is—	Number of Apprentices.	Number of Improvers.
One or Two	One	or One
Three or four	One Two	and One or and Nil
Five, six, or seven.. .. .	Two Three Four	and Two or and One or and Nil
In excess of seven	One additional apprentice or improver for each two additional senior artists in excess of seven	

A senior artist is any adult employee other than an apprentice or an improver.

Notwithstanding anything contained in this Determination, any person who on the 11th April, 1945, was employed for not less than two months in the industry, and whose engagement or continued employment as an apprentice or 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.

(c) *Contract of Apprenticeship.*—Every contract of apprenticeship hereinafter made shall be on the form of indenture prescribed by the Commercial Artists Board.

(d) *Period of Apprenticeship.*—The periods of apprenticeship shall be as follows:—

If the apprentice when indentured is under the age of 18 years—5 years; if over the age of 18 years—4 or 5 years, at the option of the contracting parties.

Provided that a person who has completed a full-time Commercial Art course of not less than three years at a school approved by the Wages Board shall be credited with one year of apprenticeship, and a person who has completed a full-time Commercial Art course of not less than four years at such a school shall be credited with two years' apprenticeship. For any such person the period of apprenticeship, including credit granted as above, shall not exceed five years, but may be of four years' duration at the option of the contracting parties.

(e) *Wages of Apprentices.*—The minimum weekly wages of apprentices shall be:—

										£	s.	d.	
(i) Five-year term—													
First year	1	12	6
Second year	2	3	6
Third year	3	0	0
Fourth year	4	1	6
Fifth year	5	8	0
(ii) Four-year term—													
First year	1	18	0
Second year	3	0	0
Third year	4	1	6
Fourth year	5	8	0

(f) *Wages of Improvers.*—The minimum weekly wages of improvers shall be:—

First year	..	..	..	..	..	..	..	..	..	..	1	12	6
Second year	..	..	..	..	..	..	..	..	..	..	2	3	6
Third year	..	..	..	..	..	..	..	..	..	..	3	0	0
Fourth year	..	..	..	..	..	..	..	..	..	..	4	1	6
Fifth year	..	..	..	..	..	..	..	..	..	..	5	8	0

Provided that a person who has completed a full-time Commercial Art course of not less than three years at a school approved by the Wages Board shall be credited with one year of service, and a person who has completed a full-time Commercial Art course of not less than four years at such a school, shall be credited with two years of service. This provision shall apply only to improvers engaged for the first time on or after the 1st September, 1946.

(g) *Probationary Period.*—Minors shall be apprenticed as from the date of commencing work with an employer, but notwithstanding anything contained elsewhere in this Determination the first nine months of service shall be deemed to be a probationary period, and the indenture may be terminated by any party thereto during such period of probation without any obligation to any other party or parties.

(h) *Attendance at Approved Art Schools.*—

(i) During the currency of the indenture an apprentice shall be permitted by the employer to absent himself during working hours for the purpose of attending art classes or examinations at a school approved by the Commercial Artists Board for a period or periods not exceeding in the aggregate four hours in any week.

(ii) The apprentice shall also attend evening classes at an Art school approved by the said Board on two evenings each week.

(iii) An apprentice attending a school or schools as prescribed in sub-clauses (i) and (ii) hereof and presenting reports of satisfactory progress and attendance, to his employer shall be reimbursed all fees paid for such tuition.

(iv) Until further order schools approved by the said Board shall be:—

Melbourne Technical College;
Swinburne Technical College, Glenferrie;
Gordon Institute of Technology, Geelong.

(i) *Cancellation or Suspension of Indenture.*—Subject to the approval of the Secretary for Labour, but not otherwise, an indenture of apprenticeship may be suspended or cancelled—

(i) by mutual consent;

(ii) if through lack of orders or financial difficulties an employer is unable to find suitable employment for an apprentice and a transfer to another employer cannot be arranged;

(iii) if, in the opinion of the Secretary for Labour, circumstances exist which render such suspension or cancellation necessary or desirable.

Any covenant in an indenture inconsistent with the provisions of this clause shall be null and void and of no force or effect.

(j) *Lost Time.*—The apprentice at the end of the calendar period of any year in which he has actually given service to the master upon less than the ordinary working days prescribed in this Determination, or on which he has unlawfully absented himself without the master's consent shall, for every day short of the said number of working days, and for every day of such absence, serve one day, and the calendar period of the succeeding year of his service shall not be deemed to begin until the said additional day or days shall have been served.

Provided that in calculating the extra time to be so served, the apprentice shall be credited with time which he has worked during the relevant year in excess of his ordinary hours.

