



VICTORIA GOVERNMENT GAZETTE.

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No. 39]

THURSDAY, JANUARY 30.

[1947

Factories and Shops Acts.

DETERMINATION OF THE TAR AND BITUMEN 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 to any person or persons or classes of persons (other than persons subject to the jurisdiction of the Excavation or Roadwork Board) wheresoever employed in the process, trade, business or occupation of—

(i) tar distilling ;

(ii) manufacturing or preparing bituminous emulsions, tar distillates, asphaltic concrete, or other road surfacing preparations ;

(iii) manufacturing or preparing enamel made from tar pitch ;

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.

WAGE PER WEEK OF 44 HOURS.

Improvers.	Adjustable Rate.	Plus Conditions and Clothing Allowance (Non-adjustable).	Total Wage.	Other Employees.	Adjustable Rate.	Plus Conditions and Clothing Allowance (Non-adjustable).	Total Wage.
	s. d.	s. d.	s. d.		s. d.	s. d.	s. d.
Under 19 years of age ..	77 9	4 6	82 3	Bitumen emulsion maker ..	121 0	4 6	125 6
19 years and under 20 years ..	81 9	4 6	86 3	Bitumen, tar or pitch kettle attendant (where direct heat by fire is used) ..	121 0	4 6	125 6
20 years and under 21 years ..	97 3	4 6	101 9	Tar distiller and/or maker of pitch (T.I.C type of plant) ..	120 0	4 6	124 6
PROPORTIONS (IN ANY PLACE). One improver to every five or fraction of five workers receiving not less than 123s. per week.				Tar distiller and/or maker of pitch (other types of plants) ..	123 0	4 6	127 6
				Tar acid still attendant ..	123 0	4 6	127 6
				Weigher or measurer and/or mixer of asphaltic concrete or other pre-mixed materials ..	121 0	4 6	125 6
				Pitch enamel maker (closed type of plant) ..	123 0	4 6	127 6
				Pitch enamel maker (open type of plant) ..	For rate see clause 7 (c)		
				All others ..	118 6	4 6	123 0

NOTE.—The Board determines that no person shall be employed as an apprentice.

HOURS OF EMPLOYMENT.

3. The ordinary hours of employment shall be 44 per week, to be worked in five days of 8 hours and one day (Saturday) of 4 hours, or five days of 8 hours 48 minutes each continuously, except for meal hour breaks, at the discretion of the employer, between 6.30 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 6.30 a.m. to noon on Saturday : Provided that, by mutual agreement between an employer and his employees, the spread of hours herein prescribed may be altered, and ordinary hours may be worked on the basis of 88 per fortnight with weeks of 40 hours and 48 hours alternately.

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OVERTIME.

4. For all work done in excess of the ordinary hours (daily or fortnightly) the rate payable shall be time and a half for the first 3 hours' work and double time thereafter.

SHIFT WORK.

5. (a) Employees working on afternoon or night shift shall be paid 1s. per shift or part thereof in addition to the rates prescribed in clause 2.

(b) "Afternoon shift" means any shift finishing between 6 p.m. and midnight.

"Night shift" means any shift finishing between midnight and 8 a.m.

CASUAL LABOUR.

6. Persons employed for less than two consecutive weeks shall be paid 10 per centum in addition to the rates prescribed in clause 2.

ALLOWANCES.

7. (a) Persons employed cleaning tar distiller boiler where the artificial temperature is 130° Fahr. or less shall be paid 4½d. per hour in addition to their ordinary wage.

(b) Persons employed cleaning bitumen tanks and/or bitumen emulsion tanks shall be paid 4½d. per hour in addition to their ordinary wage.

(c) Persons employed cleaning tar distiller boiler where the artificial temperature exceeds 130° Fahr. shall be paid 6d. per hour in addition to their ordinary wage. Where work continues for more than two hours in temperatures exceeding 130° Fahr. employees shall 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.

(d) Persons employed making pitch enamel (open type of plant) shall, whilst so employed, be paid the rate fixed for the work usually performed by them with the addition of 4d. per hour.

SPECIAL RATES.

8. Double time shall be the rate payable for all work done on Sunday, Christmas Day, Boxing Day, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Saturday and Easter Monday; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall be payable only for work done on the day so substituted.

HOLIDAYS.

9. Employees shall be entitled to the following public holidays without deduction of pay:—Christmas Day, Boxing Day, New Year's Day, Australia Day, Union Picnic Day, Labour Day, Anzac Day, Good Friday, Easter Saturday and Easter Monday.

ANNUAL LEAVE.

10. Any employee who has been in the employment of the same employer for a period of not less than twelve consecutive months shall be granted with full pay two weeks' annual leave exclusive of the holidays mentioned in Clause 9. Should his services be terminated before the expiration of twelve months' service, or before the completion of any subsequent year of service, he shall be entitled in lieu of holidays to one sixth of two weeks' pay for each two months of service.

SICK LEAVE.

11. (a) When an employee is disabled by personal ill-health, proof of which sickness is given to the employer, by medical certificate or other satisfactory evidence within 24 hours of the employee's consequential absence, he shall, on account thereof, be entitled without deduction of pay to absent himself from work one day in each two months, or for a proportionate aggregate in a longer period, but not exceeding six days in any year of employment.

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

For the purposes of this sub-clause service prior to 29th November, 1945, shall be disregarded.

MEAL MONEY.

12. When an employee is required to work overtime in excess of one hour and a half, and has not been given notice accordingly on the previous working day, he shall be allowed an amount of 2s. for a meal.

GLOVES.

13. Persons employed handling hot materials, drums of pitch, or corrosive materials shall be provided free of charge with suitable gloves by the employer.

CLEANSING MATERIAL.

14. A suitable solvent and cotton waste shall be provided by the employer.

WASHING TIME.

15. An employee shall be allowed five minutes washing time immediately prior to the meal break and on ceasing work for the day. Such washing time to be counted as time worked.

RIGHT OF ENTRY OF UNION OFFICIALS.

16. The Secretary or any other official of the Australian Workers' Union duly authorized in writing by the said union shall not be prevented on production of such authority by any employer from visiting and conversing with employees at meal time or at any other time mutually agreed upon by the employer or his works manager and the said union secretary or other authorized official.

PERIODICAL ADJUSTMENT OF WAGES.

17. 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 18.

Provided that the wages of improvers 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.	Basic Wage.	Additional Constant Loading.	Index Number Set Assigned.
	£ s. d.	s. d.	
Throughout the State	5 0 0	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 February, 1947, the amounts of the Basic Wage shall be as prescribed in clause 17.

(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, 20th December, 1946.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting.

2. The second part of the document outlines the various methods and techniques used to collect and analyze data. It includes a detailed description of the experimental procedures and the statistical analysis performed.

3. The third part of the document presents the results of the study. It includes a series of tables and graphs that illustrate the findings of the research. The data shows a clear trend of increasing activity over time.

4. The fourth part of the document discusses the implications of the findings. It suggests that the results have significant implications for the field of study and may lead to further research in this area.

5. The fifth part of the document concludes the study. It summarizes the main findings and provides a final statement on the importance of the research.



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THURSDAY, JANUARY 30.

[1947

Factories and Shops Acts.

DETERMINATION OF THE TANNERS BOARD.

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

(b) On 21st April, 1925, the Board was deprived of the power to determine the lowest prices or rates which may be paid to any persons employed in the trade of a tanner of all kinds of furred skins, or a dresser or a dyer of such skins, and such power was conferred on the Tanners (Furred Skins) Board.

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 trade of a tanner, currier, leather dresser or dyer of all kinds of skins other than a tanner of sheep skins," 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.

JUNIOR LABOUR.

2. All employees under the age of 21 years, except as hereinafter provided, shall be paid the following rates:—

				Wages per Week of 44 Hours.
				s. d.
14 to 15 years of age	..	..	..	27 3
15 to 16 years of age	..	..	..	36 6
16 to 17 years of age	..	..	..	47 3
17 to 18 years of age	..	..	..	57 0
18 to 19 years of age	..	..	..	67 6
19 to 20 years of age	..	..	..	78 9
20 to 21 years of age	..	..	..	87 9

The aggregate proportion of juniors (other than those employed as strainers) to adults shall not exceed one junior to three adults or any fraction of three.

In any "department" as hereinafter defined the proportion of juniors shall not exceed two to five adults or a fraction of five. There shall be no limitation of the number of juniors who may be employed as strainers.

No juniors under 19 years of age shall be employed rolling, striking, or setting out crop leather and/or on hide leathers in tan pits or lime jobbing on hide leathers.

Other Employees.

										Per Week of 44 Hours.
										£ s. d.
(1)	Currier	..	..	..	..	..	..	..	..	7 0 0
(2)	Person classing or sorting green hides or sides or skins after being unhaired	..	..	..	..	..	..	..	..	6 15 0
(3)	Hand flesher	..	..	..	..	..	..	..	..	6 12 0
(4)	Hand fleshing after machining	..	..	..	..	..	..	..	..	6 10 0
(5)	Machine flesher	..	..	..	..	..	..	..	..	6 10 0
(6)	Unhairer, scudder, stoner, puncher, person trimming green hides on tables after being fleshed, person working unhairing and scudding machines	..	..	..	..	..	..	..	..	6 5 0
(7)	Lime jobber	..	..	..	..	..	..	..	..	6 3 0
(8)	Drumhand, paddle and/or vat hand, tanpitman, hydraulic presser	..	..	..	..	..	..	..	..	6 2 0
(9)	Bark bagger	..	..	..	..	..	..	..	..	6 2 0
(10)	Extract worker in tannery	..	..	..	..	..	..	..	..	5 18 0
(11)	Barkgrinder in tannery, person boiling down fleshing or rendering down tallow, handling hides, bark or tanning extract	..	..	..	..	..	..	..	..	5 18 0
(12)	Splitting machinist—									
	Operator of big machine	..	..	..	..	..	..	..	..	6 18 0
	Operator of other machines	..	..	..	..	..	..	..	..	6 16 0
(13)	Man behind splitting machine	..	..	..	..	..	..	..	..	6 2 0
(14)	Machine shaver—									
	New machine—double width	..	..	..	..	..	..	..	..	6 10 0
	Old machine—single width	..	..	..	..	..	..	..	..	6 11 0

Other Employees—continued.

	Per Week of 44 Hours.
	£ s. d.
(15) Jigger and grainer of bookbinding or furniture leather or japanned or enamelled or morocco leather or person engaged at japanning or enamelling leather or at ovens used for japanning or enamelling leather and operator of spraying machine	6 0 6
(16) Roller, striker and setter out of sole leather	6 5 6
(17) Shedman who applies dressing to sole leather	6 1 0
(18) Whitening machinist and buffing machinist	6 10 6
(19) Fluffing machinist	6 5 0
(20) Fluffing machinist on suede wheel	6 9 0
(21) Leather dresser (table hand)	6 5 0
(22) Person (not otherwise provided for) finishing chamois or fancy leather including ironing by hand	6 4 0
(23) Machinist (not otherwise provided for) working at any machine used for preparing fancy or other leathers	6 3 0
(24) Table hand setting out harness leathers	6 8 0
(25) Table hand and knee staker	6 5 0
(26) Shedman (other than those who apply dressing to sole leather), man unloading hides, bark, and other materials used in tanneries	5 18 0
(27) Strainer (over the age of 18 years)	6 1 0
(28) Employee unhairing either on beam or by sweeping	6 5 0
(29) Person classing or sorting hides, sides or skins or splits of leather after tanning	6 14 0
(30) Employee operating measuring machine	6 1 0
(31) Employee operating setting out machine	6 5 0
(32) Employee operating graining machine	6 3 0
(33) Employee operating ironing machine	6 3 0
(34) Employee operating embossing machine	6 3 0
(35) Employee operating squeezing machine	6 3 0
(36) Employee operating bark grinding machine	6 2 0
(37) Assistant on any of the machines 30 to 35	6 1 0
(38) Operator or assistant on any machine used in the industry not otherwise provided for	6 1 0
(39) Glazer	6 5 0
(40) Staker	6 5 0
(41) Person lime jobbing on mechanical reels	6 3 0
(42) Hair washer	5 19 0
(43) All others	5 16 0

Casual employees may be engaged by the day at rates 10 per cent. higher than those prescribed for weekly work.

WET WORK

In addition to the wages hereinbefore prescribed adult employees of the classifications set out herein shall receive a special allowance of 5/- per week:—

Persons classing or sorting green hides or skins being unhaird, hand fleshing, hand fleshing after machining, machine fleshing, unhairer, scudder, persons trimming green hides on tables after being fleshed, persons working unhairing and scudding machine, lime jobber, drum hand, paddle or vat hand, tan pit-man, hydraulic presser, green splitting machinist and man behind, extract worker in tannery, employee unhairing on beam or sweeping, employee operating squeezing machine, person lime jobbing on mechanical reels, hair washers, shed men in hide houses of beam shed department sorting out and hooking hides together, employees setting out from wet drums (excluding sole leather) and shedman who applies dressing to sole leather.

REDUCED TEMPERATURES.

Employees engaged at tanneries in handling hides or skins in chilling stores and chambers in which the temperatures are artificially reduced shall be paid 1½d. per hour extra for the time so employed.

PAYMENT BY RESULTS.

3. Subject to the following provisions piecework or any other system of payment by results may be adopted by an employer so long as such rates permit employees of average capacity to earn at least 10 per cent. in addition to the total wages to which they are entitled under clause 2 hereof.

(a) The piecework rates now operating shall not be varied except in manner hereinafter provided.

(b) Piecework rates may be fixed or varied by factory boards consisting of two representatives of any employer, one of his employees and one representative of the Federation. If any such board is unable to agree on any rate or rates proposed by the employer the matter in dispute shall be referred to the Chairman of the Wages Board whose decision shall be final.

(c) If the employees of any factory or the Federation fail to appoint representation to any such board or fail to attend a meeting of such board called by the employer on a date not less than seven days after the service of notice on the State Secretary of the Federation, the employer may adopt such piecework rates which he deems reasonable without the authority of a board.

CONTRACT OF EMPLOYMENT.

4. (a) Except as to piece-workers and casual workers and subject to the undermentioned provisos employment shall be by the week. Each employee shall be entitled to a week's notice of dismissal given on any day, or a week's pay in lieu of notice unless such dismissal is for wilful failure to attend for duty, malingering, misconduct or neglect of duty.

(b) An employee absent through illness or accident shall not be entitled in any year (whether in the employ of one employer or several, except as hereinafter provided) to leave in excess of 44 hours of working time. For this purpose a year shall commence on the first day of March.

An employee before becoming entitled to sick pay shall if required to do so by the employer produce a doctor's certificate or other sufficient evidence of sickness.

An employee shall not be entitled to sick leave unless he has been in the service of the employer concerned for at least two months (8 weeks) immediately prior to such absence.

(c) If the full period of 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 88 hours working time which shall be the maximum amount of leave to which an employee may be entitled in any year without deduction of pay.

(d) An employee leaving his employment without giving a week's notice (unless his employer dispenses with such notice) shall forfeit a week's pay.

(e) Provided however that in the event of a stoppage through breakdown of machinery or any other cause for which the employer cannot be held responsible, the employer may on any day notify any employee that his services shall not be required on the following day or days and the employee's employment shall be temporarily terminated accordingly, and he shall not be entitled to be paid for the time not worked.

(f) Employees shall be paid for the holidays set out in clause (8) hereof as if worked.

(g) If the engagement of any employee is terminated by his employer within fourteen days preceding any of the prescribed holidays the holiday or holidays occurring during such period shall be paid for unless the employee has started work with another employer with the right of payment for the holiday or holidays.

(h) An employer shall be entitled to close his tannery on Easter Saturday morning and in such case his employees shall not be entitled to payment for such half-day.

HOURS.

5. The ordinary hours of employment shall be 44 per week, such hours to be worked between 7.30 a.m. and 5.15 p.m. on Monday to Friday inclusive (with 45 minutes' break for meals between the hours of noon and 1 p.m.) and between 7 a.m. and noon on Saturday: Provided that the 44-hour week may, by agreement between the employer and his employees, be worked in five days of 8 hours 48 minutes per day.

REST PERIOD.

6. A rest period of five minutes both morning and afternoon shall be given to all employees between the hours of 9.30 a.m. and 11 a.m. and 2.30 p.m. and 4 p.m. respectively. During such periods employees may not leave their department. Such time to be fixed by the employer concerned.

OVERTIME.

7. (a) All time worked on any day before or after the regular working hours or in excess of 8 hours 48 minutes on any one day, or 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 and double time thereafter.

(b) In computing overtime each day's work shall stand alone.

(c) Any employees required to work overtime for more than two hours in any one day without being notified the day before that they will be so required to work, shall either be supplied with a meal by the employer or paid 2s., but such payment need not be made to employees living in the same locality as their workshop who can reasonably return home for meals.

(d) If any employee pursuant to notice under sub-clause (c) hereof has provided a meal and is not required to work overtime he or she shall be paid 2s. for the meal so provided.

(e) For work done outside ordinary hours piecework rates shall be increased by 50 per cent. for the first four hours of each period worked and 100 per cent. thereafter.

(f) In cases where a fresh shift of men is brought on to work outside ordinary hours the following rates shall be paid:—

(i) For work performed before 5.30 p.m.—Ordinary rates.

(ii) For the first six hours after 5.30 p.m. in the case of a shift commenced before 5.30 p.m.—Time and a quarter.

(iii) For the first six hours in the case of a shift which commences at 5.30 p.m. or thereafter.—Time and a quarter.

(iv) After six hours in the case of employees under sub-paragraphs (ii) or (iii) hereof.—Double time.

(g) Any employee called upon to work during a meal hour shall be paid time and a half, and such time and a half shall continue until he has had a meal break.

HOLIDAYS.

8. (a) All employees shall be entitled to the holidays hereinafter mentioned or any day observed in lieu thereof without deduction of pay:—New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Christmas Day, Boxing Day, and Picnic Day if held on a Saturday not preceding a Monday prescribed as a holiday.

(b) In Melbourne, Melbourne Cup Day shall be observed as a holiday in lieu of King's Birthday.

