



VICTORIA
GOVERNMENT GAZETTE.

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No. 460]

MONDAY, DECEMBER 1.

[1947

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 19 (CONFECTIONERY, PASTRY,
FRUIT AND VEGETABLE).

NOTES.—(a) This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts and the Orders in Council made thereunder; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

(b) On the 21st December, 1922, the Board was deprived of the power to determine the lowest prices or rates which may be paid to any persons employed whole or part time selling confectionery or pastry in any place in which the business of a restaurant is carried on, and such power was conferred exclusively on the Restaurant Board.

(c) On the 4th December, 1929, the power to determine the lowest prices or rates which may be paid to any persons employed in any bread shop was taken from the Shops Board No. 18 (Miscellaneous Shops) and conferred exclusively on the Shops Board No. 19 (Confectionery, Pastry, Fruit, and Vegetable).

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to "determine the lowest prices or rates which may be paid to any persons employed in confectionery and pastry shops, or fruit and vegetable shops," has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 8th October, 1947, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers.		Other Employees.	
Males.	Females.	Wages per week of 44 hours.	
Wages per week of 44 hours.	Wages per week of 44 hours.		
s. d.	s. d.	s. d.	
15 years of age or under 27 0	15 years of age or under 25 3	(a) Manager or Departmental Manager 121 6	
16 years of age .. 34 6	16 years of age 28 9	(b) Manageress or Departmental Manageress 82 6	
17 " " 42 3	17 " " 35 9	(c) Shop assistants—	
18 " " 53 0	18 " " 42 3	(i) Males 111 3	
19 " " 64 9	19 " " 49 9	(ii) Females 75 0	
20 " " 77 3	20 " " 57 9		

PROPORTION (in any Shop or Place).

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

DEFINITIONS.

3. "Manager" or "Manageress" means the principal employee in any shop except a shop in which an owner or partner is working manager or working manageress.
 "Departmental Manager" or "Departmental Manageress" means the principal employee in a department of a shop wherein employeess' wages are not subject solely to this Determination, and where two or more persons are employed in such department.

OVERTIME.

4. Any employee who in any week works for any time in excess of 44 hours shall be paid for such extra time at the rate of time and a half.

SPREAD OF HOURS.

5. The period between the time of commencing work and the time of finishing work on any day shall not exceed ten hours, except on one day per week, when the period concerned shall not exceed twelve hours.

TIME WAGES.

6. Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall be paid, for time worked up to 22 hours, at the ordinary wages rate with an addition of thirty-three and one-third per centum, and for time worked beyond the 22 hours aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

REFERENCES.

7. Every employee, on the termination of his or her engagement, shall be given by the employer, if the employee so desires, a certificate setting out the employee's length of service and qualifications.

SPECIAL RATES.

8. Time and a half shall be paid for all work done on Sundays, or any of the undermentioned public holidays, viz. :—

New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Show Day (in such localities mentioned in the Twelfth Schedule to the *Public Service Act 1928* as are within the area to which this Determination applies), Melbourne Cup Day, Anzac Day, Christmas Day or Boxing Day. If any other day be substituted by Act of Parliament or Proclamation for any of the abovementioned holidays, the special rate shall be payable only for work done on the day so substituted.

PICNIC DAY (Confectionery Shops).

9. No person shall be employed at the work of selling confectionery within the Metropolitan District as defined in the *Factories and Shops Acts* on the day proclaimed as a trade holiday for the Manufacturing Confectionery trade. Any person absent from work on such day in accordance with this provision shall not suffer any loss of wages on account of such absence.

SICK LEAVE.

10. (a) Any employee not attending for duty, who has had not less than 12 months' service with the same employer, shall be paid for the actual time lost if such employee produces or forwards, within 24 hours of the commencement of such absence, evidence satisfactory to the employer that his or her non-attendance was due to personal ill-health or accident necessitating such absence. Provided that the employer shall not be obliged to pay the employee for such absence in respect of more than six days in any one year.

(b) Notwithstanding anything contained in 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 18 days, which shall be the maximum amount of leave to which an employee may be entitled in any year without deduction of pay.

ANNUAL HOLIDAY.

11. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1946*, No. 5111, and any amendments which may be made thereto from time to time.

(In his or her own interests each employer of labour should obtain a copy of the above Act which may be purchased from the Government Printer, Melbourne, at a cost of 9d., plus postage.)

PAYMENT OF WAGES, ETC.

12. Payment of all wages, overtime, special rates, and allowances due shall be made during working hours not later than Thursday each week.

BICYCLE ALLOWANCE.

13. Where any person uses his or her own bicycle in the delivery or collection of goods for the employer, or in connexion with the employer's business, such person shall receive the sum of 6d. per day for each day or part thereof on which he or she is so required to use such bicycle in addition to any rate prescribed otherwise by this Determination.

CLOTHING ALLOWANCE.

14. Where any person wears, whilst at work, any washable outer-garment, dress, or headwear, such garment, dress, or headwear shall be supplied free of charge by the employer. The employer shall defray the cost of any necessary laundering of such garment, dress, or headwear or alternatively shall make, in addition to the payment of any rate prescribed otherwise by this Determination, a weekly allowance of 2s. 6d. to the wearer of such garment, dress, or headwear.