(k) *Prohibition of Premiums.*—An employer shall not, either directly or indirectly, or by any pretence or device receive from any person or require or permit any person to pay or give any consideration in the nature of a premium or bonus for the taking or binding of any probationer or apprentice.

(l) *Overtime.*—An apprentice under the age of eighteen years shall not be required to work overtime unless he so desires.

(m) *Payment by Results.*—An apprentice or improver shall not work under any system of payment by results.

HOURS.

4. (a) The hours of duty of employees shall not exceed eight hours on Monday to Friday inclusive and four hours on Saturday, and shall not exceed 44 hours in any week, to be worked between 8 a.m. and 6 p.m. on Monday to Friday inclusive, and between 8 a.m. and noon on Saturday.

(b) The daily working hours of each office shall be conspicuously displayed in each workroom, and shall continue unchanged until altered by agreement between the employer and his employees, and in default of such agreement, as settled by this Wages Board.

(c) When the employer desires to work the ordinary working hours in a five-day week, he may do so. The employer and the employees may thereupon agree upon the hours of commencing and finishing work with a starting time not earlier than 7.30 a.m., and a finishing time not later than 6 p.m., and in the event of such agreement being made, the hours so agreed shall be substituted for the hours fixed by this Determination, notwithstanding anything to the contrary contained in clauses 4 (b), 5 (b), and (f) hereof. In default of agreement, such hours may be decided by this Wages Board.

OVERTIME.

5. (a) All overtime rates earned by an employee shall be paid in full, and no deduction shall be made from such overtime rates by reason of any time not worked by such employee.

(b) All duty performed by employees in excess of or outside the hours mentioned in clause 4 hereof shall be overtime, and shall be paid for at the rate of time and a half for the first three hours and double time thereafter. The maximum overtime worked shall not exceed 24 hours in four consecutive weeks.

(c) (i) Where a weekly employee works on any day of his annual leave or on any public holiday mentioned in clause 7 hereof when he is entitled to be away from his employment, he shall be paid therefor at not less per hour than the hourly rate of his weekly wage, in addition to the weekly wage, and shall be given not less than four hours' work, or pay equivalent thereto.

(ii) Should a weekly employee who has worked on a holiday within the hours of his ordinary working day, work on such holiday before the ordinary hour of commencing work or after the ordinary hour of finishing work, he shall be paid double the ordinary timework rate for the hours worked before the ordinary hour of commencing work or after the ordinary hour of finishing work.

(d) (i) Double time shall be paid for all work done on Saturday afternoon, and (with a minimum of four hours' work or pay equivalent thereto) on Sunday.

(ii) Where the hours of the ordinary working week are worked within five days any work done on the sixth day shall be paid for at time and a half for the first four hours worked before noon and at double time thereafter.

(e) Any employee required to work more than six successive days without a clear interval of 36 hours after the sixth day shall be paid double rates for all work performed by him after the sixth day until he shall have had a clear interval of 36 hours before being required to resume duty.

(f) No employee under 16 years of age shall be employed on overtime. No employee under 17 years of age, nor any female, shall be on duty in any event before 8 a.m. or later than 9 p.m. on any working day, subject to clause 4 hereof.

(g) An employer shall not require or permit any female employee to work overtime after 6 p.m. unless at least one other female person is working with her.

(h) An employee, if called upon to work overtime in excess of one hour after the usual finishing time on any day, shall be paid for two hours' work at overtime rates at the least. Where notice of overtime in excess of one hour has not been given to an employee during the previous day, or where notice of overtime has been given to him, but overtime has not been worked, 2s. shall be paid as an allowance for tea money. The same allowance shall be made for each meal reasonably occurring during such overtime work.

TERMS OF EMPLOYMENT AND SICK PAY.

6. (a) No person shall be employed except as—

- (i) a weekly employee; or
- (ii) a casual employee.

(b) A weekly employee, to become entitled to payment of a weekly wage, shall perform such work as the employer shall from time to time require on the days and during the hours usually worked by such employee.

(c) (i) A weekly employee not attending for duty shall lose his pay for the actual time lost unless he produces or forwards within twenty-eight hours of the commencement of such absence evidence or a message satisfactory to the employer that his non-attendance was due to personal ill-health necessitating such absence, but notwithstanding that he may be employed by different employers he shall not be entitled to payment for non-attendance on the ground of personal ill-health for more than 44 hours in each year. Such year shall begin on the 11th April, 1945.

(ii) If an employer within 48 hours after the receipt by him of a written message sent by (or on behalf of) an absent employee, alleging that his absence is due to personal ill-health, fails to despatch or give to the employee a written notice that he does not accept the message as satisfactory evidence of the facts alleged by it, it shall be deemed to be prima facie evidence that the absence of the employee was due to personal ill-health.