(c) Piece-workers shall be paid for such holidays even though not worked at the ordinary rates payable to employees not on piece-work doing the same class of work. The rate shall be one-sixth of the appropriate weekly wage in factories working six days per week and one-fifth in factories working five days per week.

(d) Where an employee is absent from his or her employment on the working day or part of the working day before or after a holiday without reasonable excuse or without the employer's consent such employee shall not be entitled to payment for such holiday. The amount to be deducted shall be one-sixth or one-fifth as the case may be of the appropriate weekly wage.

(e) (i) That subject to the exceptions and reservations hereinafter provided an employee shall be entitled to absent himself from his employment on any of the prescribed holidays hereinbefore mentioned or on any day observed in lieu thereof without loss of pay for such holiday or holidays.

(ii) An employer requiring an employee to work on any of the prescribed holidays hereinbefore mentioned or on any day observed in lieu thereof shall give to such employee fourteen days' clear notice prior to such prescribed holiday or holidays of such requirement to work.

(iii) An employee who is required to work on any of the prescribed holidays and to whom notification as provided in sub-clause (ii) has not been given shall be paid Double Time Rates or Rate of Double Time in addition to such ordinary rate as such employee would have received had he not so worked.

(iv) An employee who is required to work on any prescribed holidays and who fails to attend for such duty shall not be entitled to payment for such holiday or holidays as the case may be providing such failure to attend for work is not due to illness or accident as construed and applied by the provisions of Clause 4. hereof.

ANNUAL LEAVE.

Period of Leave.

9. (a) Except as hereinafter provided a period of fourteen consecutive days' leave with payment of ordinary wages as prescribed shall be allowed annually to an employee by his employer after a period of twelve months' continuous service with such employer.

Public Holidays Excluded.

(b) (i) Such period of annual leave shall not include holidays as prescribed in clause 8 observed on working days, but shall include all other non-working days.

(ii) If any holiday as prescribed in clause 8 falls within an employee's period of annual leave and is observed on the day which in the case of that employee would have been an ordinary working day, there shall be added to that period one day, being an ordinary working day for each holiday observed as aforesaid.

(iii) Where an employee without reasonable excuse proof whereof shall lie upon him is absent from his employment on the working day or part of the working day prior to the commencement of his annual leave or fails to resume work at his ordinary starting time on the working day immediately following the last day of the period of his annual leave, the employee shall not be entitled to payment for the public holidays which fall within his period of annual leave.

Notice of Leave to be Given.

(c) At least seven days' notice shall be given to an employee as to when he is to commence his leave, and if such notice be withdrawn by an employer, the employee if he postpones his leave, shall be compensated by the employer for any reasonable out of pocket loss occasioned thereby; in the case of dispute to be settled by the Wages Board.

Time When Leave to be Granted.

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

Leave to be Given and Taken.

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

Payment of Wages.

(f) Each employee before going on leave shall be paid two weeks' wages at ordinary rates for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave. Payment in case of employees employed on piece work or bonus work or any other system of payment by results shall be at time rates.

Leave in Advance.

(g) (i) An employer may grant 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 the expiration of the twelve months in respect of which annual leave had been taken before it accrued.

(ii) Where leave has been granted to an employee pursuant to sub-clause (g) (i) hereof before the right thereto has accrued due and the employee subsequently leaves or is discharged from the service of the employer before completing the twelve months' continuous service in respect of which the leave was granted, the employer may for each 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 in clause 8 of this Determination. Provided that in cases where such leave is granted at the request of the employee, the employer may when making payment under sub-clause (f) hereof, withhold from the employee a sum equal to one-twelfth for each complete month of the qualifying period not served by the employee at the time of going on such leave and retain such sum until the expiration of such qualifying period.

Proportionate Payment.

(h) Proportionate payment shall be made in respect of each completed month of continuous service in any qualifying twelve-monthly period when an employee lawfully leaves his employment or his employment is terminated by his employer through no fault of the employee.

Calculation of Continuous Service.

(i) (a) Continuity of 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 with the intention of avoiding obligations hereunder in respect of annual leave;
- (ii) any absence from work of not more than fourteen days in the twelve months on account of sickness or accident (proof whereof shall be on the employee);
- (iii) any absence on account of leave granted imposed or agreed to by the employer;
- (iv) any absence due to reasonable cause (including absences on account of sickness or accident of more than fourteen days) (proof whereof shall be on the employee).

Provided that 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 if practicable inform the employer in writing within 24 hours after 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.

(b) In calculating a period of twelve months' continuous service—

- (i) (1) any annual leave taken therein;
- (2) any absences of the kind mentioned in (i) and (ii) of paragraph (a) above shall be counted as part of such period;
- (ii) in respect of absences of the kind mentioned in (iii) and (iv) of paragraph (a) above, the employee shall serve such additional period as part of his qualification for annual leave as will equal the period of such absences;
- (iii) (1) where an employee is absent from work for any cause whatsoever the employer shall, if so requested by the employee, notify the employee within fourteen days of the receipt of such request whether the employer regards such absence as breaking either conditionally or unconditionally the continuity of service of such employee. If the employee does not make such request within seven days of his return to work after any such absence, such absence shall be deemed to have broken such continuity. If the employer does not give such notice within the said fourteen days, such absence shall not be deemed to be such a break.

The employee shall make such request in writing and shall deliver same to the employer's office at the factory where he is employed, or if there be no such office, to the manager of such factory or in his absence to the employee's foreman.

The employer shall give the notification to the employee by having the same delivered to such employee personally in writing;

- (2) where an employee has been absent from his employment, and the employer has notified him that such absence is regarded as a break in the continuity of service, the employee may within fourteen days of such notification from the employer, appeal to the Wages Board against such notification of the employer.

Calculation of Month.

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

Successor or Assignee or Transmtee.

(k) Where the employer is a successor or assignee or transmitttee 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 transmitttee 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.

Annual Close Down.

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

- (i) He may by giving to the employees concerned 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 reopened 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 (h) of this clause, subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

Disputes.

(m) Any dispute as to the rights of an employee to or with respect to annual leave shall be dealt with by the Wages Board.

PAYMENT FOR WORK ON SUNDAYS AND HOLIDAYS.

10. (a) All work performed on Sundays and holidays shall be paid for at the rate of not less than double time.
(b) An employee called upon to work on a Sunday shall be entitled to a minimum of two hours' pay and on public holidays to a minimum of four hours' pay unless work is prevented by rain, in which event he shall receive a payment of 4s.

MIXED FUNCTIONS.

11. Where an employee is engaged on any day on mixed functions or on work carrying a higher rate of pay than his ordinary classification he shall be paid at the higher rate for the time so worked on such higher classification. If the aggregate hours worked by an employee on such higher classification exceed sixteen in the week he shall be paid at the higher rate for the week.

Provided further that an employee employed at any two or more of the operations of buffing, fluffing, or fluffing on the suede wheel not entitled to the higher rate for any week shall for each day on which he is called on to do any two or more of such operations be paid the higher rate of pay.

PAYMENT OF WAGES.

12. (a) Wages shall be paid not later than Thursday of each week in the employer's time or within five minutes of knock off time. Time waiting for payment after such five minutes shall be paid for at overtime rates.
(b) Any employee who has worked only a portion of a week and who is dismissed by his employer shall be paid on ceasing work for all time worked during that week, less any deductions that the employer may be lawfully entitled to make.
(c) Each employer shall be entitled to retain in hand from each employee an amount equal to one day's wages of such employee.

TOOLS OF TRADE.

13. (a) The employer shall provide all tools, leggings, gloves (rubber and other), aprons, respirators and other tools and implements of trade necessarily required by an employee in the performance of his duties.
(b) Employees working outdoor in wet weather shall be provided by the employer with waterproof capes for use whilst so working.
(c) Rubber knee boots shall be provided by the employer on all work where necessarily required on Wet Drum work.

PUTTING ON AND TAKING OFF COVERINGS.

14. Each employer shall allow his employees a reasonable period in the employer's time not exceeding five minutes either at the commencement or termination of work each day for putting on or removing (as the case may be) leggings, gloves, and aprons. In the event of any disagreement between an employer and his employees as to whether the period shall be at the commencement or termination of work or as to whether the time allowed is reasonable the dispute shall be referred to the Secretary for Labour.

TIME AND WAGES BOOKS, CARDS, ETC.

15. (a) Each employer shall keep in each factory, workshop or place where work is carried on by him, some card or check used in connexion with a mechanical clock or a time and wages book showing the name of each employee and his or her 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 books 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 at the beginning or end of duty.
(c) The time and wages book shall be open for inspection to an officer of the Federation duly accredited in writing by the Federation bound by this Determination during the midday meal hour at the employer's office or other convenient place: Provided that an inspection shall not be demanded unless the Secretary of the Federation or the district secretary or organizer of any division suspects that a breach of this Determination has been or is being committed: Provided also that only one demand for such inspection shall be made in any one fortnight at the same establishment: And provided further that if the meal hour shall not be a convenient time for any employer he may fix some other time of at least one hour for any such inspection.
(d) The official making such inspection shall be entitled to take a copy of entries in a time and wages book relating to the suspected breach of this Determination.

RIGHT OF ENTRY OF UNION OFFICIAL.

16. A duly accredited representative of the Federation bound by this Determination shall have the right to enter employers' workshops during the midday meal hour for the purpose of interviewing employees on legitimate Federation business 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 the place where they are taking their meal;
- (iii) that not more than one representative in all be in any workshop at any one time;
- (iv) that no one representative visit a workshop more than once in each week; and
- (v) that if any employer alleges that a representative is unduly interfering with his workshop 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 the Secretary for Labour.

UNION BUSINESS.

17. Officers or members of the Federation or any branch thereof may leave their work to attend to the business of the Federation after at least three days' notice has been given to the employer but without being paid while absent.

SHOP STEWARD.

18. (a) Shop stewards or Federation representatives shall be granted every facility in carrying out their duties.
(b) Shop stewards appointed by employees in each workshop shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees whom they represent.

POSTING NOTICES.

19. (a) An employer shall permit notice boards to be erected in his establishment for the purpose of posting any notices thereon in connexion with meetings or other business of the Federation.
(b) Such notice boards shall be in a prominent position, and notices exhibited thereon shall be signed by the branch secretary, president or shop steward of the Federation.
(c) Every employer shall post and keep posted a copy of the Determination in a place accessible to all employees.

ACCIDENT PAY.

20. When an employee meets with an accident whilst at work which accident necessitates his absence from work he shall, for the period not exceeding one week for which he does not receive any payment under the provisions of the appropriate State laws, be paid at the rate of half the payment prescribed by this Determination for the class of work on which he was engaged prior to being so absent.

ACCOMMODATION.

21. (a) Boiling water shall be supplied by the employer for tea for the employees at lunch time.
(b) Dining Room and Dressing accommodation and facilities for drying clothes shall be provided for by the employer, who shall be held responsible for the place being kept clean. Dressing rooms shall contain suitable provisions (hanging facilities) for the clothes for each employee.
(c) Suitable showers shall be available for all employees, and both hot and cold water shall be laid on and shall be readily accessible to employees.
(d) The employer shall provide a suitable covered bicycle-stand.

FIRST-AID OUTFIT.

22. (a) The employer shall provide and continuously maintain an efficient first-aid outfit in each factory controlled by him.

(b) An efficient first-aid outfit shall be that prescribed by the laws and regulations of the State in which the factory is situated, but, where there is no legislation on the subject, the first-aid outfit shall contain the following equipment:—

Article.	Quantities to be kept in Ambulance Chest.	
	Factories and Workshops in which not more than 30 persons are employed.	Factories and Workshops in which more than 30 persons are employed.
Antiseptic solution	1 bottle	1 bottle
Bandages, cotton and gauze	$\frac{1}{2}$ doz. assorted sizes	$\frac{1}{2}$ doz. assorted sizes
Iodine, tincture of	1 oz.	2 oz.
Castor oil	1 oz.	2 oz.
Manual first aid.		
Petrolatum, carbolized	1 jar	1 jar
Picric acid solution, made according to the following recipe or prescription:— 1 $\frac{1}{2}$ teaspoonful of powdered picric acid; 3 oz. absolute alcohol; 2 pints distilled water.		
Pins, safety	1 packet	1 packet
Sal volatile	1 oz.	6 oz.
Scissors	1 pair	1 pair
Tourniquet	1	1
Cotton, absorbent	An adequate assortment	An adequate assortment
Gauze, sterilized and plain		
Lint, absorbent		
Plaster, adhesive		

MEMBERS SHALL NOT BE COMPELLED TO RESIGN MEMBERSHIP.

23. An employer shall not compel an employee to resign his membership of the Federation through the fact of such member being made a foreman or being placed on the staff.

FORMALDEHYDE.

24. (a) Where formaldehyde is used so as to create obnoxious or injurious fumes there shall be sufficient ventilation to take the fumes away.

(b) Suitable goggle protectors shall be provided by the employer, if requested, for employees using formaldehyde or breaking down sulphide.

DEFINITIONS.

25. (a) "Carrier" is a person who in his work uses a whitening knife, skiver, slicker, whitening slicker, or shaving knife, or buffing knife, or buffing slicker.

(b) "Handflesher" is a person who uses in his work a knife for the purpose of fleshing green hides or cutting down hides or skins or pieces before or after being fleshed by a machine.

(c) "Table hand" is a person engaged on any class of work done on tables, except in sole leather or as otherwise provided.

(d) "Slab work" shall mean the pasting of pieces of split leather together for sale or use as soles, insoles, heel or toe pieces, or stiffeners, or any purpose whatsoever.

(e) "Strainer" shall mean a person engaged at straining or tacking out or stripping or toggling or carrying boards or frames used for straining or tacking out or toggling.

(f) "Shedman" used in relation to tanneries shall include persons employed in hide houses of beamshed departments, spreading out and hooking hides together to make packs ready for reeling into pits, trucking hides and taking them out of bundles, lumping hides from the lorries, and cleaning up.

(g) "Federation" shall mean the Australian Saddlery Leather Sail Canvas Tanning Leather Dressing and Allied Workers Employees Federation.

DEPARTMENTS.

26. "Departments" of a tannery or leather-dressing establishment refer only to each of the following departments:—

Beamshed department;

Tanning department (including all wet work);

Carriers' department (including rolling);

Finishing department (other than rolling).

"Japan shop."—Japan shop means places where persons japanning or enamelling leather are engaged

PERIODICAL ADJUSTMENT OF WAGES.

27. The wages rates set out for adults 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 28.

BASIC WAGE.

Place.	Needs Basic Wage (Adjustable).	Constant Loading.	Total Basic Wage for Males.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Within the area to which this Determination applies	5 0 0	5 0	5 5 0	Six capital cities (weighted average)

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.

(d) The rates for junior labour are fixed on a needs basic wage of £3 15s. and shall be adjusted in proportion to the adjustment of the needs basic wage, such adjustment to be to the nearest threepence, half or less than half of threepence to be disregarded.

Such adjustments are to be made upon the following rates:—

Age.	Adjustable Wage.	Loading Constant.	War-time Loading Constant.	Special Allowance
	£ s. d.	s. d.	s. d.	s. d.
14 to 15 years of age	0 15 0	0 6	0 6	6 0
15 to 16 years of age	1 2 0	0 6	0 6	6 0
16 to 17 years of age	1 9 3	1 0	1 0	6 0
17 to 18 years of age	1 16 9	1 0	1 0	6 0
18 to 19 years of age	2 3 9	1 6	1 6	6 0
19 to 20 years of age	2 11 6	2 0	2 0	6 0
20 to 21 years of age	2 18 3	2 0	2 0	6 0

MARGINS.

(e) In addition to the total basic wage provided for in clause 27 the following margins, loadings, and special allowances shall be payable to employees mentioned hereunder:—

Classification.	Margins.	War-time Loading.	Special Allowance.
	s. d.	s. d.	s. d.
(1) Carrier	24 0	5 0	6 0
(2) Person classing or sorting green hides or sides or skins after being unhaired ..	19 0	5 0	6 0
(3) Hand flesher	16 0	5 0	6 0
(4) Hand fleshing after machining	14 0	5 0	6 0
(5) Machine flesher	14 0	5 0	6 0
(6) Unhairer, scudder, stoner, puncher, person trimming green hides on tables after being fleshed, person working unhairing and scudding machines	9 0	5 0	6 0
(7) Lime jobber	7 0	5 0	6 0
(8) Drumhand, paddle and/or vat hand, tanpitman, hydraulic presser	6 0	5 0	6 0
(9) Bark bagger	6 0	5 0	6 0
(10) Extract worker in tannery	2 0	5 0	6 0
(11) Barkgrinder in tannery, person boiling down fleshing or rendering down tallow, handling hides, bark or tanning extract	2 0	5 0	6 0
(12) Splitting machinist—			
Operator of big machine	22 0	5 0	6 0
Operator of other machines	20 0	5 0	6 0
(13) Man behind splitting machine	6 0	5 0	6 0
(14) Machine shaver—			
New machine—double width	14 0	5 0	6 0
Old machine—single width	15 0	5 0	6 0
(15) Jigger and grainer of bookbinding or furniture leather or japanned or enamelled or morocco leather or person engaged at japanning or enamelling leather or at ovens used for japanning or enamelling leather and operator of spraying machine ..	10 6	5 0	6 0
(16) Roller, striker and setter out of sole leather	9 6	5 0	6 0
(17) Shedman who applies dressing to sole leather	5 0	5 0	6 0
(18) Whitening machinist and buffing machinist	14 6	5 0	6 0
(19) Fluffing machinist	9 0	5 0	6 0
(20) Fluffing machinist on suede wheel	13 0	5 0	6 0
(21) Leather dresser (table hand)	9 0	5 0	6 0
(22) Person (not otherwise provided for) finishing chamois or fancy leather including ironing by hand	8 0	5 0	6 0
(23) Machinist (not otherwise provided for) working at any machine used for preparing fancy or other leathers	7 0	5 0	6 0
(24) Table hand setting out harness leathers	12 0	5 0	6 0
(25) Table hand and knee staker	9 0	5 0	6 0
(26) Shedman (other than those who apply dressing to sole leather), man unloading hides, bark, and other materials used in tanneries	2 0	5 0	6 0
(27) Strainer (over the age of 18 years)	5 0	5 0	6 0
(28) Employee unhairing either on beam or by sweeping	9 0	5 0	6 0
(29) Person classing or sorting hides, sides or skins or splits of leather after tanning ..	18 0	5 0	6 0
(30) Employee operating measuring machine	5 0	5 0	6 0
(31) Employee operating setting out machine	9 0	5 0	6 0
(32) Employee operating graining machine	7 0	5 0	6 0
(33) Employee operating ironing machine	7 0	5 0	6 0
(34) Employee operating embossing machine	7 0	5 0	6 0
(35) Employee operating squeezing machine	7 0	5 0	6 0
(36) Employee operating bark grinding machine	6 0	5 0	6 0
(37) Assistant on any of the machines 30 to 35	5 0	5 0	6 0
(38) Operator or assistant on any machine used in the industry not otherwise provided for ..	5 0	5 0	6 0
(39) Glazer	9 0	5 0	6 0
(40) Staker	9 0	5 0	6 0
(41) Person lime jobbing on mechanical reels	7 0	5 0	6 0
(42) Hair washer	3 0	5 0	6 0
(43) All others	Nil	5 0	6 0

P. A. RANDLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 23rd December, 1946.

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THURSDAY, JANUARY 30.

