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Factories and Shops Acts.

DETERMINATION OF THE LAW CLERKS 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 since the 15th July, 1931, has had the power to "determine the lowest prices or rates which may be paid to any person employed in his practice, by a barrister and solicitor, but not including:—

- (a) an articled clerk;
- (b) a barrister or solicitor serving not more than one year for the purpose of gaining experience;
- (c) a law student, i.e., a person employed as a clerk (other than an articled clerk) engaged in the course of study prescribed for those intending to qualify for admission as barristers and solicitors;
- (d) a typist or stenographer."

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.

*IMPROVERS.

MALES.					FEMALES.	
Wages per Week.					Wages per Week.	
Experience.	Commencing Age.				Experience.	s. d.
	Under 16 Years.	16 Years.	17 Years.	18 Years or Over.		
1st year	s. d. 28 3	s. d. 28 3	s. d. 31 0	s. d. 33 3	1st year	s. d. 28 3
2nd year	37 0	37 0	44 3	53 6	2nd year	33 3
3rd year	44 3	47 6	63 0	72 0	3rd year	43 0
4th year—					4th year	53 6
1st six months	58 6	65 6	74 3	91 3	5th year and until 21 years of age	65 6
2nd six months	58 6	65 6	91 3	93 0		
5th year—						
1st six months	78 9	82 6	107 9	113 6		
2nd six months	78 9	104 9	107 9	113 6		
6th year and until 21 years of age	107 9	113 6	..	..

PROPORTION (in any place).

Where there is no person receiving the adult rate—three improvers. In all other places two improvers to each person receiving not less than the adult rate.

* The Board has determined that no person shall be employed as an apprentice.

OTHER EMPLOYEES.

	Wages per Week.	
	Within a radius of 25 miles of the G.P.O., Melbourne, and within a radius of 10 miles of the principal post offices at Geelong, Ballarat, Bendigo, and Warrnambool.	All other parts of Victoria where this Determination applies.
	£ s. d.	£ s. d.
<i>Males.</i>		
With less than three years' experience in a solicitor's office—		
1st year's experience	5 15 6	5 12 6
2nd year's experience	6 0 6	5 17 6
3rd year's experience	6 5 6	6 2 6
All others	6 8 0	6 5 0
<i>Females.</i>		
All adults	4 7 0	4 4 9

WEEKLY HOURS.

3. The number of hours to constitute an ordinary week's work shall be 40 (exclusive of meal times).

TIMES OF BEGINNING AND ENDING WORK.

			Time of Beginning Work.	Time of Ending Work.
4. On the usual weekly half-holiday	..	..	8.45 a.m.	12.30 p.m.
On all other days of the week	..	..	8.45 a.m.	6 p.m.

OVERTIME.

5. The following rates shall be paid for all work done :—
 Outside the times of beginning and ending work } Time and
 Within the times of beginning and ending work, in excess of 40 hours in any week } a half.

TERMS OF EMPLOYMENT.

6. All employees (other than casuals) willing, ready, and available for work shall be paid the full weekly wage fixed herein, irrespective of the number of hours worked not exceeding 40. To terminate employment one week's notice shall be given by either employer or employee, or in lieu of such notice one week's wages shall be paid or forfeited, as the case may be. The provisions of this clause shall not apply in any instance where an employee is dismissed for misconduct.

CASUAL LABOUR.

7. Casual hands, i.e., persons who are employed during any week for not more than one-half of the maximum number of hours fixed in the Determination as a week's work, shall be paid at the rate of time and a half on the hourly rate calculated *pro rata* by dividing the weekly rate by the number of hours fixed for a week's work.

SPECIAL RATE FOR SUNDAYS AND HOLIDAYS.

8. (a) Double time shall be paid for all work done on Sundays, New Year's Day, the day following New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Easter Tuesday, Labour Day, Anzac Day, King's Birthday, Show Day, Melbourne Cup Day, Christmas Day, and Boxing Day, but if any other day be substituted by local custom or by Act of Parliament or Proclamation for any of the holidays specified herein, the special rate shall be payable only for work done on the day so substituted.

(b) No deduction shall be made from the wages of employees granted leave for the holidays mentioned in sub-clause (a) hereof.

MINIMUM OF WORK.

9. Any employee required to work on any day mentioned in clause 8 shall be entitled to not less than four hours' pay at special rates provided that he is available for work during such four hours.

ANNUAL HOLIDAYS.

10. Any employee who has been in the employ of the same employer continuously for a period of not less than twelve months shall be granted holidays on full pay for a period of fourteen days (including two Saturdays and two Sundays but excluding the Holidays as prescribed in clause 8). Such fourteen days may be taken in not more than two periods in each year at times mutually agreed upon between the employer and the employee. Should an employee's services be terminated before the expiration of twelve months' continuous service he shall be entitled to *pro rata* holidays on full pay; but should an employee be dismissed at any time for misconduct before the expiration of any period of twelve months of such employment, he shall not be entitled to any annual holidays or any *pro rata* payment in lieu thereof.

SICK LEAVE.

11. (a) Any employee who has been in the employment of the same employer for a continuous period of not less than three months and who does not attend for duty shall lose his pay for the actual time lost unless such employee produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the employer that his non-attendance was due to personal ill-health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the ground of personal ill-health or accident for more than six days in each year of service or a proportionately less time during any shorter period of employment. For the purposes of this clause service prior to 22nd November, 1943, shall be disregarded.

(b) If the full period of sick leave as prescribed in sub-clause (a) hereof 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 eighteen days, which shall be the maximum amount of leave to which an employee shall be entitled in any year without deduction of pay.

TIME AND WAGES RECORDS.

12. Each employer shall keep time and wages records showing the name of each employee, the number of hours worked each day, and the wages and overtime paid each week. The time and wages record shall be open for inspection to a duly-accredited official of the Federated Clerks' Union of Australia during the usual office hours at the employer's office, or other convenient place, provided that only one demand for such inspection shall be made at the same establishment in any one fortnight, and such demand shall not be made unless the Secretary of the Union suspects that a breach of this Determination has been committed.

MEAL ALLOWANCE.

13. Any employee who is required to work after the usual finishing hour of work, beyond one hour, shall be paid a meal allowance of 2s. 6d.

REST PERIOD.

14. All employees shall be allowed two rest intervals on each day as follows :—(a) The first of ten minutes to be allowed between the time of commencing work and the usual meal interval; (b) the second of ten minutes to be allowed between the usual meal interval and the time of ceasing work for the day. Such intervals are to be counted as part of time worked.

PERIODICAL ADJUSTMENT OF WAGES.

15. The wages rates for adult males 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 16 provided that the wages of female adults and improvers shall be adjusted proportionately to adjustments to the basic wage—such adjustments to be made to the nearest 3d., half or less than half of 3d. to be disregarded.

Provided further that no rate shall be increased or decreased by more than the increase or decrease in the basic wage.

Basic Wage.

Place.	Needs Basic Wage.	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.

16. (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 15.

(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, 19th December, 1946.