(iii) If an employer within 48 hours after the receipt by him of such message despatches, or gives to the employee a written notice that he does not accept such message as satisfactory evidence of personal ill-health, but requires further evidence, the employee must within a reasonable time furnish such further evidence. If the employer requires the employee to obtain a medical certificate or other proof of personal ill-health, he shall pay or refund any fee and incidental expenses necessarily paid or incurred by the employee. The employee shall submit to medical examination at the employer's expense if so required, and shall not obstruct or interfere with inquiries deemed to be necessary by the employer.

(iv) In any case where the period of 48 hours referred to in paragraphs (ii) and (iii) hereof expires after the finish of the last working day in the calendar week, or on a public holiday, the period shall be deemed to extend to noon of the next ordinary working day, and in any case where illness commences after the finish of such last working day the said period of 48 hours shall be deemed to commence at the starting hour of the next ordinary working day.

(v) A weekly employee shall not be entitled to the sick pay benefits of this clause until he has worked in the employment of his employer for a period of three working weeks.

(d) Notwithstanding anything contained in sub-clause (c) (i) hereof, 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 132 hours of working time which shall be the maximum amount of leave to which an employee may be entitled in any year without deduction of pay.

(e) (i) The employment of a weekly employee may be terminated by a week's notice on either side or by the employer at his option by payment of a week's wages in lieu of notice, and such notice may be given on any day of the week to take effect one week after the day on which it is given. This shall not affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty or misconduct, and in such case wages shall be paid up to the time of dismissal only, or to deduct payment for any day the employee cannot usefully be employed through any stoppage of work for any cause for which the employer cannot be held responsible.

Provided always that the notice referred to in this paragraph shall not be given so as to take effect concurrently with any annual leave to which the employee may be entitled, and such notice or payment in lieu of notice shall be additional to any bonus payable to the employee under clause 8 of this Determination.

(ii) In the event of work being temporarily stopped by any cause for which the employer cannot be held responsible, and the employee has lost at least two days' pay the employee may inform the employer of his intention to terminate his employment, whereupon the employment shall be terminated without the employee being required to give the week's notice mentioned in paragraph (i) hereof, and he shall be paid such moneys as are due to him under this Determination.

(f) If an employee's services be terminated during the course of the week, he shall be paid all money due to him at the termination of his service, or all money due to such employee shall be forwarded to him by post within 24 hours thereafter. Without prejudice to his liability to legal proceedings in respect of such non-observance, an employer not observing this provision shall pay such employee an extra full day's pay for each day after the employer's usual pay day upon which he applies at the employer's place of business for payment of the amount due to him, and does not receive it.

HOLIDAYS.

7. (a) An employee shall be entitled to be absent from his employment without deduction of pay on any holiday. In this Determination "holiday" means the day observed as any of the following days:—New Year's Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Christmas Day, Boxing Day, Australia Day, King's Birthday, and, within the Metropolitan District, Melbourne Cup Day.

(b) An employer shall not terminate the employment of a weekly employee for the purpose of evading payment for any holiday prescribed by this Determination.

(c) Where an employee is dismissed within one week before any holiday (or within one week before the first day of several holidays), his re-engagement by the same employer within one week after such holiday (or, as the case may be, within one week after the last day of such several holidays), shall be prima facie evidence that his employment was terminated in breach of sub-clause (b) hereof.

(d) Where the employer terminates the employment within one week of a day on which a holiday occurs, the employee shall be paid for such holiday or holidays prescribed by this Determination, provided that such employee had been employed by the employer for a period of at least one week prior to the termination of the employment.

(e) Where an employee is absent from his or her employment on the day before or the day after a public holiday without reasonable excuse or without the consent of the employer, the employee shall not be entitled to payment for such holiday.

(f) When an employee is absent from his or her employment for a period exceeding fourteen days through illness, or with the consent of the employer, the employee shall not be entitled to payment for any public holidays occurring during such period of absence in excess of the period of fourteen days.

(g) The provisions of this clause shall apply only to weekly employees.

ANNUAL HOLIDAY.

8. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1946*, and any amendments which may be made thereto from time to time.

CASUAL EMPLOYEES.

9. (a) An employer when engaging a person for casual employment shall inform him then and there that he is to be employed as a casual. Except where this is done the employee shall be a weekly employee. A casual employee, after two weeks of continuous employment as a casual employee, shall become a weekly employee.

(b) If a casual employee commences duty on any day, or is directed to attend for duty and actually attends on any day, such employee shall in respect of such day be paid at the rate herein provided and for six hours at the least, except on Saturday, when he shall be paid for three hours at the least.