[1947

Factories and Shops Acts.

DETERMINATION OF THE MEAT PRESERVERS 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 18th July, 1938, has had the power to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons—

(a) Employed in the process, trade, or business of—

- (1) Preserving meat;
- (2) Preparing food products from animal fat or from edible oils;
- (3) Putting up preserved meat or food products prepared from animal fat or from edible oils;

(b) Employed as a storeman, packer, or sorter in connexion with the trade or business of—

- (1) Preserving meat;
- (2) Preparing food products from animal fat or from edible oils,"

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.

Persons other than those employed in connexion with dehydration of meat.

2.

WAGES.

APPRENTICES, IMPROVERS, AND JUVENILE WORKERS.

	Males.			Females.		
	Weekly Rate.	War Time Loading.	Total Weekly Wage.	Weekly Rate.	War Time Loading.	Total Weekly Wage.
Under 16 years	s. d. 36 0	s. d. 1 3	s. d. 37 3	s. d. 34 6	s. d. 1 0	s. d. 35 6
16 years and under 17 years	42 3	1 3	43 6	39 3	1 3	40 6
17 " " 18 " "	51 0	1 6	52 6	43 6	1 3	44 9
18 " " 19 " "	60 6	2 0	62 6	49 6	1 6	51 0
19 " " 20 " "	75 3	2 3	77 6	55 0	1 9	56 9
20 " " 21 " "	93 3	3 0	96 3	63 3	1 9	65 0

PROPORTION OF APPRENTICES AND IMPROVERS.—MEAT PRESERVING SECTION.

Apprentices.

One male apprentice to every three or fraction of three male workers receiving not less than 12s. 6d. per week of 44 hours.
One female apprentice to every three or fraction of three female workers receiving not less than 72s. 9d. per week of 44 hours.

Improvers.

One male improver to every 25 or fraction of 25 male workers receiving not less than 12s. 6d. per week of 44 hours.
One female improver to every 25 or fraction of 25 female workers receiving not less than 72s. 9d. per week of 44 hours.

ALL OTHER SECTIONS.

Apprentices.

One male apprentice to every three or fraction of three male workers receiving not less than 12s. 6d. per week of 44 hours.
One female apprentice to every three or fraction of three female workers receiving not less than 72s. 9d. per week of 44 hours.

Improvers.

One male improver to every 25 or fraction of 25 male workers receiving not less than 12s. 6d. per week of 44 hours.
One female improver to every 25 or fraction of 25 female workers receiving not less than 72s. 9d. per week of 44 hours.

OTHER EMPLOYEES.

MEAT PRESERVING SECTION.				ALL OTHER SECTIONS.			
	Weekly Rate.	War Time Loading.	Total Weekly Wage.		Weekly Rate.	War Time Loading.	Total Weekly Wage.
Leading hand, i.e., a person in charge of a department or shift	s. d. 126 6	s. d. 4 0	s. d. 130 6	Leading Hand, i.e., a person in charge of a Department or shift	s. d. 127 6	s. d. 4 0	s. d. 131 6
Assistant preserver ..	126 6	4 0	130 6	Mixer ..	128 6	4 0	132 6
Smoke kiln attendant whilst employed solely as such ..	130 6	4 0	134 6	Potman ..	128 6	4 0	132 6
Sausage smoke room attendant	125 6	4 0	129 6	Females engaged—			
Retort Hand, i.e., a person who loads and unloads retorts ..	124 6	4 0	128 6	Packing, wrapping, stamping, or branding ..			
Scalder or braiser ..	124 6	4 0	128 6	Labelling, wiping tins, and carrying off from filling tables ..			
Doughmaker ..	124 6	4 0	128 6	Filling, cleaning, weighing, stacking, sealing, closing, packing tins, jars, cartons or moulds ..	70 9	2 0	72 9
Cappers, clinchers, and/or vacuum operators, whilst employed solely as such ..	124 6	4 0	128 6	Taking away from automatic machines ..			
Lacquer hands whilst employed solely as such (i.e. employees feeding into and/or taking off machine) ..	124 6	4 0	128 6	Wrapping premier jus for oleo presses ..			
Soda wash hands whilst employed solely as such (i.e., employees feeding into and/or taking off machine) ..	124 6	4 0	128 6	All others ..	121 6	4 0	125 6
Females engaged—							
Taking away from automatic stuffing machine ..	105 0	2 0	107 0				
Running sausage skins for canning purposes ..	86 9	2 0	88 9				
Stamping, or Branding ..							
Labelling, keying, wiping tins, and carrying off from filling table ..							
Weighing, filling, emptying, stacking, capping, sealing, closing, opening, labelling, wrapping, packing, cleaning, or sterilizing tins, cartons, bottles, jars or moulds ..	70 9	2 0	72 9				
Preparing for, placing in, taking away from machines and placing in trays ..							
Cutting Sausages ..							
All others ..	120 6	4 0	124 6				

SHIFT WORKERS.

3. Shift workers shall not commence work before 1 p.m. on any day from Monday to Friday or before 10.30 a.m. on Saturday. They shall be paid at the ordinary rate for the class of work performed for all work done up to the time of ending work as fixed in clause 6 for certain other employees. For any balance up to 8 hours 10 minutes on days Monday to Friday and 3 hours 10 minutes on Saturday when the week's work is done in six days, and any balance up to 8 hours 48 minutes on days Monday to Friday when the week's work is done in five days, time and a quarter shall be paid.

PRO RATA PAYMENT OF WAGES.

4. An employee other than a "Temporary Worker" who is employed for less than the hours fixed for a full week's work shall be paid the ordinary wages rates calculated pro rata according to the number of hours worked.

ORDINARY WEEK'S WORK.

5. The number of hours which shall constitute a week's work shall be 44 which may be worked in periods not exceeding 8 hours 10 minutes on each day from Monday to Friday and 3 hours 10 minutes on Saturday, or in periods not exceeding 8 hours 48 minutes on each day from Monday to Friday.

TIMES OF BEGINNING AND ENDING WORK.

6. The times of beginning and ending work each day for persons (other than potman or potman's assistant and shift workers) shall be as follows:—

(a) In places where work is done on Saturday—

Mondays to Fridays ..	Time of Beginning. 7.15 a.m.	Time of Ending. 5 p.m.
Saturdays ..	7.15 a.m.	11 a.m.

(b) In places where work is not done on Saturday—

Mondays to Fridays ..	Time of Beginning. 7.15 a.m.	Time of Ending. 5.30 p.m.
-----------------------	------------------------------	---------------------------

OVERTIME.

7. The following overtime rates shall be paid for overtime.

- | | | |
|---|--|-------------------|
| (a) Potman or potman's assistant (not being a shift worker) | For work done in excess of 44 hours in any week .. | } Time and a half |
| (b) Others (not being shift workers) .. | (1) Outside the hours fixed in clause 6 .. | |
| | (Except after 12 noon on Saturday, when the rate shall be double time.) | } Time and a half |
| | (2) Within the hours fixed in clause 6 in excess of the hours fixed in clause 5 | |
| (c) Shift workers .. | (1) When the week's work is done in six days. | } Time and a half |
| | (a) For work done in excess of 8 hours 10 minutes on any day from Monday to Friday or in excess of 3 hours 10 minutes on Saturday before 1.40 p.m. | |
| | (b) After 1.40 p.m. on Saturday .. | } Double time |
| | (2) When the week's work is done in five days | |
| | (a) For work done in excess of 8 hours 48 minutes on any day from Monday to Friday and on Saturday before noon | } Time and a half |
| | (b) After 12 noon on Saturday .. | |
| | | } Double time |
| | | |

MINIMUM OF OVERTIME.

8. Employees called upon to work after meal time as provided in clause 9 after ordinary ceasing time shall be provided with a minimum of two hours' work, or shall be entitled to two hours' payment; but such payment shall not exceed three times the ordinary week-day rate payable to permanent employees.

MEAL HOURS.*General Conditions.*

9. (i) Employees working at night shall not work continuously for more than four hours without an interval of one hour for a meal, except where a person other than a shift worker has had the ordinary tea hour and is finishing before midnight
 (ii) Meal hour if worked shall be paid for at double time on prevailing rates; same to continue until such time as the employee has a full hour of leisure for a meal.

Shift Workers Only.

- (iii) Subject to sub-clauses (iv) and (v) hereof shift workers shall only be entitled to one meal hour per shift to be taken not earlier than four hours or later than five hours after commencing work. Provided that once the meal hour has been fixed it can only be altered by mutual agreement between the employer and employee concerned.
 (iv) Shift workers may, provided there is a mutual agreement between the employer and the employee, work the shift continuously with a crib time break of twenty minutes which shall count as time worked.
 (v) If a shift worker is required to work overtime he shall be entitled to a further meal at the end of the shift and before commencing such overtime.

Employees other than Shift Workers.

Breakfast.—A period of one hour at a time of the day to be arranged between employer and employees shall be allowed for breakfast to any person who commences work before 7.15 a.m.

Dinner.—A period of one hour between 12 noon and 1.30 p.m. shall be allowed for dinner.

Tea.—A period of one hour between 5 p.m. and 6 p.m. (when work is to continue after 6 p.m.) shall be allowed for tea.

SUNDAYS AND HOLIDAYS.

10. (a) Double time shall be paid for work done between 8 a.m. and 5 p.m. on Sundays and on the following holidays, viz :—Christmas Day, Boxing Day, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Union Picnic Day, and Melbourne Cup Day; but if any other day be by Act of Parliament or Proclamation substituted for the above-mentioned holidays, the special rate shall be payable for work done only on the day so substituted. Time and a half, calculated on the special rate mentioned in this clause, shall be paid for work done before 8 a.m. or after 5 p.m. on Sundays and holidays.

(b) Employees called upon to work on Sundays or holidays shall be provided with four hours' work, or shall be paid for four, hour's work; but such payment shall not exceed three times the ordinary week-day rate payable to permanent employees.

(c) Employees (other than temporary workers) not called upon to work on a holiday shall be paid for such holiday at ordinary rates provided that any portion of the working week is or has been worked by them.

Notwithstanding the provisions of sub-clause (c) an employee who does not work on Anzac Day shall not be entitled to payment for such holiday.

(d) Holidays for shift work employees shall be deemed to operate on the shift commencing during the holiday.

SICK LEAVE.

11. (a) Any employee who has been in the employment of the same employer for a 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 or a proportionately less time during any shorter period of employment.

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

For the purposes of this sub-clause, service prior to the 1st May, 1943 shall be disregarded.

ANNUAL LEAVE.*Period of Leave.*

12. (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 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 10 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 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 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 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 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 11 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 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.

(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-clause (i) 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 three 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 10 of this Determination.

Payment for Period of Leave.

(k) Each employee before going on leave shall be paid two weeks' wages, except a seven-days shift worker who 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 clause 2 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 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.

(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 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 (l) of this clause subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

SMOKE-ON.

13. A "smoke-on" period of 15 minutes without deduction of pay shall be allowed as follows:—

(a) To shift workers—

At intervals of not less than 2 hours nor more than 2½ hours after the commencement of work or of recommencing work after a meal break. Provided that where a meal break occurs within any such interval of 2½ hours the employee shall not be entitled to a "smoke-on" during that interval.

(b) To other workers—

Each morning between the hours of 9.30 and 10.30 and each afternoon between the hours of 2.30 and 3.30.

CHANGING TIME.

14. Employers shall allow all employees 5 minutes changing time at the end of the ordinary day's work and such time shall be counted as time worked.

TEMPORARY WORKERS.

15. Temporary workers shall be paid at the rate of time and a third but the rates payable to such employees for overtime shall be based on the rates payable to an ordinary worker.

LIMITATION OF PENALTY RATES.

16. Where under any provision in this Determination (other than the provision contained in clause 9 (ii)), cumulative penalty rates would entitle an employee to a sum in excess of three times the ordinary week-day rate per hour of a permanent worker performing like work, the rate payable to such employee, whilst he is employed at work for which penalty rates are provided, shall not exceed three times the ordinary week-day rate referred to; excepting where an employee is called upon to work through a meal time on a Sunday or a holiday.

DEFINITIONS.

17. (a) A temporary worker shall mean any person who is employed for less than three full consecutive working days. Saturdays, Sundays, and holidays are not to be counted as working days, i.e., Friday, Monday, and Tuesday would be three consecutive working days whether Saturday or Sunday is worked or not.

(b) Juvenile worker shall mean a person under 21 years of age, other than an apprentice or an improver, who may be employed at—

Patting, wrapping, stamping, or branding;
Labelling, keying, wiping tins, and carrying off from filling table;
Filling or cleaning tins, jars, or moulds;
Weighing, filling, emptying, stacking, capping, sealing, opening, packing, cleaning, or sterilizing tins, cartons, or bottles;
Taking away from machines;
Wrapping premier jus for oleo presses, washing margarine boxes, and assisting potman cleaning up; weighing and closing tins.

MEAL ALLOWANCE.

18. An employee required to work overtime for more than one and a quarter hours after the time of ending work in clause 6, shall be paid 2s. tea money unless notified on the previous day that his services will be needed. If having been notified accordingly he has provided himself with a meal he shall receive, in the event of the work not being done or ceasing before respective meal times, 2s. for each meal so provided.

WEIGHT CARRYING.

19. No female over the age of eighteen years shall be required to carry a greater weight than thirty pounds. Section 207 of the *Factories and Shops Act 1928* (No. 3677) provides that—"No person employing any girl under the age of eighteen years in a factory or shop shall permit such girl while so employed to lift or carry a greater weight than twenty-five pounds".

WET WORK.

20. When female employees are engaged in wet work, employers shall take reasonable precautions to protect such employee from getting wet.

FIRST-AID CHEST.

21. A first-aid chest, with all necessaries for same, shall be provided.

MIXED FUNCTIONS.

22. Any person engaged on two or more classes of work in any day shall be paid at the highest rates prevailing for that day.

DINING AND DRESSING ROOMS.

23. Proper dining and dressing rooms shall be provided, and shall be kept in a sanitary condition by the employer.

WASHING DOWN.

24. For the purposes of washing down, hoses and water taps must be provided at convenient places.

PAYMENT OF WAGES.

25. All employees to be paid weekly, and in the time of the employer.

MINIMUM OF WORK.

26. All persons who are engaged for work shall be paid for eight hours' work at least on week days and three and a half hours' work at least on Saturday, even if they are not required to work.

WAITING TIME.

27. When an employee has been notified to start work at a certain hour, but is not put on at such hour, the time that the employee is kept waiting shall be treated as time of duty.

WASHING FACILITIES.

28. A proper place shall be provided for the purpose of washing clothes.

RIGHT OF ENTRY OF UNION OFFICIALS.

29. The Secretary or Assistant Secretary of the Federated Cold Storage and Meat Preserving Employees' Union of Australasia shall be allowed to inspect all time and wages books at the place at which the time book or other record is kept between the hours of 10 a.m. and 2 p.m. on any working day excepting pay day or on the day immediately preceding pay day.

APRONS TO BE PROVIDED.

30. Aprons shall be provided by the employer for employees doing the following classes of work—

(a) Males—Retort hands; potmen and assistants; washing cans; handling gravy pots; attending potato or vegetable machines; dicing machines, or mixers in canning process.

(b) Females—Putting meat into cans, or hand peeling potatoes or vegetables.

CLOGS OR PROTECTIVE FOOTWEAR TO BE PROVIDED.

31. Clogs or protective footwear shall be provided for wet work.

Persons employed in connexion with dehydration of meat.

32. † WAGES PER WEEK.

* IMPROVERS AND JUVENILE WORKERS.

	s.	d.	
Under 17 years of age	46	9	
17 years of age	59	6	
18 years of age	76	0	
19 years of age	104	0	
20 years of age	108	0	

PROPORTION OF IMPROVERS.

One improver to every 25 or fraction of 25 workers receiving not less than the minimum wage.

* The Board has determined that no apprentices shall be employed in this section.

OTHER EMPLOYEES.

	£	s.	d.
Leading hand, i.e., a person in charge of a department or shift (Provided that where four or less retorts are in operation, the leading hand shall perform mixed functions and take charge of shift.)	6	18	0
Retort hand	6	8	6
Band saw operator	6	8	6
All others	6	4	6

† The above rates include a war loading of 3s. per week for adults and proportionate amounts for juniors.

SHIFT WORK.

33. (a) The ordinary hours of shift-workers shall be 44 per week, to be worked in 5 shifts of 8 hours 48 minutes on Monday to Friday inclusive or 5 shifts of 8 hours and one shift (Saturday) of 4 hours.

(b) Such shifts shall be rostered.

(c) Shift-workers whilst on afternoon or night shift shall be paid 12½ per cent. in addition to the rates shown in Clause 32.