TIME AND WAGES RECORD.

15. The employer shall keep a time and wages record in the English language showing the name, age, and sex of each worker, the number of hours worked each week, and the wages and overtime paid each week.

Such record shall be open for inspection by a duly accredited representative of any of the following bodies, viz. :—The Shop Assistants and Warehouse Employees' Federation of Australia, The Federated Retail Confectionery, Refreshment and Mixed Business Association of Australia (Victorian Branch), the Melbourne and Metropolitan Retail Fruiterers and Greengrocers' Association, and the Victorian Master Pastrycooks' Association.

REST PERIODS.

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

MEAL INTERVALS.

17. Every person shall be allowed and shall receive the following meal intervals, with permission to leave the shop during the whole of such intervals, viz. :—

On each day when work is done—1 hour for lunch, to be taken between 12 noon and 3 p.m.

On each day when work is done after 7.30 p.m.—An additional interval of three-quarters of an hour, to be taken between 5 p.m. and 7.15 p.m.

MEAL MONEY.

18. Any employee who is required to work overtime in excess of one hour on any day shall receive an allowance of 2s. 6d. as meal money in addition to the rate provided in clause 4.

TERMINATION OF EMPLOYMENT.

19. Except in a case of misconduct by either an employer or an employee seven days' notice of termination of employment shall be given by either employer or employee, or a week's wages paid or forfeited, as the case may be, in lieu thereof.

POSTING OF DETERMINATION.

20. A copy of this Determination shall be kept posted at or near the entrance to any shop or place to which it applies.

PERIODICAL ADJUSTMENT OF WAGES.

21. 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 proscribed by clause 22. Provided that the wages of females and juveniles shall be adjusted proportionately to adjustments of the basic wage. Such adjustments shall be computed to the nearest 3d., half or less than half of 3d. to be disregarded.

Basic Wage.

Place.	Needs Basic Wage (Adjustable).	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Within the area to which this Determination applies ..	5 2 0	6 0	5 8 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 November, 1947, the amounts of the Basic Wage shall be as proscribed in clause 21.

(c) During each future successive period beginning with the first pay period to commence in a November, a February, a May, or an August, 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.

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

J. W. RYAN, Secretary.

Melbourne, 23rd September, 1947.



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No. 461]

MONDAY, DECEMBER 1.

[1947

Factories and Shops Acts.

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

NOTE.—This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts and the Orders in Council thereunder; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to “determine the lowest prices or rates which may be paid to any persons employed in the business of a seller of hardware—wholesale or retail”—but not including:—

- (a) persons employed in assembling ordered goods kept in a bulk store or iron yard;
- (b) persons employed as storemen, packers, or sorters—

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 21st October, 1947, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers. (The Masculine to include the Feminine.)				Other Employees. (The Masculine to include the Feminine.)				Metropolitan District.	Outside Metropolitan District where Determination Applies.								
WAGES.				WAGES.				Per week of 44 hours.	Per week of 44 hours.								
Per week of 44 hours.				Per week of 44 hours.				£ s. d.	£ s. d.								
Under 16 years of age	..	..	..	25	3	Departmental managers, or branch managers, having under their control—	..	..	..					
16 years of age	..	..	..	33	9	5 or more salesmen, 21 years of age or over	8	1	0					
17	..	..	..	42	0	4 salesmen	7	14	0					
18	..	..	..	57	0	3 salesmen	7	6	0					
19	..	..	..	73	0	2 salesmen	7	1	0					
20	..	..	..	95	6	1 salesman	6	16	0					
PROPORTION (in any shop or place). One apprentice to every three workers or fraction of three workers employed, and receiving not less than the minimum wage. One improver to one worker Two improvers to two, three or four workers Three improvers to five, six or seven workers Four improvers to eight workers Five improvers to nine or ten workers and thereafter one improver to every two or fraction of two workers				Receiving not less than the rates fixed for assemblers of ordered goods 23 years of age and over.				Other Branch Managers	6	16	0						
								Outside salesmen	7	1	0	6	18	0			
								Salesmen or Buyers	6	11	0	6	8	0			
								Assemblers of Ordered Goods	6	4	0	6	4	0			
								NOTE.—See Clause 19 <i>re</i> Definitions.									

3.

TIMES OF BEGINNING AND ENDING WORK.

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

4.

* OVERTIME.

Within the times fixed for beginning and ending work in excess of 44 hours } Time and a half, with a minimum
 Outside the times of beginning and ending work } payment of 1s. per hour.

* NOTE.—Section 117 (2) Act 3877 provides that:—Any person may, if notice in writing has previously been sent to the chief inspector, be employed in any shop or at any work in connexion with a shop for any time not exceeding three hours in any one day beyond the ordinary working hours, provided that the total number of days in any one year on which in any shop or at any work in connexion with a shop any such person is so employed shall not exceed twenty-five.

MEAL MONEY.