(c) A casual employee shall be paid the hourly rate prescribed for such work, with the addition of 12½ per cent.

(d) A casual employee, when working overtime shall have his rate of pay as a casual employee increased by the same proportion (i.e., one-half, or double as the case may be) as the weekly worker's rate applicable to the class of work done by the casual employee directed to be increased under this Determination for work done on overtime, with the addition of 12½ per cent.

WAGES AND PAY DAY.

10. (a) Subject to clause 6 (e) hereof, an employee shall be paid his wages on Thursday or Friday in each week, and not more than two days' pay shall be kept in hand by the employer.

(b) Notwithstanding anything to the contrary contained herein, an employer shall not be required to pay to an employee any amount which is in dispute as sick pay (should the employee become entitled to the sick pay claimed) until the pay day of the pay week following the pay week in which the claim for sick pay was made to the employer.

EMPLOYEE MISSING USUAL CONVEYANCE.

11. Whenever the finishing time of any employee working overtime is such as to cause him to miss the usual means of conveyance home, he shall be conveyed home in a suitable manner, without delay, at the expense of the employer.

MEAL PERIOD.

12. (a) The minimum time allowance for meals shall be three-quarters of an hour, and the maximum allowance one hour. Provided that an employer and a majority of not less than three-fourths of his employees may agree to a reduced period, but not less than half an hour.

(b) Where an employee is required to work during his usual meal period he shall be paid one-half extra on the hourly rate of his weekly wage for the time so worked, and be allowed his usual meal period as soon as it can be arranged.

(c) The lunch period of any employee shall be between the hours of noon and 2 p.m.

SIGNING WORK.

13. Senior Commercial or Industrial Artists shall be entitled to initial or sign any original work they produce wherever permissible by the employer.

ASSOCIATION OFFICIAL VISITING ESTABLISHMENT.

14. Duly accredited representatives of the Australian Commercial and Industrial Artists Association shall have the right to enter employers' working establishments during the midday meal time for the purpose of interviewing employees on legitimate association business, on the following conditions:—

(a) That the representative produces his authority to the employer or his representative.

(b) That the representative interviews employees only at places where they are taking their meals.

(c) That not more than two such representatives shall at any one time visit or be in any one working establishment, and if there are two representatives they shall both be there at the same time.

(d) That if a working establishment shall have been visited by any such representative during a week it shall not be visited afterwards during the same week by any such representative.

REST PERIOD.

15. Each employee shall be granted a rest period of not less than ten minutes each morning and afternoon. Such rest periods shall be counted as time worked.

Reasonable facilities shall be provided by the employer for the employee to have refreshments during such intervals, if the employee so desires.

ACCOMMODATION.

16. An employer in addition to ensuring that the provisions of sub-clauses (a), (b), and (c) hereof are complied with, shall provide as far as possible every convenience and comfort for employees:—

(a) A minimum working space of 40 square feet shall be allowed for each employee.

(b) For both day and night work, the illumination for any part of an employee's desk shall be at least of 50 foot candles.

(c) In places of work where the flooring is of stone, concrete, brick, or other like material, or in any place of work where the flooring is damp or wet because of the nature of the work (as in the case of industrial modellers or sculptors) adequate insulating material such as wood, linoleum, or coir matting, or similar dry material shall be provided to cover the immediate area in which the employee is working.

(d) Any employee whose work requires him to be seated shall be provided with a reasonably comfortable chair.

(e) The employer shall provide a suitable place for employees to wash their hands.

(f) Proper facilities shall be provided by the employer so that the clothing of employees taken off during working hours may be protected from the dust of the workroom.

PERIODICAL ADJUSTMENT OF WAGES.

17. The wage rate set out in clause 2 is based upon the following basic wage and pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Act 1934*, this Board hereby determines that the said rate shall be automatically adjusted as prescribed in Clause 18.

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	5 0 0	6 0	5 6 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

18. (a) For the purposes of this Determination, the expression "Commonwealth Statistician's 'all items' retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician.

(b) Until the beginning of the first pay period to commence in May, 1947, the amounts of the Basic Wage shall be as prescribed in clause 17.

(c) During each future successive half-yearly period beginning with the first pay period to commence in a May, or a November, the amount of the basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "all items" retail price index number for the six months immediately preceding the adjustment by the factor .087 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach .5 or more the basic wage shall be taken to the next higher shilling.

19. The wages rates of Apprentices and Improvers shall be automatically adjusted in proportion to adjustments of the basic wage, such adjustments to be calculated to the nearest sixpence, half or less than half of sixpence in the result to be disregarded.

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

J. W. RYAN, Secretary.

Melbourne, 28th January, 1947.