Definition.—Afternoon shift means any shift finishing after 6 p.m. and at or before midnight.

Night shift means any shift finishing subsequent to midnight and at or before 8 a.m.

WEEKLY WAGES.

34. All employees (other than temporary workers) ready, willing, and available for work shall be paid the full weekly wage fixed herein irrespective of the number of hours worked.

ORDINARY WEEK'S WORK (other than Shift Workers).

35. The number of hours which shall constitute a week's work shall be 44 which may be worked in periods not exceeding 8 hours 10 minutes on each day from Monday to Friday and 3 hours 10 minutes on Saturday, or in periods not exceeding 8 hours 48 minutes on each day from Monday to Friday.

TIMES OF BEGINNING AND ENDING WORK (other than Shift Workers).

36. The times of beginning and ending work each day shall be as follows:—

(a) In places where work is done on Saturday—

	Time of Beginning	Time of Ending.
Mondays to Fridays	7.15 a.m.	5 p.m.
Saturdays	7.15 a.m.	11 a.m.

(b) In places where work is not done on Saturday—

Mondays to Fridays	7.15 a.m.	5.30 p.m.
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OVERTIME.

37. The following rates shall be paid for overtime:—

(a) Shift-workers—for all work done in excess of 8 hours per day, or in excess of 44 hours per week overtime shall be paid—

(i) When the week's work is done in six days—Time and a half on prevailing rates shall be paid provided that if any such overtime is done after 1.40 p.m. on a Saturday, double time on prevailing rates shall be paid for work so done after such hour on such day.

(ii) When the week's work is done in five days—All work done before noon on a Saturday shall be paid for at the rate of time and a half on prevailing rates and for all work done after such hour double time on prevailing rates shall be paid.

(iii) When shifts are worked on six days in a week and the total hours worked exceed 44 hours in that week, overtime shall be paid for the excess time over 44 hours.

(b) Others (not being shift-workers)—

(i) Outside the hours fixed in clause 36 (except after 12 noon on Saturday, when the rate shall be double time); time and a half.

(ii) Within the hours fixed in clause 36, in excess of the hours fixed in clause 35; time and a half.

MINIMUM OF OVERTIME.

38. Employees called upon to work after meal time as provided in clause 39 after ordinary ceasing time shall be provided with a minimum of two hours' work, or shall be entitled to two hours' payment; but such payment shall not exceed three times the ordinary week-day rate payable to permanent employees.

MEAL HOURS.**General Conditions.**

39. (i) Employees working at night shall not work continuously for more than four hours without an interval of one hour for a meal, except where a person other than a shift worker has had the ordinary tea hour and is finishing before midnight.

(ii) Meal hour if worked shall be paid for at double time on prevailing rates; same to continue until such time as the employee has a full hour of leisure for a meal.

Shift Workers Only.

(iii) One half hour shall be allowed for crib in each shift which shall be counted as working time, and shall be taken at appropriate times to ensure that the quality of the product is maintained at the highest standard and with due regard to the convenience of the employees.

(iv) If a shift worker is required to work overtime he shall be entitled to a further meal at the end of the shift and before commencing such overtime.

Employees other than Shift Workers.

Breakfast.—A period of one hour at a time of the day to be arranged between employer and employees shall be allowed for breakfast to any person who commences work before 7.15 a.m.

Dinner.—A period of one hour between 12 noon and 1.30 p.m. shall be allowed for dinner.

Tea.—A period of one hour between 5 p.m. and 6 p.m. (when work is to continue after 6 p.m.) shall be allowed for tea.

SUNDAYS AND HOLIDAYS.

40. (a) Double time shall be paid for work done between 8 a.m. and 5 p.m. on Sundays and on the following holidays, viz:—Christmas Day, Boxing Day, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Union Picnic Day, and Melbourne Cup Day; but if any other day be by Act of Parliament or Proclamation substituted for the above-mentioned holidays, the special rate shall be payable for work done only on the day so substituted. Overtime at the rate of time and a half, calculated on the special rate mentioned in this clause, shall be paid for work done before 8 a.m. or after 5 p.m. on Sundays and holidays.

(b) Employees called upon to work on Sundays or holidays shall be provided with four hours' work, or shall be paid for four hours' work; but such payment shall not exceed three times the ordinary week-day rate payable to permanent employees.

(c) Employees (other than temporary workers) not called upon to work on a holiday shall be paid for such holiday at ordinary rates provided that any portion of the working week is or has been worked by them.

Notwithstanding the provisions of sub-clause (c) an employee who does not work on Anzac Day shall not be entitled to payment for such holiday.

SICK LEAVE.

41. (a) Any employee who has been in the employment of the same employer for a 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 or a proportionately less time during any shorter period of

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

For the purposes of this sub-clause, service prior to 1st May, 1943, shall be disregarded.

ANNUAL LEAVE.

Period of Leave.

42. (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 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 40 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 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 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 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 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 41 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 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.

(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-clause (l) 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 three 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 40 of this Determination.

Payment for Period of Leave.

(k) Each employee before going on leave shall be paid two weeks' wages, except a seven-days shift worker who 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 clause 32 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 $3\frac{1}{2}$ hours in respect of each completed 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 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 (l) of this clause subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

SMOKE-OH.

43. A "smoke-oh" period of 15 minutes without deduction of pay shall be allowed as follows:—

(a) To shift workers—

At intervals of not less than 2 hours nor more than $2\frac{1}{2}$ hours after the commencement of work or of recommencing work after a meal break. Provided that where a meal break occurs within any such interval of $2\frac{1}{2}$ hours the employee shall not be entitled to a "smoke-oh" during that interval.

(b) To other workers—

Each morning between the hours of 9.30 and 10.30 and each afternoon between the hours of 2.30 and 3.30.

CHANGING TIME.

44. Employers shall allow all employees 5 minutes changing time at the end of the ordinary day's work and such time shall be counted as time worked.

TEMPORARY WORKERS.

45. Temporary workers shall be paid at the rate of time and a third but the rates payable to such employees for overtime shall be based on the rates payable to an ordinary worker.

LIMITATION OF PENALTY RATES.

46. Where under any provision in this Determination (other than the provision contained in clause 39 (ii)), cumulative penalty rates would entitle an employee to a sum in excess of three times the ordinary week-day rate per hour of a permanent worker performing like work, the rate payable to such employee, whilst he is employed at work for which penalty rates are provided, shall not exceed three times the ordinary week-day rate referred to; excepting where an employee is called upon to work through a meal time on a Sunday or a holiday.

DEFINITIONS.

47. (a) A temporary worker shall mean any person who is employed for less than three full consecutive working days. Saturdays, Sundays, and holidays are not to be counted as working days, i.e., Friday, Monday, and Tuesday would be three consecutive working days whether Saturday or Sunday is worked or not.

(b) Juvenile worker shall mean a person under 21 years of age, other than an improver, who may be employed at—

Patting, wrapping, stamping, or branding;
Labelling, keying, wiping tins, and carrying off from filling table;
Filling or cleaning tins, jars, or moulds;
Weighing, filling, emptying, stacking, capping, sealing, opening, packing, cleaning, or sterilizing tins, cartons, or bottles;
Taking away from machines;
Picking meat from bones.

MEAL ALLOWANCE.

48. An employee required to work overtime for more than one and a quarter hours after the time of ending work in clause 36 shall be paid 2s. tea money unless notified on the previous day that his services will be needed. If having been notified accordingly he has provided himself with a meal he shall receive, in the event of the work not being done or ceasing before respective meal times, 2s. for each meal so provided.

WEIGHT CARRYING.

49. No female over the age of eighteen years shall be required to carry a greater weight than thirty pounds. Section 207 of the *Factories and Shops Act 1928* (No. 3677) provides that—"No person employing any girl under the age of eighteen years in a factory or shop shall permit such girl while so employed to lift or carry a greater weight than twenty-five pounds".

WET WORK.

50. When female employees are engaged in wet work, employers shall take reasonable precautions to protect such employees from getting wet.

FIRST-AID CHEST.

51. A first-aid chest, with all necessities for same, shall be provided.

MIXED FUNCTIONS.

52. Any person engaged on two or more classes of work in any day shall be paid at the highest rates prevailing for that day.

DINING AND DRESSING ROOMS.

53. Proper dining and dressing rooms shall be provided, and shall be kept in a sanitary condition by the employer.

WASHING DOWN.

54. For the purposes of washing down, hoses and water taps must be provided at convenient places.

PAYMENT OF WAGES.

55. All employees to be paid weekly, and in the time of the employer.

MINIMUM OF WORK.

56. All persons who are engaged for work shall be paid for eight hours' work at least on week days and three and a half hours' work at least on Saturday, even if they are not required to work.

WAITING TIME.

57. When an employee has been notified to start work at a certain hour, but is not put on at such hour, the time that the employee is kept waiting shall be treated as time of duty.

WASHING FACILITIES.

58. A proper place shall be provided for the purpose of washing clothes.

RIGHT OF ENTRY OF UNION OFFICIALS.

59. The Secretary or Assistant Secretary of the Federated Cold Storage and Meat Preserving Employees' Union of Australasia shall be allowed to inspect all time and wages books at the place at which the time book or other record is kept between the hours of 10 a.m. and 2 p.m. on any working day excepting pay day or on the day immediately preceding pay day.

APRONS TO BE PROVIDED.

60. Aprons shall be provided by the employer for employees doing the following classes of work—

- (a) Males—Retort hands; washing cans; handling gravy pots;
- (b) Females—Putting meat into cans.

CLOGS OR PROTECTIVE FOOTWEAR TO BE PROVIDED.

61. Clogs or protective footwear shall be provided for wet work.

ALL PERSONS TO WHOM THIS DETERMINATION APPLIES.

PERIODICAL ADJUSTMENT OF WAGES.

62. The wages rates for males set out in clauses 2 and 32 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 63. Provided that the wages of apprentices, improvers, juvenile workers 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.

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.

63. (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 proscribed in clause 62.

(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.



VICTORIA GOVERNMENT GAZETTE.

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No. 42]

THURSDAY, JANUARY 30.

[1947

Factories and Shops Acts.

DETERMINATION OF THE FROZEN GOODS 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 to any person or persons or classes of persons employed in the process, trade, business or occupation of freezing or refrigerating goods of any kind for the purpose of trade or sale, including the packing or grading of such goods but not including—

- (a) persons engaged in packing or grading eggs;
- (b) persons engaged in packing ice-cream;
- (c) persons engaged in the slaughtering and boning departments of meat works or abattoirs in the preparation and packing of meats, offals, and by-products in a fresh condition;
- (d) persons subject to the jurisdiction of the Fruit Packing Board and of the Ice Board;

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.

Improvers and Juvenile Workers.					Other Employees.				
—	Weekly Rate.	* War Loading.	Total Weekly Wage.	Per Hour.	—	Per Week.			
						Weekly Rate.	* War Loading.	Total Weekly Wage.	Per Hour.
	£ s. d.	s. d.	£ s. d.	s. d.		£ s. d.	s. d.	£ s. d.	s. d.
16 years of age and under 17	2 3 1	0 11	2 4 0	1 0	Chamber hands	7 1 6	4 0	7 5 6	3 3 ¹⁵ / ₂₂
17 " " "	2 7 8	0 11	2 8 7	1 1 ¹ / ₂					
18 " " "	2 15 0	1 10	2 16 10	1 3 ¹ / ₂					
19 " " "	3 4 2	1 10	3 6 0	1 6					
20 " " "	4 2 6	2 9	4 5 3	1 11 ¹ / ₂	All others ..	6 8 10	4 0	6 12 10	3 0 ⁵ / ₁₁
For definition of juvenile workers see clause 11.					Temporary workers shall be paid time and a half on the ordinary rates for work done during ordinary working hours. For work done outside those hours they shall receive ordinary overtime rates.				
PROPORTION OF IMPROVERS. One improver to every 25 or fraction of 25 workers receiving not less than the hourly rate herein prescribed for "all others."									

* The War Loading shall not be taken into account in the calculation of overtime and holiday rates.

NOTE.—The Wages Board has determined in accordance with section 25 (1) of the amended *Factories and Shops Act 1934* that the trade is so unskilful that no person should be taken as an apprentice to the trade.

ORDINARY WEEK'S WORK.

3. The number of hours which shall constitute a week's work shall be 44.

No. 42.—13413/46.

TIMES OF BEGINNING AND ENDING WORK.

4. The times of beginning and ending work each day shall be as follows :—

	Time of Beginning.	Time of Ending.
<i>(a) Meat Export Works.</i>		
Hanging ground and grading room hands—		
Monday to Friday	7.45 a.m.	5.15 p.m.
Saturday	7.45 a.m.	12 noon
Chamber hands—		
Monday to Friday	8 a.m.	5 p.m.
Saturday	8 a.m.	12 noon
<i>(b) Cool Stores Works.</i>		
All employees—		
Monday to Friday	8 a.m.	5 p.m.
Saturday	8 a.m.	12 noon

OVERTIME.

5. The following rates, subject to the conditions stated in clause 7, shall be paid for all work done :—

- (a) Outside the times of beginning and ending work as provided in clause 4.
- (i) On Saturdays.—Time and a half fixed on the ordinary rates before starting time and double time on ordinary rates after 12 noon.
- (ii) On other week days.—Time and a half.
- (b) With in the hours fixed as the time of beginning and ending work :—
- (i) In excess of four hours on Saturday and eight hours on other week days.—Time and a half.
- (ii) In excess of the number of hours fixed for a week's work in clause 3.—Time and a half.

The overtime rates payable for work done on Sundays and holidays are provided for in clause 8.

LIMITATION OF HOURS OF WORK.

6. (i) No employee shall be required to work more than 16 hours in any one day.
- (ii) No employee shall be required to work more than 12 hours' overtime in any one week provided that this limitation of overtime shall not apply to loading out for shipment.

MINIMUM OF OVERTIME.

7. If an employee is required to work more than one hour and a half on any day after the time of ending work as provided in clause 4 or if having ceased work for the day for not less than one hour, and is required to work, he shall receive a minimum of two hours' pay at overtime rates.

SPECIAL RATES FOR SUNDAYS AND HOLIDAYS.

8. (a) Double time fixed on the ordinary rates shall be paid for all work done on Sundays, New Year's Day, Union Picnic Day, Australia Day, Labour Day, Anzac Day, Good Friday, Easter Monday, Melbourne Cup Day, Christmas Day, and Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the abovenamed holidays, the special rate shall be payable only for work done on the day so substituted.

An employee required to work on a Sunday or a holiday shall receive a minimum of four (4) hours' work or shall be paid for such four hours at double rates, and if required to work in excess of eight hours on a Sunday or a holiday, shall be paid the double rate provided in this clause plus one-third of such double rate for such excess work.

(b) Any person (other than a temporary worker) if not required to work on any day mentioned in clause 8 (a) as a holiday shall receive a day's pay (based on his ordinary rates) for such day provided that he is required to work for any portion of the working week in which such holiday occurs, but any person who is required to work on a holiday for a period of less than eight hours shall receive double ordinary rate for the time so worked in addition to the ordinary rate for the balance of eight hours.

ANNUAL LEAVE.

Period of Leave.

9. (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 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 8 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 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 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 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 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 10 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 $3\frac{1}{2}$ 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-clause (i) 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 three 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 8 of this Determination.

Payment for Period of Leave.

(k) Each employee before going on leave shall be paid two weeks' wages, except a seven-days shift worker who 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 clause 2 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 $3\frac{1}{2}$ 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 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 (l) of this clause subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

SICK LEAVE.

10. (a) Any employee who has been in the employment of the same employer for a 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.

(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 twelve days which shall be the maximum amount of leave to which any employee shall be entitled in any year without deduction of pay.

DEFINITIONS.

11. (a) A juvenile worker shall mean a person under 21 years of age (other than an improver) engaged in stamp marking carcasses, stamping, stringing and putting on tickots, handling or packing offals or by-products, scraping, nailing up, re-wiring, and branding packages, but not stacking cases of butter or eggs, sweeping up and acting as an assistant to a Government Inspector.

(b) No improver or juvenile worker shall lift any article of a weight in excess of 50 pounds.

(c) A temporary worker shall mean any person (including a juvenile worker) other than a hanging ground or grading room employee who is employed for less than three full consecutive working days. Saturdays, Sundays, and holidays are not to be counted as working days, i.e., Friday, Monday, and Tuesday would be three consecutive working days whether Saturday or Sunday is worked or not.

GENERAL CONDITIONS.

MEAL HOURS.

12. (a) All work done during a meal hour shall be paid for at the rate of double time, fixed on the wage for the day on which such meal hour is worked.

(b) *Meat Export Works.*—Breakfast. A period of one hour between the hours of 6 a.m. and 9 a.m. shall be allowed for breakfast. Dinner—One hour between 12 noon and 1.30 p.m. shall be observed as a dinner hour. Tea—when work is to be continued for more than one and a quarter hours after the time fixed for ending work in clause 4 (a) one hour between 5 p.m. and 6.30 p.m. shall be observed as a tea hour, and if such overtime is to finish not later than midnight, work shall then proceed uninterrupted (except for a smoke-oh as provided in clause 13). If however, work is to continue after midnight, one hour (before midnight) shall be observed as a meal hour, and thereafter, one meal hour after each four hours' work.

(c) *Cool Store Works.*—Not more than five hours shall be worked by employees in cool stores working between 7 a.m. and 6 p.m. without an interval of one hour for a meal. If work is to continue after 7 p.m., the hour from 5 p.m. to 6 p.m. shall be observed as a meal hour. If, however, work is to continue after midnight one hour (before midnight) shall be observed as a meal hour, and thereafter, one meal hour after each four hours' work.

SMOKE-OH.

13. Fifteen minutes interval without loss of pay shall be allowed for smoke-oh between ordinary starting time in the morning and 12 noon, and fifteen minutes between 1 p.m. and 6 p.m., provided that no employee shall be required to work for more than 2½ hours without a smoke-oh.

Provided also that employees who commence work before 7 a.m. and have no breakfast hour shall be allowed an interval of fifteen minutes without loss of pay at the end of each two hours' work until dinner hour. If men are required to work after 6 p.m. an interval of fifteen minutes without loss of pay after every two hours' work shall be allowed.

Notwithstanding anything provided elsewhere in this clause when five hours are worked between meal times, the smoke-oh shall consist of twenty minutes.

CHANGING TIME.

14. Chamber hands shall be allowed five minutes changing time at the end of the day's work, such time to be counted as time worked.

WAITING TIME.

15. When an employee has been instructed to report at a certain hour and is kept waiting before he commences work such waiting time shall be paid for at ordinary rates provided for the class of work to be done.

MINIMUM HOURS OF WORK.

16. An employee required to work on any day within the hours set out in clause 4 (a) or (b) shall be given a minimum of 3½ hours' work on Saturdays, and 8 hours on other days (except Sundays or holidays) or shall be paid for same, but they may be worked for any period beyond the hours fixed in clause 4 until such amount has been absorbed in payment at the rate applicable to the time worked. This clause shall not apply if there has been a breakdown in the machinery or if work cannot be proceeded with due to a sectional strike. Any employee called to work exclusively outside the hours set out in clause 4 (a) or 4 (b), as the case may be, shall be given a minimum of 4 hours' work or shall be paid for same.

LEAKAGE OF AMMONIA.

17. No employee shall be required to work in a chamber where a leakage of ammonia is occurring.

CONTINUATION OF WORK BETWEEN MIDNIGHT AND TIME OF COMMENCING WORK AS SET OUT IN CLAUSE 4.

18. When an employee works for more than 2 hours between midnight and the ordinary time of commencing work, and continues to work during the day, the special rate provided in clause 5 (a) for work done outside the hours fixed for a day's work, shall continue to be paid for all work done until the employee has had a clear break from work of 12 hours.

CONTINUITY OF WORK.

19. The work of each employee on each day shall be continuous with the customary break for a meal.

COLD TEMPERATURES.

20. Employees called upon to work in a temperature less than four degrees above zero shall be paid 3d. per hour extra. No employee shall be compelled to work in a temperature below zero, and an employee who becomes overheated working outside a cool chamber shall be allowed time to cool down before entering the chamber. This provision shall be reasonably construed. In the event of any question as to the temperature of any chamber, reasonable access to the temperature readings shall be given to a representative of employees.

EMPLOYEES WORKING IN A FREEZING CHAMBER.

21. (a) No employee shall work in a freezing chamber, the temperature of which does not exceed 40 degrees Fahr. unless he is paid according to the rates provided for chamber hands in clause 2 hereof.

(b) Any employee who is required to work in a freezing chamber for a period exceeding in the aggregate one hour in any one day shall be paid for the whole of such day at the rate set out for chamber hands in clause 2 hereof.

MEAL ALLOWANCE.

22. (a) An employee required to work overtime for more than one and a quarter hours in Meat Export Works after the time of ending work in clause 4, shall be paid 3s. tea money prior to the tea interval unless notified on the previous day that his services will be needed. If having been notified accordingly he shall receive, in the event of the work not being done or ceasing before respective meal times, 3s. for each meal.

(b) An employee required to work in Cool Stores for more than nine hours from the time of commencing work shall be paid 3s. tea money prior to the tea interval unless notified on the previous day that his services will be needed. If having been notified accordingly he shall receive, in the event of the work not being done or ceasing before respective meal times, 3s. for each meal.

TERMINATION OF EMPLOYMENT.

23. Employees may be paid off at any time without notice.

PROVISION OF OUTFIT.

24. The following articles shall be provided at each place where work under this Determination is done:—

- (a) An ammonia outfit which shall be kept adjacent to the chambers.
- (b) An alarm outfit in each chamber, such outfit to be connected with the engine-room.
- (c) Waterproof capes and caps for use of employees engaged in de-frosting.
- (d) Bagging for moccasins and suitable hand covering for use of chamber hands.
- (e) Smocks or coats for persons pushing, carrying, or lifting hot meat or de-frosted meat.

PERIODICAL ADJUSTMENT OF WAGES.

25. The wages rates set out in clause 2 are based upon the following basic wage and, pursuant to the provisions of Section 21 of the *Factories and Shops Act* 1934, the Board hereby determines that such rates shall be automatically adjusted as prescribed by Clause 26. Provided that the wages of improvers and juvenile workers shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest farthing in the hourly rate.

Basic Wage.

Place.	Needs Basic Wage.	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Within the area to which this Determination applies	5 0 0	6 0	5 6 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

26. (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 25.

(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.

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[1947]

DETERMINATION OF THE RETAIL DAIRY BOARD.

(2) This Determination applies to the whole of the State of Victoria.

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

No. 43.—13414/46.

CONTINUITY OF WORK.

4. The work of each day or shift shall be continuous, provided that any break (other than the meal-time set out in Clause 6) shall be calculated as time worked and paid for at the ordinary rate of pay, provided further that an ordinary worker receiving and treating milk after 7 p.m. shall receive time and a half for the hours so worked after 7 p.m., calculated at and in addition to the ordinary worker's weekly wage.

OVERTIME.

5. (a) All time worked in excess of six hours on Sunday, eight hours on any other day, or 44 hours in any week shall be paid for at the rate of time and a half.

(b) In the case of a worker who in any week has done work subject to this Determination as well as work subject to an Award and/or another Determination the following provisions shall apply (irrespective of the order in which the several duties may have been performed) when the aggregate hours worked in such week exceed 44 hours:—

(i) When the sum of the hours worked under an Award and/or another Determination is less than 44 he shall be paid overtime for the number of hours by which his work under this Determination carries his total hours beyond 44.

(ii) When the sum of the hours worked under an Award and/or another Determination is 44 or greater than 44 he shall be paid overtime for all work done under this Determination.

Overtime under this clause shall be at the rate of time and a half calculated on the ordinary worker's rate.

In this clause—

"Award" means an award of the Commonwealth Court of Conciliation and Arbitration.

"Determination" means a determination of a Wages Board appointed under the Factories and Shops Acts.

MEALTIME.

6. No employee shall be permitted to work more than five hours continuously without being allowed a meal period of not less than 30 minutes, and not more than one hour. Such meal period shall not be calculated as time worked.

TIME BOOK OR OTHER RECORD.

7. (a) Each employer shall at the place of employment keep a record or time book in which each employee shall indelibly record daily his or her correct times of beginning and ending work, and in addition in such record or time book shall also indelibly record the total weekly hours worked and the amount of wages received for such week.

(b) Such record or time book shall, on demand, be produced by the employer for inspection to any officials (not more than two at one time) of the Federated Cold Storage and Meat Preserving Employees Union of Australasia duly authorized in writing by the President and Secretary of the local branch or sub-branch of the Union, at the place of employment. Such inspection shall be completed as soon as is reasonably possible.

(c) Where an employee performs work for which a special rate is provided, a record of such work and the nature of same shall be recorded in the time book or equivalent record.

(d) The record or time book shall show the particulars herein required for not less than the last preceding three months of employment.

TERMINATION OF EMPLOYMENT.

8. Seven days' notice of termination of employment shall be given by either employer or worker. Notwithstanding anything in this clause an employer may at any time forthwith dismiss an employee for refusal or neglect to obey orders, misconduct, or carelessness in the performance of his duties, or if after receiving seven days' notice of termination of employment the employee does not carry out his duties in the same manner as before such notice.

HOLIDAY.

9. (a) An employee whose usual hours of duty extend over six days of the week shall be allowed two weeks holiday on full pay at the expiration of each twelve months' service.

(b) An employee whose usual hours of duty extend over seven days of the week shall be allowed two weeks' holiday on full pay at the expiration of each six months' service.

(c) If an employee whose usual hours of duty extend over six days of the week leaves, or is dismissed before the expiration of twelve months' service, he shall be given or paid for holidays *pro rata* in accordance with the length of service, viz.:—one day for each month of service.

(d) If an employee whose usual hours of duty extend over seven days of the week leaves, or is dismissed before the expiration of six months' service, he shall be given or paid for holidays *pro rata* in accordance with the length of service, viz.:—two and one third days for each month of service.

(e) If the business be sold or transferred during the period of service the employee shall be entitled to the holidays herein prescribed at the conclusion of six or twelve months' service, as the case may be, with the firm or business.

(f) Holidays shall be given within a period not exceeding three months from the date when the right to holidays accrued due.

ALLOWANCE.

10. When an employee is required by law or by his employer to wear a washable outer garment such garment (not exceeding two each year) shall be provided by the employer.

TERMS OF ENGAGEMENT.

11. All employees shall be paid the full weekly wage irrespective of the number of hours fixed not exceeding 44 per week.

SICK LEAVE.

12. (a) Any employee who has been in the employment of the same employer for a 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 or a proportionate less time during any shorter period of employment.

(b) Notwithstanding the provisions of sub-clause (a) 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 twelve days, which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay. For the purposes of this sub-clause service prior to 1st September, 1945, shall be disregarded.

PERIODICAL ADJUSTMENT OF WAGES.

13. 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 14. Provided that the wages of improvers, 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.	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.

14. (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 13.

(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.

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

J. V. WILLOX, Secretary.

Melbourne, 19th December, 1946.



VICTORIA GOVERNMENT GAZETTE.

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No. 44]

THURSDAY, JANUARY 30.

[1947

Factories and Shops Acts.

DETERMINATION OF THE TENNIS STRINGS 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 appointed to determine the lowest prices or rate which may be paid to any person or persons or classes of persons employed in the process, trade, or business of making strings for tennis rackets, has made the following Determination, namely:—

1. That as from the 1st January, 1947, the last previous Determination shall be revoked and replaced by this Determination.
- 2.

APPRENTICES OR IMPROVERS.			JUVENILE WORKERS.		OTHER EMPLOYEES.
Wages per Week of 44 Hours.			Wages per Week of 44 Hours.		Wages per Week of 44 Hours.
Age.	Males.	Females.	Males.	Females.	
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
Under 17 years	35 3	35 3	35 3	35 3	Males 124 6
17 years and under 18 years ..	47 3	41 6	47 3	41 6	Females 66 9
18 " " 19 " " ..	59 3	47 6			
19 " " 20 " " ..	71 0	53 6			
20 " " 21 " " ..	82 6	59 3			

<p style="text-align: center;">PROPORTION (IN ANY PLACE).</p> <p style="text-align: center;"><i>Apprentices.</i></p> <p>One apprentice to every three or fraction of three workers receiving not less than 124s. 6d. per week of 44 hours.</p> <p style="text-align: center;"><i>Improvers (Males).</i></p> <p>Four improvers to each male worker receiving not less than 124s. 6d. per week of 44 hours.</p> <p style="text-align: center;"><i>Females.</i></p> <p>Two improvers to each female worker receiving not less than 66s. 9d. per week of 44 hours.</p>			<p style="text-align: center;"><i>Definition of Juvenile Workers.</i></p> <p>Persons other than apprentices or improvers under 18 years of age doing general work, i.e., all work except—</p> <p>(a) picking out or selecting.</p> <p>(b) making in the raw state.</p> <p>(c) twisting in the dry state.</p> <p style="text-align: center;">PROPORTION (IN ANY PLACE).</p> <p style="text-align: center;"><i>Males.</i></p> <p>Six juvenile workers to each worker receiving not less than 124s. 6d. per week of 44 hours.</p> <p style="text-align: center;"><i>Females.</i></p> <p>Three juvenile workers to each worker receiving not less than 66s. 9d. per week of 44 hours.</p>	
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ORDINARY WEEK'S WORK.

3. Forty-four hours shall constitute an ordinary week's work which may be worked in five or five and a half days as follows:—

On the day on which the half holiday is usually observed	Between 7.15 a.m. and 12 noon.
On all other working days of the week	Between 7.15 a.m. and 5.30 p.m.

OVERTIME.

That the following rates shall be paid for all work done:—

4. (a) Outside the hours fixed in clause 3 Time and a half. Excepting after 12 noon on the day on which the half-holiday is usually observed when the rate shall be double time.
- (b) Within the hours fixed in clause 3 in excess of either—
 (1) The number of hours fixed as a day's work; or
 (2) The number of hours fixed as a week's work } Time and a half.

MEAL INTERVAL.

5. That a meal interval of at least half an hour shall be allowed to employees between the hours of 12 noon and 2 p.m.

SMOKO INTERVAL.

6. Employees shall be allowed 15 minutes smoko each forenoon and afternoon without deduction of pay.

PAYMENT FOR HOLIDAYS.

7. All employees shall be entitled to the following holidays without deduction of pay:—New Year's Day, Butchers' Picnic Day, Australia Day, Labour Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, Melbourne Cup Day, Christmas Day, and Boxing Day.

SPECIAL RATES.

8. Double time shall be the rate to be paid for all work done on Sunday, New Year's Day, Butchers' Picnic Day, Australia Day, Labour Day, Good Friday, Easter Saturday, Easter Monday, Melbourne Cup Day, Christmas Day, and Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, then the special rate shall be payable only for the day so substituted.

SICK LEAVE.

9. (a) Any employee, provided he has had at least three months' continuous service with the same employer, shall lose his pay for the actual time of such non-attendance unless he produces or forwards within twenty-four hours of the commencement of such absence evidence satisfactory to his employer that his non-attendance was due to personal accident arising out of and in the course of his employment or to personal ill-health necessitating such absence.

(b) Provided that an employee shall not be entitled to payment for non-attendance on the ground of personal accident or ill-health or both for more than forty-four hours of working time in each year of employment.

(c) Notwithstanding the provisions of sub-clause (b) 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 eighty-eight 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 purposes of this sub-clause service prior to 18th May, 1945, shall be disregarded.

ANNUAL LEAVE.

Period of Leave.

10. (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 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 proscribed 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 7 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.

(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 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 9 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.

(f) 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.

(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 three 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 7 of this Determination.

Payment for Period of Leave.

(k) Each employee before going on leave shall be paid two weeks' wages, except a seven-days' shift worker who 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 clause 2 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 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.

(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 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 that 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 (l) of this clause subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

NOTICE OF INTENTION TO WORK OVERTIME.

11. (a) In every case where practicable an employer shall give twenty-four hours' notice to each employee of his intention to work such employee overtime. In each case where such notice has not been given and the employee is required to work overtime, he or she shall receive Two shillings as tea money in addition to any other special payments provided.

(b) In every case where an employee has been notified that he or she is required to work overtime and attends for that purpose but is not required, he or she shall be paid Two shillings tea money, except where the failure to find employment is due to the accidental breakdown of necessary machinery.

NOTICE OF TERMINATION OF EMPLOYMENT.

12. That from any time not later than the expiry of the first week's employment, employment shall be by the week and shall be terminable forthwith at the expiry of any working week.

TERMS OF EMPLOYMENT.

13. Where the employer terminates the employment of an employee, for reasons other than misconduct, within two weeks prior to a day or days on which a holiday or holidays occur, and such employee is re-engaged within a period of two weeks immediately after such holiday or holidays, the employee shall be paid for such holiday or holidays prescribed by this Determination, provided that such employee has been employed by the employer for a period of at least two months prior to the termination of employment.

WATERPROOF CLOTHING.

14. When an employee is called upon to work in a wet department he shall be provided by the employer with a waterproof apron and waterproof covering for his legs and when using dyes or acids injurious to the skin shall be provided with rubber gloves.

PERIODICAL ADJUSTMENT OF WAGES.

15. 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 in clause 16. Provided that the wages of apprentices, improvers, juvenile workers 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.

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, 17th December, 1946.



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No. 45]

THURSDAY, JANUARY 30.

[1947

Factories and Shops Acts.

DETERMINATION OF THE SAUSAGE CASINGS 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 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 preparing or cleaning casings for sausages or similar products" has made the following Determination, namely:—

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

2.

WAGES.

										Wages per Week of 44 Hours.
<i>Juvenile Workers.</i>										
14 years of age and under 17 years of age	..	..	..	..	..	..	..	..	..	<i>s. d.</i> 45 3
17 " " " 18 " "	..	..	..	..	..	..	..	..	..	57 9
18 " " " 19 " "	..	..	..	..	..	..	..	..	..	70 0
19 " " " 20 " "	..	..	..	..	..	..	..	..	..	82 0
20 " " " 21 " "	..	..	..	..	..	..	..	..	..	107 9

	Weekly Rate.	War Loading (Non-adjust- able).	Total Weekly Wage.
<i>Other Employees.</i>			
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
Persons employed at Casing Factories ..	134 0	4 0	138 0
Pullers-off and strippers upon the produce of animals slaughtered for local trade ..	128 0	3 0	131 0

	Wages per Day.					
	Monday to Friday.			Saturday.		
	Daily Rate.	War Loading (Non- adjustable).	Total Daily Wage.	Daily Rate.	War Loading (Non- adjustable).	Total Daily Wage.
	<i>s. d.</i>	<i>d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>d.</i>	<i>s. d.</i>
Pullers-off and strippers upon the produce of animals slaughtered for export trade	24 1	9	24 10	13 7	3	13 10

PROHIBITION OF EMPLOYMENT.

3. The Board determines that no person under the age of 21 years shall be employed except as a "juvenile worker" as defined by clause 4.

DEFINITION.

4. A juvenile worker shall mean a person under 21 years of age employed only in performing one or more of the following tasks, viz.:—Dry gut work, turning middles and bungs, blowing and tying weasands and bladders, measuring, selecting, salting, working behind scraping machines, splitting beef runners.

5.

TIMES OF BEGINNING AND ENDING WORK:—

Men Receiving and Tanking—

										Time of Beginning.	Time of Ending.
From Monday to Friday inclusive	..	..	..	..	..	..	..	..	..	8.30 a.m.	5.21 p.m.
Saturday	..	..	..	..	..	..	..	..	..	8.30 a.m.	12 noon.

Persons employed as pullers-off and strippers at Abattoirs or Freezing Works (export trade or local trade):—

From Monday to Friday inclusive..	..	..	..	..	..	..	..	..	7.45 a.m.	4.55 p.m.
Saturday	..	..	..	..	..	..	..	..	7.45 a.m.	10.55 a.m.

All other employees—

From Monday to Friday inclusive..	..	..	..	..	..	..	..	..	7.30 a.m.	4.21 p.m.
Saturday	..	..	..	..	..	..	..	..	7.30 a.m.	11 a.m.

MEAL TIME.

6. (a) Persons employed as pullers-off and strippers at Abattoirs or Freezing Works (export trade or local trade) shall be allowed meal period of not less than one hour between 12 noon and 1.15 p.m.

(b) All other employees shall be allowed a meal period of not less than 45 minutes between 12 noon and 1 p.m.

(c) The meal periods provided for in sub-clauses (a) and (b) hereof shall not be calculated as time worked.

OVERTIME.

7. All time worked outside the times of beginning and ending work each day shall be paid for at the rate of time and a for the first four hours and double time thereafter.

SPECIAL RATES.

8. Double time shall be paid for all work done on Sundays, Christmas Day, Boxing Day, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Cup Day, and Butchers' Picnic Day; but if any other day be by Act of Parliament Proclamation substituted for any of the above-named holidays, the special rate shall only be payable for work done on the so substituted.

HOLIDAYS.

9. (a) All employees shall be entitled to the ten holidays hereinafter mentioned without any deduction from the weekly or rate of pay (as the case may be), provided that any such employee has been employed during any portion of the working viz.:—Christmas Day, Boxing Day, New Year's Day, Australia Day, Labour Day, Anzac Day, Good Friday, Easter Monday Day, and Butchers' Picnic Day.

(b) In the event of an employee being required to work on a public holiday, he shall, except excused by the employer, do so the rate prescribed or shall not be entitled to payment for such holiday.

TERMS OF ENGAGEMENT.

10. Employment shall be by the week and any employee (other than pullers off and strippers upon the produce of animals for the export trade) willing and available to work shall in respect of each week of his employment be paid the full wage fixed by this Determination; provided that such employee not attending for duty shall, except as provided by 12 of this Determination, lose his pay for the actual time of such non-attendance; provided further that this does not with the right of the employer to dismiss an employee at any time without giving reasons and that such employee shall paid up to the time of dismissal only.

ANNUAL LEAVE.

Period of Leave.

11. (a) A period of fourteen consecutive days' leave shall be allowed annually to an employee after twelve months' continuous (less the period of annual leave) as an employee 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 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 worker, he shall be entitled to have the period of fourteen consecutive days' annual leave prescribed in sub-clause (a) hereof by half a day far 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 clause 9 of this Determination, and if any such holiday falls within an employee's period of annual leave and is observed on a which in the case of that employee would have been an ordinary working day, there shall be added to that period one day for 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 for work at his ordinary starting time on the working day immediately following the last day of the period of his annual 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 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 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 cases of personal sickness or accident or absence with reasonable cause the employee to become entitled to the benefit of sub-clause shall inform the employer in writing if practicable within 24 hours of the commencement of such absence of his to attend for duty and as far as practicable the nature of the illness injury or cause and the estimated duration of his

A notification given by an employee pursuant to clause 12 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 continuity of service for the purposes of this clause unless the employer during the absence or within fourteen days of the of the absence notifies the employee in writing that such absence will be regarded as having broken the continuity of vice.

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 $3\frac{1}{2}$ 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-clause (l) 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 three 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 9 of this Determination.

Payment for Period of Leave.

(k) Each employee before going on leave shall be paid two weeks' wages, except a seven-days shift worker who 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 clause 2 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 $3\frac{1}{2}$ 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 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 (l) of this clause subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

SICK LEAVE.

12. (a) Any employee, provided he has had at least three months' continuous employment with the employer, not attending for duty shall lose his pay for the actual time of such non-attendance, unless he produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to his employer that his non-attendance was due to personal accident arising out of and in the course of his employment or to personal ill-health necessitating such absence.

Provided that an employee shall not be entitled to payment for non-attendance on the ground of personal accident or personal ill-health or both for more than six days in each year.

(b) Notwithstanding the provisions of sub-clause (a) 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 twelve days, which shall be the maximum amount of leave to which any employee shall be entitled in any year without deduction of pay.

For the purposes of this sub-clause service prior to 8th June, 1943, shall be disregarded.

TEA MONEY.

13. Employees required to work overtime for more than one and a half hours on any one day without having been notified on the preceding day that they would be required so to work shall be paid the amount of two (2) shillings in addition to any overtime payment to which they may be entitled.

FIRST AID KIT.

14. A first aid kit shall be available at all times and be under the care of a responsible person who shall attend to all cases requiring attention.

APRONS AND LEGGINGS.

15. Aprons and materials for leggings for employees employed in cleaning sheds and abattoirs shall be provided free of charge by the employer.

PERIODICAL ADJUSTMENT OF WAGES.

16. 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 17.

Provided that adjustments to the rates for adult daily paid employees and juvenile workers shall be made at the same time as follows:—

- (a) The wages per day payable to adult daily paid employees shall be increased or decreased by an amount of 2d. for every 1s. increase or decrease respectively in the basic wage.
- (b) The wages of juvenile workers 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 which came into force on the 1st December, 1939.

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.

17. (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 16.

(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, 17th December, 1946.



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THURSDAY, JANUARY 30.

[1947

Factories and Shops Acts.

DETERMINATION OF THE SOFTGOODS—WHOLESALE—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 appointed to "determine the lowest prices or rates which may be paid to any persons employed selling softgoods in wholesale warehouses", has made the following Determination, namely:—

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

2.

Apprentices or Improvers.							Other Employees.	
Wages per Week of 42½ Hours.							Wages per Week of 42½ Hours.	
Experience.	Commencing Age.							
	Under 16 years.	16 years.	17 years.	18 years.	19 years.	20 years.		
<i>Males.</i>	<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>s. d.</i>	
1st year ..	20 0	20 0	26 9	30 6	39 3	52 9	<i>Males.</i> Senior salesman, i.e., a person in immediate control of two or more employees one of whom shall be 21 years of age or over, notwithstanding such senior salesman may be under the orders of a superior who does not devote his whole time to the management of the department 135 0 Salesmen and all employees assisting in sales— 21 years of age 90 3 22 years of age 107 6 23 years of age and over 124 0	
2nd „ ..	26 9	30 6	32 6	46 9	59 3	..		
3rd „ ..	32 6	39 3	49 6	59 3	..	..
4th „ ..	43 0	56 3	69 6	..	..	..
5th „ ..	56 6	69 6	..	..	..	..
6th „ ..	69 6	<i>Females.</i> Females employed in Millinery, Mantles, Corsets, Under-clothing, Hosiery, Haberdashery, Ribbon, Glove, or Lace Departments— Senior saleswoman, i.e., a person in immediate control of two or more employees at least one of whom is 21 years of age or over, notwithstanding that such senior saleswoman may be under the orders of a superior who does not devote his or her whole time to the management of the department 78 9 Other saleswomen— 21 years of age 52 9 22 years of age 59 3 23 years of age and over 69 6 Females employed in any other Departments— Senior saleswoman, i.e., a person in immediate control of two or more employees at least one of whom is 21 years of age or over, notwithstanding that such senior saleswoman may be under the orders of a superior who does not devote his or her whole time to the management of the department 135 0 Other saleswomen— 21 years of age 90 3 22 years of age 107 6 23 years of age and over 124 0	
<i>Females.</i>	<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 ..	20 0	20 0	22 9	26 9	32 6	39 3		
2nd „ ..	22 9	24 6	27 9	32 6	43 0	..		
3rd „ ..	26 9	30 6	36 6	43 0	..	..
4th „ ..	32 6	36 6	43 0	..	..	..
5th „ ..	39 3	46 9	..	..	..	..
6th „ ..	46 9	..	..	..	..	..

PROPORTION (IN ANY PLACE).

Apprentices.

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

Improvers.

One improver to each worker receiving not less than the prescribed rate for 21 years of age.

HOURS OF EMPLOYMENT.

3. The hours to be worked in any one week shall be 42½.

The normal daily periods of work shall not commence before 8.30 a.m., and shall finish not later than 5.30 p.m. Monday to Friday, and 12.30 p.m. on Saturday.

OVERTIME.

4. All work done outside the said normal periods, and all work done in excess of 42½ hours per week within the said normal periods, shall be overtime, and shall be paid for at the rate of time and a half.

MEAL INTERVAL.

5. From Monday till Friday, both days inclusive, all employees shall be allowed a daily luncheon interval from 1 p.m. to 1.45 p.m.

MEAL MONEY.

6. Any employee required to work after 6.30 p.m. shall be paid not less than 3s. meal money in addition to the overtime rates as prescribed for in this Determination.

TERMINATION OF EMPLOYMENT.

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

NOTICE OF INTENTION TO RATION.

8. Where an employer owing to slackness of trade desires to ration his employees, he shall give at least one clear working day's notice to each employee of his intention to ration such employee.

ANNUAL HOLIDAYS.

9. Any employee who has been in the service of the same employer for a period of not less than twelve months shall be granted holidays on full pay for a period of twelve consecutive working days in each year (exclusive of the holidays specified in clause 11), and such holidays shall be given within three months of completion of each twelve months' service. Should the services of an employee who has had not less than nine months' continuous service be terminated before the expiration of twelve months' 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 leave or any *pro rata* payment in lieu thereof. Fourteen days' notice shall be given by the employer to the employee before the latter commences his annual holidays aforesaid.

SICK PAY.

10.—(a) Any employee not attending for duty who has had not less than twelve months' continuous service with the same employer shall lose his or her 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 or her non-attendance was due to personal ill health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the grounds of personal ill health or accident for more than six days in any one calendar year.

(b) Notwithstanding the provisions of sub-clause (a) hereof, if the full period of sick leave as proscribed 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 may be entitled in any year without deduction of pay.

For the purposes of this sub-clause service prior to 22nd April, 1946, shall be disregarded.

SPECIAL RATES FOR SUNDAYS AND HOLIDAYS.

11. The special rates for all work done on Sundays or the undermentioned public holidays shall be—

Sunday	Double time.
New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day,	
King's Birthday, Christmas Day, and Boxing Day	Double time.

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.

UNIFORMS.

12. Where any employee is required to wear any special uniform, dress, frock, overall, or dustcoat, such garment or garments shall be supplied by the employer and laundered free of cost to the employee. The garment or garments shall remain the property of the employer.

REST PERIOD.

13. A rest period of 10 minutes, at a time to be mutually arranged, shall be allowed employees during each morning.

REFERENCE.

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

TIME AND WAGES RECORDS.

15. An employer shall keep time and wages records showing the name of each employee, the hours worked each week by, and the wages and overtime paid to each employee.

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

J. V. WILLOX, Secretary.

Melbourne, 23rd December, 1946.



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No. 47]

THURSDAY, JANUARY 30.

[1947

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 2 (BOOT REPAIRERS).

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 to any person employed—

(a) in the process, trade, business, or occupation of a boot repairer;

(b) in a boot repair shop selling grindery or other goods usually sold in such shops,

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.

Males.					Females (see clause 4).				
Wages per Week of 44 Hours.					Wages per Week of 47 Hours.				
Commencing Age.									
	Under 16 years.	16 years.	17 years.	18 years or over.					s. d.
	s. d.	s. d.	s. d.	s. d.	Under 16 years of age	..	..	..	35 0
1st year	27 3	36 3	36 3	43 6	16 and under 17 years of age	..	..	..	39 3
2nd year	36 3	43 6	43 6	49 6	17 and under 18 years of age	..	..	..	43 3
3rd year—					18 and under 19 years of age	..	..	..	47 6
1st 6 months	43 6	49 6	49 6	70 0	19 and under 20 years of age	..	..	..	53 0
2nd 6 months	43 6	49 6	49 6	80 6	20 and under 21 years of age	..	..	..	56 9
4th year—									
1st 6 months	49 6	60 6	70 0	Minimum wage					
2nd 6 months	49 6	60 6	80 6						
5th year—									
1st 6 months	60 6	70 0	Minimum wage						
2nd 6 months	60 6	80 6							
6th year—									
1st 6 months	70 0	Minimum wage							
2nd 6 months	80 6								
Thereafter	Minimum wage								

PROPORTION (BY ANY EMPLOYER).

Apprentices.

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

Improvers.

Two female improvers to every female adult worker receiving not less than the rate fixed for age 23.

PROPORTION (IN ANY PLACE).

Apprentices.

One apprentice to every three or fraction of three workers receiving not less than 127s. per week of 44 hours.

Improvers.

One improver to every four workers receiving not less than 127s. per week of 44 hours.

3.

OTHER EMPLOYEES.

Wages per Week of 47 Hours.	Wages per Week of 44 Hours			
	—	Adjustable Rate.	Emergency Loading (Non-adjustable).	Total Weekly Wage.
<i>Females (see Clause 4).</i>				
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
21 years of age	65 3	124 0	3 0	127 0
22 years of age	68 0			
23 years of age or over	73 3			
	<i>Males.</i>			
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
Males				

SPECIAL PAYMENTS.

4. (a) In addition to the rates prescribed in clauses 2 and 3 hereof, any female employee required to do machining and/or solutioning of uppers; eyeletting; lacing; socking; pomming; attaching ornaments, buttons or buckles; cleaning; spraying; branding; sizing; solutioning and covering wood heels; skiving or trimming the insides and outsides of uppers (including cut-outs), shall be paid an additional $\frac{7}{8}$ per cent.

(b) Any female employee required to do repairs not specified in sub-clause (a) hereof shall be paid male adult rates for the time so occupied.

TIMES OF BEGINNING AND ENDING WORK.

	Time of Beginning.	Time of Ending.
5. (a) For Males—		
On Saturday	8 a.m.	12.30 p.m.
On each of the other working days of the week	8 a.m.	6 p.m.
(b) For Females—		
On Saturday	8 a.m.	1 p.m.
On the usual late trading night	8 a.m.	9 p.m.
On all the other working days of the week	8 a.m.	6 p.m.

OVERTIME.

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

(a) By Males—

Outside the times of beginning and ending work Double time.
Within the times of beginning and ending work, in excess of 44 hours in any week Time and a quarter.

(b) By Females—

Outside the times of beginning and ending work } Time and a quarter.
Within the times of beginning and ending work, in excess of 47 hours in any week }

PAYMENT FOR HOLIDAYS.

7. All employees shall be entitled to the following holidays without deduction of pay:—New Year's Day, Australia Day, Trade Picnic Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, Labour Day, Melbourne Cup Day, Christmas Day, and Boxing Day.

SPECIAL RATES.

8. Double time shall be the rate for all work done on New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Melbourne Cup Day, Christmas Day, or Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted.

Provided that outside the Metropolitan District another holiday may be substituted for Melbourne Cup Day in clauses 7 and 8.

MEAL INTERVALS.

9. (a) Males—

(i) In places where work is done on Saturdays—

A lunch period of not less than three-quarters of an hour shall be allowed on each working day except Saturday.

(ii) In places where work is not done on Saturdays—

A lunch period of not less than half an hour shall be allowed on each working day.

(b) Females—

All female employees shall be allowed the following meal intervals with permission to leave the shop for the whole of such interval, viz.:—From Monday to Friday one hour for lunch, and, in addition on the usual late shopping night, three-quarters of an hour for tea.

NOTE.—Section 117 (3) of the *Factories and Shops Act* 1928 (No. 3677) provides that no person shall be employed in any shop more than five hours without an interval for a meal.

PAYMENT OF WAGES.

10. (a) Wages shall be paid in the employers time either on Thursday or Friday in each week except when holidays intervene.

(b) Not more than two days pay shall be kept in hand by the employer.

(c) Any employee whose services have been terminated by the employer before the usual time of payment shall be paid all moneys due to him within 30 minutes of such termination.

TEA MONEY.

11. An employee who is required to work overtime for more than one and one-half hours on any day without having been notified on the previous day that he will be so required to work shall, as the employer shall decide—

(a) either be supplied by the employer with the first or only meal for which he is unable to return to his home, or

(b) failing his being so supplied with such meal be paid 2s. for such first or only meal, and

(c) be paid 1s. 3d. for each subsequent meal.

Provided that an employee shall be deemed to be unable to return to his home if he does not live at a place within a reasonable distance of the workshop and having reasonably easy means of access between such workshop and such place.

(d) If the employee, having been notified as aforesaid, provides for himself a meal but is not required to work overtime he shall be paid 2s. for such meal.

ANNUAL LEAVE.

12. (a) A period of two weeks shall be allowed annually on full pay to all employees on completion of twelve months' continuous service (less the period of annual leave).

(b) Annual leave may be granted in two breaks of not less than one week each and shall be given at a time fixed by the employer within a period not exceeding three months from the date when the right to annual leave had accrued and after prior notice of not less than one week is given to the employee.

(c) An employer may allow annual leave to an employee before the right thereto has accrued, 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 to which annual leave had been taken before it had accrued.

(d) If after one month's continuous service of any qualifying twelve-monthly period an employee leaves his employment or his employment is terminated by the employer the employee shall be paid one-twelfth of his two week's wage for each completed month's continuous service.

(e) Each employee before going on annual leave shall be paid his or her wages to cover such leave immediately prior to the commencement of such leave.

(f) The annual leave shall be allowed and shall be taken; payment shall not be made or accepted in lieu of annual leave.

(g) Notwithstanding anything herein provided, an employer may, subject to giving notice as required herein, allow an employee who has had less than twelve months' continuous service annual leave, and in such a case, shall pay the employee one-twelfth of his or her two week's wage prior to the commencement of such annual leave in respect of each completed month's service.

(h) Service shall be deemed to be continuous notwithstanding:—

(1) An interruption or determination of the employment by the employer if such interruption or determination has been made merely with the intention of avoiding obligations in respect of annual leave.

(2) Any absence from work on account of sickness or accident, or military service to the extent of 21 days in any twelve months, shall be deemed to be part of continuous service.

(i) The annual leave shall be exclusive of any of the public holidays as prescribed in clause 7 of this Determination, and if such holidays fall within the period of annual leave there shall be added to the period of annual leave one day for each of such holidays on full pay, and the extra day or days shall be the first working day or days following on the period of annual leave.

(j) For the purposes of this clause service prior to 1st January, 1946, shall be disregarded.

PERIODICAL ADJUSTMENT OF WAGES.

13. The wages rate for males set out in clause 3 is 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 14. The wages of apprentices and improvers and all 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.

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.

14. (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 13.

(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, 23rd December, 1946.

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VICTORIA GOVERNMENT GAZETTE.

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

No. 48]

THURSDAY, JANUARY 30.

[1947

Factories and Shops Acts.

DETERMINATION OF THE LIFT 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 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, business, or occupation of a lift attendant" 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.

EMPLOYEES.

	Weekly Wage. s. d.	Note.
Lift attendants (male or female)	117 0	The Board has determined that no apprentices shall be taken to the trade.

TERMS OF EMPLOYMENT.

3. Employees (other than casuals) ready, willing and available for work, shall be paid the weekly wage fixed irrespective of the number of hours worked not exceeding 44 hours per week.

WAGES TO BE PAID IN FULL.

4. An employer shall not make any deduction from wages for meals supplied to lift attendants in hotels, coffee palaces, clubs, restaurants, or hospitals.

TIMES OF BEGINNING AND ENDING WORK.

5. Time of beginning and ending work for lift attendants, other than those who are employed in lifts in hotels, clubs, coffee palaces, restaurants, or hospitals—

	Time of Beginning.	Time of Ending.
(i) On the day on which the half holiday is observed locally	8 a.m.	1 p.m.
(ii) on the other working days of the week	8 a.m.	6.15 p.m.

OVERTIME.

6. The following rates shall be paid:—

- (1) Lift attendants who are employed in lifts in hotels, clubs, coffee palaces, restaurants, or hospitals—
- | | |
|---|--------------------|
| (a) For all work done in excess of ten hours on any one day | } Time and a half. |
| (b) For all work done in excess of 44 hours in any week | |
- (2) All other lift attendants—
- | | |
|--|--------------------|
| (a) Outside the hours fixed as the times of beginning and ending work | } Time and a half. |
| (b) Within the hours fixed as the times of beginning and ending work in excess of 44 hours in any week | |

CASUAL ATTENDANTS.

7. Casual attendants, i.e., persons who are employed during any week for not more than one-half the maximum number of hours fixed in this Determination as a week's work, shall be paid as follows—

	Per hour. 3s. 6d.
Persons employed in lifts in retail shops, hotels, clubs, coffee palaces, restaurants and hospitals	
All other persons—	
(a) Within the times of beginning and ending work	3s. 6d.
(b) Outside the times of beginning and ending work	4s. 6d.

SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS.

8. Lift attendants (including casuals) employed in hotels, clubs, coffee palaces, restaurants, or hospitals shall be paid at the rate of time and a half for work done on New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Christmas Day, and Boxing Day; and all other lift attendants (including casuals) shall be paid double time for work done on Sundays, New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Melbourne Cup Day (within the Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder), Christmas Day, and Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall be payable only for the day so substituted.

TERMINATION OF EMPLOYMENT.

9. One week's notice of termination of employment shall be given by either employer or employee, or one week's pay shall be paid or forfeited, as the case may be, in lieu thereof.
Provided that an employer may dismiss an employee without notice for malingering, inefficiency, neglect of duty, or misconduct, and in such cases wages will be paid up to the time of dismissal only.

RATIONING OF EMPLOYEES.

10. Where an employer desires to ration his employees he shall give at least three days' notice to each employee of his intention to ration such employee.

SICK LEAVE.

11. (a) Lift attendants continuously employed who are necessarily absent on account of sickness shall be allowed six days' sick leave each year on full pay, providing satisfactory evidence is produced to the management or employer within 24 hours of the usual hour for commencing work.

(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.

For the purposes of this sub-clause service prior to the 17th December, 1943, shall be disregarded.

ANNUAL HOLIDAYS.

12. The annual holidays for employees covered by the Determination shall be in accordance with the provisions, as may be amended from time to time, of the *Factories and Shops (Annual Holidays) Act 1946*.

UNIFORMS.

13. Where an employee is required by the employer to wear a uniform, such uniform shall be supplied by the employer.

MEAL HOUR.

14. (a) Employees in hotels, clubs, coffee palaces, restaurants, or hospitals shall be allowed meal intervals as follows:—

- | | | |
|---|---------|--|
| (i) Day shift employees (i.e. persons employed up to 3 p.m.) | .. .. . | Not more nor less than one hour between 11 a.m. and 3 p.m. |
| (ii) Afternoon shift employees (i.e. persons employed after 3 p.m.) | .. .. . | Not more nor less than one hour between 5 p.m. and 9 p.m. |
| (b) Other employees | .. .. . | Not more nor less than one hour between 11.45 a.m. and 2.15 p.m. and not more nor less than three-quarters of an hour between 5 p.m. and 7.15 p.m. |

MEAL MONEY.

15. Any employee (other than one employed in a hotel, club, coffee palace, restaurant, or hospital) required to work beyond one hour after the usual finishing hour of work as prescribed in clause 5 (ii) or before the usual commencing hour of work as prescribed for in this Determination shall be paid not less than two shillings and sixpence meal money in addition to the overtime rates.

REST PERIOD.

16. Each employee 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.

CONTINUITY OF WORK.

17. The work of each day shall be continuous with the customary breaks for meals and rest periods as prescribed in clauses 14 and 16.

PAYMENT FOR HOLIDAYS.

18. All employees (other than those employed in hotels, clubs, coffee palaces, restaurants, and hospitals) not being paid casual rates shall be entitled to the following holidays without deduction of pay:—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Melbourne Cup Day (within the Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder), Christmas Day, and Boxing Day.

PAYMENT OF WAGES.

19. All payments of wages shall be made not later than the hour of ceasing work on Thursday of each week.

SEATING FOR ATTENDANT.

20. A suitable seat shall be provided in each passenger lift for the use of the attendant.

RADIATORS.

21. Radiators shall be installed in all passenger lifts.

ACCOMMODATION AND CHANGE ROOMS.

22. Accommodation shall be provided to enable employees to change clothes and to keep personal effects.

RIGHT OF ENTRY OF UNION OFFICIAL.

23. A duly accredited representative of the Federated Lift Attendants' Union shall have the right to enter the establishment of any employer to which this Determination applies on one day per calendar month for a time not exceeding ten minutes, providing that such official is not interfering with the employee's work or offensive in his methods.

TIME AND WAGES BOOK.

24. A time and wages book shall be kept by each employee showing times of attendance and amount of wages received. Such book shall be open for inspection by the Secretary of the Federated Lift Attendants' Union during the usual working hours.

P. A. RANDLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 7th January 1947.



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THURSDAY, JANUARY 30.

[1947

Factories and Shops Acts.

DETERMINATION OF THE FLOCK BOARD.

NOTE.—(a) 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 to any persons employed—

(a) in the process, trade, or business of—

(i) making flock, mungo, felt, or wadding;

(ii) cleaning wool by beating, blowing, or similar machines where such work is not subject to the Determination of any Wages Board heretofore appointed;

(b) in connexion with any process, trade, or business set out in paragraph (a)—

(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—

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.				OTHER EMPLOYEES.			
Wages per Week of 44 Hours.				Wages per Week of 44 Hours.			
Age.	Males.		Females.				
	s.	d.	s.	MALES.			
Under 16 years..	28	9	25	Persons employed in the cotton wool bleaching department	127	0	
16 years ..	36	6	28	Woolen pickers	124	0	
17 " ..	49	0	33	Feeders of—			
18 " ..	54	3	40	Rag machines	122	0	
19 " ..	71	3	48	Other machines	122	0	
20 " ..	80	6	54	Rippers	122	0	
				Persons operating milling machine, hardening machine, or tentering machine	122	0	
				Persons operating other machines	122	0	
				Assistant to persons operating milling machine, hardening machine, or tentering machine	120	0	
				Assistant to persons operating other machines	120	0	
				Cotton pickers	119	0	
				All others	118	0	
				Leading hands, if in charge of four or more workers	5s. a week extra		
				FEMALES.			
				Feeders of rag machines	84	9	
				Feeders of machines other than rag machines	73	9	
				Rippers	70	9	
				Woolen pickers	75	0	
				Cotton pickers	70	9	
				Weighers and wrappers of cotton wool	70	9	
				All others	70	9	
				Leading hands, if in charge of four or more workers	5s. a week extra		

PROPORTION (IN ANY PLACE).

Improvers.

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

NOTE.—For the purpose of calculating the proportion of improvers to workers receiving not less than the minimum wage only one working employer in any establishment covered by this Determination shall be classed as a worker receiving not less than the minimum wage and no such working employer or any person employed in connexion with any establishment covered by this Determination shall be regarded as a worker receiving not less than the minimum wage unless such person is usually employed in the establishment for 44 hours each week on work covered by this Determination or in supervising work covered by this Determination.

NOTE.—The Board has determined that no apprentice shall be taken in the trade.

SHIFT WORK.

3. (a) By mutual agreement between the employer and employees, shifts may be worked between 11 p.m. on Sunday and midnight on the following Saturday.

(b) A shift worker employed on an afternoon shift or on a night shift shall, for work done during the ordinary hours of any such shift, be paid ordinary rates plus an additional $7\frac{1}{2}$ per cent. for an afternoon shift, or an additional 10 per cent. for a night shift.

(c) Shift workers shall not be required to work in excess of 56 hours in any one week.

TIME OF BEGINNING AND ENDING WORK.

4. For workers other than shift workers :—

	Time of Beginning.	Time of Ending.
On Saturday	7.30 a.m.	11.30 a.m.
On the other working days of the week	7.30 a.m.	5.30 p.m.

ORDINARY HOURS FOR A WEEK'S WORK.

5. (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 15 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.

OVERTIME.

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

(a) By Shift Workers—

- (i) In excess of 8 hours per shift during weeks in which six shifts are worked } Time and a half for the first three hours and thereafter double time.
- (ii) In excess of 8 hours 48 minutes per shift during weeks in which less than six shifts are worked }

(b) By Other Workers—

- (i) Outside the times of beginning and ending work prescribed on clause 4 herein in any day } Time and a half for the first three hours and thereafter double time.
- (ii) Within such times of beginning and ending work in excess of the hours prescribed as an ordinary week's work in clause 5. }

PROHIBITION OF EMPLOYMENT.

7. No person under the age of eighteen years shall be engaged in the operation of feeding a rag machine.

REST PERIODS.

8. 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 BREAK.

9. Where three shifts are worked an employee shall not be required to work more than four and a half hours without being permitted a break of twenty minutes which shall be regarded and paid for as time worked.

MEAL MONEY.

10. Any employee required to work overtime for a period in excess of one hour after the time fixed in clause 4 for ending work shall be allowed 2s. 6d. meal money in addition to overtime rates as prescribed for in this Determination unless notified 24 hours previously of the intention to work overtime. If having been notified accordingly, the employee's services are not required he shall be paid the 2s. 6d. meal money as provided for herein.

TERMS OF ENGAGEMENT

11. (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.

(e) Where an employer is not observing the provisions of the Wages Board Determination and declines to observe such provisions, or where an employer or his representative is insulting or uses abusive language to an employee, or where an employer or his representative acts violently towards an employee, or threatens violence to an employee, then the employee shall be under no obligation to give a week's notice of termination of employment, but may leave his employment instantly.

(f) An employer shall have the right to deduct payment for any day the employee cannot be usefully employed because of any strike, or through any breakdown of machinery, or any other stoppage of work by any cause for which the employer cannot reasonably be held responsible.

CASUAL WORK.

12. Casual work, i.e., work for less than two weeks, shall be paid for at the rate of time and a quarter.

SICK PAY.

13. Any weekly employee not attending for duty shall lose his or her pay for the actual time lost unless such employee has had not less than three months' service and he or she produces or forwards satisfactory evidence to the employer that his or her 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 forty-four hours of working time in each year.

(b) Notwithstanding the provisions of sub-clause (a) hereof if the full period of sick leave as prescribed 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 eighty-eight hours of working time, which shall be the maximum amount of leave to which an employee shall be entitled in any year without deduction of pay.

ANNUAL HOLIDAY.

14. 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.

HOLIDAYS.

15. (a) An employee shall be entitled to be absent from his employment without deduction of pay on any of the following holidays, viz.:—New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day.

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

(c) Where an employee is dismissed within a week of any such holiday the re-engagement of such employee within three days of such holiday shall be prima facie evidence that the employment was terminated for the purpose of evading payment for such holiday.

(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 a 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.

SPECIAL RATES.

16. Double time shall be the special rate for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the abovenamed holidays, then the special rate shall be payable only for the day so substituted. Provided that a shift worker who commences work not earlier than 11 p.m. on a Sunday shall only be entitled to be paid at ordinary rates for work done on such Sunday.

PAYMENT OF WAGES.

17. Wages shall be paid during working hours.

DINING ROOMS, LOCKERS, ETC.

18. The employer shall provide for the use of employees suitable dining rooms, lockers, change rooms, and hot and cold showers.

RIGHT OF ENTRY OF UNION OFFICIAL.

19. A duly accredited representative of the Federated Storeman and Packers' Union of Australia shall have the right to enter employers' establishments during the midday meal hour for the purposes 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.

PIECEWORK.

20. That the lowest piecework prices to be paid to persons for doing work of the kinds specified in the following Schedule shall be:—

Feeding a flock machine 1s. 2½d. per cwt.

Flock Board.

Piece Rates.	Males per Cwt.		Females per Cwt.	
	Sorting to Grade or Quality.	Sorting to Grade or Quality and Sorting to Colours.	Sorting to Grade or Quality.	Sorting to Grade or Quality and Sorting to Colours.
	s. d.	s. d.	s. d.	s. d.
Wool, shoddy or mantle clips	8 3	16 6	4 9	9 6
Hosiery	28 0	56 0	15 9	31 6
Wholesale tailoring factory clips	8 3	16 6	4 9	9 6
Bespoke tailors and dressmakers' clips	12 6	25 0	7 3	14 6
Shirt factory cottons	1 9	3 6	1 0	2 0
Cottons, other than shirt factory cottons	3 6	7 0	2 0	4 0
Sweepings	7 3	14 6	4 0	8 3
Rags (not including cutting and metalling)	2 0	4 0	1 0	2 3
Ripping.				
Ripping and Sorting to Grade or Quality.				
Males. Females. Males. Females.				
Ripping woollens—	s. d.	s. d.	s. d.	s. d.
By machine	3 3	2 0	6 3	4 0
By hand	9 6	5 9	19 0	11 6

NOTE.—The above piecework prices shall be calculated on the weight of material supplied to the pieceworker.

PERIODICAL ADJUSTMENT OF WAGES.

21. The wages rates for 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 22. 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.

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.

22. (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 21.

(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, 23rd December, 1946.



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No. 50]

THURSDAY, JANUARY 30.

[1947

Factories and Shops Acts.

DETERMINATION OF THE CONFECTIONERS BOARD.

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

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 a manufacturing confectioner," 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 and Improvers.	Juvenile Workers.—Males under 21 Years of Age, other than Apprentices or Improvers.	Other Employees.																																																														
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DEFINITIONS.

3. "Confectioner" means an adult male, not expressly included in the definition of a machinist or general hand employed—
- (i) handling or dealing with confectionery in any process of manufacture from raw materials such as sugar, glucose, gelatine, gum, or licorice, chocolate or similar material to the finished article, and includes an employee who runs by hand with any kind of funnel or bag jubes, jellies, cream fondant, snowballs, or other articles which are run into stamped or moulded starch trays or other moulded receptacles; or
 - (ii) operating or controlling any of the following machines :—
 Chocolate dipping or covering machines.
 Licorice making or shaping machine.
 Depositing machine.
 Cocoa bean roaster.
 Milk chocolate condenser.
 Lozenge stamping machine.
 Lozenge cutting machine.
 Mogul depositing machine.
 - (iii) any male employee engaged continuously tempering chocolate in quantities in excess of one cwt. at a time.
- "Machinist" means an adult male employed operating any one or more of the following machines :—
 Combined refiner and melanger.
 Melanger.
 Refiners.
 Conches.
 Cocoa mill.
 Cocoa butter press.
 Neat work mill.
 Liquor mill.
 Gum refining.
- "General hand" means a male employee engaged on one or more of the following operations :—
 Grinding nuts.
 Stirring gum or syrup.
 Smoothing, emptying, sieving starch trays.
 Cleaning confectionery.
 Washing tins or bottles with a capacity of over 4 lb.
 Stamping lozenges.
 Marking toffee on slabs.
 Rolling confectionery, sticks or balls.
 Blanching nuts by machine.
 Cutting confectionery by hand or vertical or circular cutting machine.
 Grinding figs, acids, and other ingredients used in the trade.
 Weighing confectionery and ingredients (over 30 lb.).
 Straining syrup or other material used in the trade.
 All handling of confectionery or ingredients in the manufacture of confectionery.
 Up-ending sugar or lumping sugar.
 Glazing confections.
 Cutting neat work.
 Coating boiled goods with such ingredients as dry sugar or cocoanut, &c.
 Feeding Forgrove and similar machines (except universal type).

GENERAL WORKERS.—Means a female employed at nailing up boxes, except in the despatch or bulk or receiving store, tying up boxes, bottles, tins or parcels, tinning up, boxing or packing under 30 lb. in weight; wrapping; packing stock boxes or tins or bottles; labelling; picking nuts or fruit or confection; spreading peel or confections; sieving; cutting fruit or ginger; cleaning; washing tins or bottles with a capacity of 4 lb. or under; plain piping or dotting or glazing novelties; marking confectionery; blanching nuts by hand; separating confectionery; cutting confectionery (excepting lozenges or goods of similar nature); coating jellies or other confections with such ingredients as dry sugar or cocoanut; all handling of confectionery directly it leaves the confectioner or the machine; packing confections; stirring confectionery or ingredients (if over 30 lb. to be done by males only); icing novelties; carrying goods, materials, or utensils; filling dates with cream; placing nuts on paste; and other unskilled or labouring work, except in the despatch or bulk receiving store.

CHOCOLATE OR FRENCH CREAM DIPPERS.—Means a female engaged in dipping by hand or fork goods in chocolate, French cream, or other substance, or covering by hand or fork goods with chocolate, French cream, or other substance.

BULK DIPPERS OR NOVELTY DIPPERS.—Means a female who at one operation dips or covers a number of confections in or with chocolate or other material by means of wire frames, strainers, or other utensils, or persons filling or turning out chocolate goods moulded in or on metal.

STARCH WORK.

4. (a) Any employee whether an adult or junior employed on starch boxes shall be paid 2s. 6d. per week in addition to the prescribed rate.
 (b) An employer shall not employ any person under 18 years of age on starch boxes.
 (c) An employer shall not employ females on smoothing starch trays or emptying or sieving starch trays with or without confections in them.

SPECIAL RATES.

5. (a) All female employees employed on any work which is usually performed by males, according to the classifications and definitions, shall be paid at the rate of wages operating for males for such work.
 (b) A dust allowance of 2s. 6d. per week shall be paid to employees working in the following sections of the plant :—
 Chocolate mixing from powder in werner mixers and melanger.
 V.G. crumb platform in chocolate mill.
 Feeding cocoa weighing room weighing machines.
 Icing sugar mill.
 Cocoa mill.
 Mogul machine work.

PROHIBITED WORK.

6. (a) No. female under the age of eighteen (18) years shall be permitted to lift or carry more than 25 lb. in weight, and no female over eighteen (18) years shall be permitted to lift or carry more than 30 lb. in weight or stir confectionery or any other ingredients over 30 lb. in weight.
 (b) Males under 18 years of age shall not be permitted to pull trucks or any other conveyances of a greater load than 5 cwt. gross weight.

HOURS.

7. The ordinary working hours shall not exceed 44 per week to be worked in five days of 8 hours 48 minutes each to be worked continuously, except for a meal break as prescribed, between 7 a.m. and 5.30 p.m. on Monday to Friday inclusive.
 Provided that the spread of hours herein proscribed may be altered by mutual agreement between an employer and his employees.

MEAL BREAKS.

8. (a) Employees shall be allowed a meal break of not less than half an hour between the hours of noon and 2 p.m. on each day Monday to Friday inclusive.

(b) An employee shall not be worked for more than five hours without a break for a meal.

(c) All time worked during the time ordinarily observed by an employee as his or her meal break shall be paid for at the rate of double time.

SMOKO OR REST PERIOD.

9. All employees shall be allowed a ten minute smoko or rest period each morning.

CONTRACT OF EMPLOYMENT.

10. (a) Employment shall be by the week and shall be terminated by a week's notice on either side, such notice to be given at any time during the week. This shall not affect the right of an employer to dismiss an employee without notice for malingering, inefficiency, neglect of duty, or misconduct (and in such cases 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 by the Association or any other organization or association or through any breakdown of machinery or any stoppage of work by any cause which the employer cannot reasonably prevent, or through slackness of work, or through the closing of factories between Christmas and New Year. This clause shall not apply to workers on night shift.

(b) Any employee not attending for duty shall lose his or her pay for the actual time of such non-attendance unless he or she produces or forwards within 48 hours of the commencement of such absence evidence satisfactory to the management that his or her non-attendance was due to personal accident arising out of and in the course of his or her employment or to personal ill health necessitating such absence:

Provided that an employee shall not be entitled to payment for non-attendance on the ground of personal accident or personal health or both for more than 44 hours of working time in each year.

SHIFT WORK.

11. For the purposes of this clause:—

(1) "Afternoon shift" means any shift finishing after 6 p.m. and at or before midnight.

"Night shift" means any shift finishing subsequent to midnight and at or before 9 a.m.

"Rostered shift" means a shift of which the employee concerned has had 48 hours notice.

(2) (a) The ordinary hours of shift workers shall not exceed—44 in any week to be worked in five shifts of 8 hours 48 minutes on Monday to Friday inclusive.

(b) 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 five hours without a break for a meal.

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

(d) Shift workers whilst on afternoon or night shifts shall be paid 10 per cent. more than ordinary rates for such shifts. The minimum payment for an adult on afternoon or night shift shall be 10s. per week. Juniors shall receive the adult general hand rate.

(e) Subject to this sub-clause shift workers for all time worked on a Sunday or holiday shall be paid at the rates prescribed for holidays and Sunday work. Where shifts commence between 11 p.m. and midnight on Sundays and/or holidays, 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.

(f) Shift workers for all time worked in excess of or outside the ordinary working hours or on a shift other than a rostered shift shall be paid at the rate of time and a half for the first four hours and double time thereafter except when the time is worked

(i) by arrangement between the employees themselves;

(ii) for the purpose of effecting the customary rotation of shifts.

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

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

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

OVERTIME AND SUNDAY WORK.

12. (a) All time worked outside the ordinary hours shall be paid for at the rate of time and a half for the first four hours and double time thereafter.

(b) All time worked on a Sunday shall be paid for at the rate of double time.

(c) A male employee who is called upon to work overtime beyond one hour and who has not been notified when ceasing work on the previous day that he is required to work overtime shall be supplied with a meal or be paid an allowance of 1s. 6d. If such notice as aforesaid is given and the employee attends and is not required to work overtime he shall be paid the 1s. 6d. allowance. A female employee shall be paid 1s. 6d. meal allowance on any day which she is required to work overtime.

HOLIDAYS.

13. (a) All employees shall be entitled without loss of pay to the following holidays or any days observed in lieu thereof:—New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Christmas Day, Boxing Day, Melbourne Cup Day, and Union Picnic Day.

(b) "Union Picnic Day" shall be a day (other than a Saturday or Sunday) set apart for the holding of a picnic, and such day shall be arranged between the employers and the Union and no employee shall be entitled to payment for such day unless a ticket for the picnic has been purchased.

(c) Employees working on any of the holidays mentioned in sub-clause (a) hereof shall in addition to the prescribed wage be paid at the rate of ordinary time for the time worked with a minimum payment as for four hours.

(d) An employer shall not terminate the employment of an employee for the purpose of evading payment for the holidays mentioned in sub-clause (a) hereof.

(e) Employees shall be entitled to and receive payment for the holidays as prescribed in sub-clause (a) hereof, provided that they shall be available for duty on the last working day their services are required preceding and the first working day following such holiday, provided that the employees may be absent with the consent of either the manager or the head of the department in which the employee is working.

(f) Pieceworkers working on any of the holidays mentioned in sub-clause (a) hereof shall in addition to the piecework earnings be paid at the rate of ordinary time for such holiday.

ANNUAL LEAVE.

14. (a) Except as hereinafter provided, a period of 14 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 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 13 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.

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

Calculation of Continuous Service.

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

- (i) any interruption or determination of the employment by the employer if such interruption or determination has been made merely with the intention of avoiding obligations hereunder in respect of leave of absence;
- (ii) any absence from work on account of sickness or accident or 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 14 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 clause shall, within 48 hours of the commencement of his absence, submit evidence satisfactory to the employer that his absence is due to personal sickness, accident or reasonable cause and shall if practicable inform the employer in writing of the nature of the illness injury or other cause of absence and the estimated duration of absence.

Any absence from work by reason of any cause not being a cause specified in this 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 14 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.

(f) Service before 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 made under the clause hereby varied. Provided however, that in respect of service before the 1st January, 1946, the annual leave shall be allowed at the rate of $3\frac{1}{2}$ 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 service. Any broken part of a month served before the 1st January, 1946, shall for the purpose 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 the 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 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 is 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-clause (1) hereof payment shall not be made or accepted in lieu of annual leave.

Time for 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 has been taken before it is 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 annual leave, which amount shall not include any sums paid for any of the holidays prescribed by clause 13 of this Determination.

Payment for Period of Leave.

(k) Each employee before going on leave shall be paid two weeks' wages except a seven-day shift worker who 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 purpose of this sub-clause and sub-clause (1) hereof wages shall be at the rate prescribed by clauses 2, 4 and 5 of this Determination for the occupation in which the employee was ordinarily employed 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 $3\frac{1}{2}$ 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 purpose 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 reopened 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 (i) of this clause subject to adjustment for any proportionate leave which may have been allowed as aforesaid.

Disputes.

- (n) Any dispute arising in connexion with annual leave shall be referred to the Wages Board for decision.

PAYMENT OF WAGES.

15. (a) All wages shall be paid not later than Friday in each week.
(b) An employer shall not keep more than two days' pay in hand:
Provided that in those cases in which three days' pay was on the 20th day of November, 1939, kept in hand the employer may continue to keep not more than that number of days' pay in hand.
(c) If an employee leaves his or her employment or is dismissed he or she shall, provided that the necessary money is then available at the factory office be paid his or her wages upon leaving or being dismissed.
(d) All wages shall be paid during working hours.

MIXED FUNCTIONS.

16. When an employee is put to work temporarily on work of a classification higher than that under which he or she was engaged or deemed to be working, he or she shall be paid the higher rate prescribed for the higher classification for the time he or she is occupied upon such work.

DINING ROOM ACCOMMODATION.

17. The employer shall provide for employees proper dining room accommodation and a sufficient quantity of boiling water at meal hours. The employer shall also provide a heating apparatus in the dining room where more than three females are employed.

WASHING FACILITIES.

18. The employer shall provide suitable washing facilities for employees.

LOCKERS AND DRESSING ROOM.

19. The employer shall provide a cloak and dressing room, and suitable lockers for the use of female employees.

OVERALLS AND TOOLS OF TRADE.

20. (a) Where an employee is required by the employer to wear overalls, caps, uniforms, aprons, &c., other than those normally worn in his or her occupation the employer shall supply the same.
(b) The employer shall provide all tools of trade required and used by employees in the course of their employment.

SEATING ACCOMMODATION (FEMALES ONLY).

21. Where practicable the work of the employee shall be performed sitting or standing, whichever is the more convenient. Where practicable the employees shall have the right to change the position of the work either from sitting to standing or from standing to sitting position at any time they feel disposed during working hours unless impracticable owing to the nature of the work.

FIRST AID.

22. The employer shall provide and maintain in every factory or workshop a properly equipped first aid ambulance chest, which shall be a suitable dustproof receptacle made of either metal or wood and shall make it available for the use of employees in some accessible place in the said factory or workshop.

UNION BUSINESS.

23. (a) Officials of the Federated Confectioners Association of Australia and The Federated Storeman and Packers Union of Australia may absent themselves from work without pay to attend to the business of the Association, or Union if they give at least one day's notice to the employer.
(b) An employer shall not prevent the secretary of such Association or Union or any official thereof authorized by the Association or Union from visiting or conversing with the members of the Association or Union at meal times or before or after the hours of work in a place mutually agreed upon by the employer or his works manager and the Association or Union secretary or other authorized official.

FACILITIES FOR UNION OFFICERS AND MEMBERS (FEMALES ONLY).

24. At each factory reasonable facilities shall be afforded members and officers of the Female Confectioners Union to interview the employees during lunch time, and for the necessary working connexion with the Union, and the Union shall be permitted to post a copy of the Determination and the Union notices on a board in a prominent position in each factory.

TIME AND WAGES BOOK.

25. (a) Each employer shall keep at his factory or at an office convenient thereto a time and wages book in which he shall enter or cause to be entered the name and classification of each employee, the times of starting and ceasing work each day, the amount of overtime worked and the wages and overtime paid to each employee.

(b) Such book shall, on demand, be produced by the employer for inspection to an official of the Federated Confectioners Association of Australia, Female Confectioners Union, or The Federated Storeman and Packers Union of Australia duly authorized in writing, by the president or secretary of the local branch of the Association or Union concerned at the place where the book is kept at any time between the hours of 10 a.m. and noon on any day except pay day or the day before pay day between the 1st to the 27th inclusive of each calendar month.

No authority to inspect shall be given by the Association or Union concerned unless the president or secretary has good reason to suspect that the employer, whose book is to be inspected, is committing or has committed a breach of this Determination.

(c) Any employer who provides a mechanical clock for the purpose of recording the time of employees may for the purpose of this clause and in lieu of a time and wages book keep the cards or check used in connexion with such clock if such card or check contain the particulars prescribed by sub-clause (a) hereof.

PIECEWORK (FEMALES ONLY).

26. Any employer may fix and pay piecework prices to any person or class of persons employed at any work which minimum wage has been provided for under this Determination, provided that any such employer shall base such piecework prices on the earnings of an average adult worker, with reasonable effort, working under like conditions, at the weekly adult minimum rate and such piecework prices shall be fixed so that an average worker can earn no less than 10 per cent. above the adult wages that are fixed by this Determination for such work.

Any alteration to the minimum wage shall apply to pieceworkers by adding to, or subtracting from the same amount to the pieceworkers wage.

In the event of a pieceworker being placed on new work not earning the adult minimum wage through no fault of her own, she shall be paid the existing adult wage.

WAITING TIME FOR PIECEWORKERS (FEMALES ONLY).

27. Pieceworkers who are waiting for work on or about the factory or workshop of the employer must be paid for such waiting time a sum calculated on the basis of the weekly wage.

OVERTIME RATES FOR PIECEWORKERS (FEMALES ONLY).

28. All work performed before or after the regular working hours as per clause 7 shall be paid for at piecework rates plus 50 per centum for the first four hours and thereafter at double the ordinary piecework rates.

All overtime rates earned by a pieceworker 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.

PERIODICAL ADJUSTMENT OF WAGES.

29. 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 30.

BASIC WAGE.

Place.	Needs Basic Wage (Adjustable).	Loading (Constant).	Total Basic Wage for Adult Males.	Minimum Wage for Adult Females.	Index Number Set Assigned.
	Per Week. £ s. d.	Per Week. £ s. d.	Per Week. £ s. d.	Per Week. £ s. d.	
Throughout the State	5 0 0	0 6 0	5 6 0	3 7 0	Melbourne

ADJUSTMENT OF BASIC WAGE

30. (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 29.

(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 amounts 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.

The amounts of the adjustable rates are fixed on a needs basic wage of £3 19s. and a minimum wage for adult females of £3 3s. 6d. and such rates shall be adjusted proportionately to the needs basic wage and minimum wage for adult females respectively, calculated in the case of males to the nearest sixpence, any broken part of sixpence in the result not exceeding threepence to be disregarded and in the case of females to the nearest threepence half or less than half of threepence to be disregarded.

Such adjustments are to be made upon the following rates:—

Apprentices and Improvers.				Juvenile Workers.—Males under 21 Years of Age, other than Apprentices or Improvers.			
Females.				General Hands.			
			s. d.		Rate, Adjustable.	Loading, Constant.	Total
16 years of age and under .. .. .	..	..	26 0	15 years of age and under	s. d.	s. d.	s. d.
17 years of age .. .. .	..	..	32 0	16 years of age	22 0	0 6	22 6
18 years of age .. .. .	..	..	40 0	17 years of age	28 0	0 9	28 9
19 years of age .. .. .	..	..	47 0	18 years of age	35 6	1 0	36 6
20 years of age .. .. .	..	..	54 0	19 years of age	50 6	1 0	51 6
Males (assisting the Storeman and Packer).				19 years of age	60 0	2 0	62 0
18 years of age and under 19 years .. .. .	..	..	52 0	20 years of age	64 0	2 0	66 0
19 " " 20 " .. .. .	..	..	63 9				
20 " " 21 " .. .. .	..	..	73 3				
All Other Males.							
		Rate, Adjustable.	Loading Constant.				
		s. d.	s. d.				
.. years of age and under .. .. .	..	22 0	0 6	22 6			
.. years of age .. .. .	..	28 0	0 9	28 9			
.. years of age .. .. .	..	35 6	1 0	36 6			
.. years of age .. .. .	..	50 6	1 0	51 6			
.. years of age .. .. .	..	60 0	2 0	62 0			
.. years of age .. .. .	..	64 0	2 0	66 0			

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

J. V. WILLOX, Secretary.

Melbourne, 20th December, 1946.

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THURSDAY, JANUARY 30.

[1947

Factories and Shops Acts.

DETERMINATION OF THE WATCHMEN'S BOARD.

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

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

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

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

2.

Classes of Employees.	Wages per Week of 48 Hours.					
	Within a Radius of 20 Miles of G.P.O., Melbourne, 10 Miles of G.P.O., Geelong, at Warrnambool, and within Mildura and Gippsland Districts.			Other Parts of Victoria where this Determination applies.		
	Wages.	War Time Loading.	Total.	Wages.	War Time Loading.	Total.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Watchman, who in addition to watching, performs manual work not subject to the Determination of any other Wages Board, while performing such work, at the rate of	132 0	3 0	135 0	129 0	3 0	132 0
All others	119 6	3 0	122 6	116 6	3 0	119 6

CASUAL WATCHMEN.

3. Casual Watchmen—i.e. persons employed by the hour as watchmen on wharfs and/or ships, including ship's holds, in connection with overseas and/or interstate shipping shall be paid at the rate of 3s. 5d. per hour.

OVERTIME.

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

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

EMPLOYMENT FOR LESS THAN FULL WEEK.

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

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

SPECIAL RATES.

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

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

TRAVELLING TIME AND FARES.

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

EMPLOYEE PROVIDING OWN BICYCLE.

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

MINIMUM PAYMENT.

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

PAYMENT FOR MEAL TIMES.

10. No deduction shall be made in an employee's time for a meal period of 30 minutes unless he is permitted to leave his employer's premises for such meal. An employee shall not be required to punch clocks during the meal period of 30 minutes.

MEAL ALLOWANCE.

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

ANNUAL HOLIDAYS.

12. The annual holidays for employees covered by this Determination shall be in accordance with the provisions, as may be amended from time to time, of the *Factories and Shops (Annual Holidays) Act 1946* (No. 5111).

SICK LEAVE.

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

(b) Notwithstanding the provisions of sub-clause (a) 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 96 hours of working time, which shall be the maximum amount of leave to which an employee shall be entitled in any year without deduction of pay. For the purposes of this sub-clause service prior to 18th November, 1946, shall be disregarded.

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

J. V. WILLOX, Secretary.

Melbourne, 6th January, 1947.