5. Where overtime, as in the preceding clause, is performed on any day in the week, an allowance of 2s. 6d. shall be made for meal money, and shall be paid on the day when such work is performed.

SPECIAL RATES.

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

TIME RATE.

7. Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall for each hour worked up to 22 hours be paid—

(a) In any week in which two or more Public Holidays occur .. At the ordinary wages rate with an addition of fifty per centum.

(b) In any other week At the ordinary wages rate with an addition of thirty-three and one-third per centum.

and for each hour worked beyond the 22 hours aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

TERMINATION OF EMPLOYMENT.

8. Except where the conduct of an employee justifies instant dismissal, seven days' notice of termination of employment shall be given by either employer or employee, or one week's wages shall be paid or forfeited in lieu thereof.

PAY DAY.

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

NOTICE TO WORK OVERTIME.

10. No employee shall be obliged to work overtime unless he has received at least 24 hours' notice of same.

NOTICE OF INTENTION TO RATION.

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

ANNUAL HOLIDAY.

12. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1946* (No. 5111), and any amendments which may be made thereto from time to time.

(In his or her own interests each employer of labour should obtain a copy of the above Act, which may be purchased from the Government Printer, Melbourne, at a cost of 9d., plus postage.)

SICK LEAVE.

13. (a) Any employee not attending for duty who has had not less than twelve months' service with the same employer shall not lose his pay for the actual time lost if such employee produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the employer that his non-attendance was due to personal ill-health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the grounds of personal ill-health or accident for more than six days in each year.

(b) If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall be accumulative from year to year up to a period not exceeding 18 days, which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay.

MEAL INTERVALS.

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

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

BICYCLE ALLOWANCE.

15. Where a bicycle is provided by an employee and is required to be used in connexion with his employer's business, an allowance of 6d. per day or part thereof for each day on which he is so required to use such bicycle, shall be paid by the employer.

GARMENT ALLOWANCE.

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

REFERENCE.

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

TIME AND WAGES RECORDS.

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

REST PERIOD.

19. A rest period of ten minutes each morning and afternoon shall be granted each employee, such periods are to be counted as time worked.

DEFINITIONS.

20. "Departmental manager" shall mean a person having the control of one or more salesmen, 21 years of age or over, notwithstanding he may be under the orders of a general manager.

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

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

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

PERIODICAL ADJUSTMENT OF WAGES.

21. The wages 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 apprentices, improvers, and juveniles shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded.

Basic Wage.

Place.	Needs Basic Wage. (Adjustable)	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Within the area to which this Determination applies	5 2 0	6 0	5 8 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 November, 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 November, a February, a May, or an August, 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.

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

J. W. RYAN, Secretary.

Melbourne, 6th October, 1947.





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MONDAY, DECEMBER 1.

[1947

Factories and Shops Acts.

DETERMINATION OF THE MINING ENGINE-DRIVERS 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 16th April, 1935, has had the power to determine the lowest prices or rates which may be paid to any person employed in the occupation of—

(a) a fireman, boiler attendant, boiler cleaner, or engine-driver in connexion with steam engines or steam boilers in or about mines or in or about plants for crushing metalliferous ores,

(b) an engine-driver or attendant in connexion with the use of internal combustion engines, compressed air engines, or electrical engines in or about mines or in or about plants for crushing metalliferous ores,

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 24th October, 1947, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

WAGES PER WEEK OF 40 HOURS FOR EMPLOYEES WORKING UNDERGROUND AND 44 HOURS IN ANY OTHER PLACE.

Apprentices or Improvers.	Other Employees.		
	—	Mining District of Gippsland, and the Dry Creek, Gaffney's Creek, Wood's Point, Matlock, Big River, Jamieson, Kevington, Mitta Mitta, Bothanga, Harrietville, Heigh, Wandiligong, Alexandra, Walhalla, and Corryong Divisions of the Mining District of Beechworth.	All Other Parts of Victoria.
<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
If under 16 years of age	50 0		
16 and under 18 years of age	63 6		
18 and under 19 years of age	78 0		
19 and under 20 years of age	101 0		
20 years of age, minimum rate for class of work done.			
If under the control of an engine-driver they start or stop an engine, 6s. per week extra shall be paid.			
PROPORTION.			
<i>Apprentices.</i>			
One apprentice to every three or fraction of three workers receiving not less than 109s. 6d. per week of 44 hours.			
<i>Improvers.</i>			
One improver to every three workers receiving not less than 109s. 6d. per week of 44 hours.			
	Winding and haulage engine-drivers—		
	(a) If they sometimes or always raise or lower human beings	146 0	143 0
	(b) If they do not raise or lower human beings	140 0	137 0
	Winch drivers—		
	(a) If working underground or on surface of mines, and they raise or lower human beings	132 0	120 0
	(b) If working underground or on surface of mines, and they do not raise or lower human beings	129 0	126 0
	(c) On dredges	129 0	126 0
	Other drivers—		
	(a) Attending to a steam engine with condenser attached	132 0	120 0
	Attending to a steam engine without condenser	129 0	126 0
	(b) Operating a suction gas engine, other internal combustion engine, or electrically-driven plant—		
	(i) if 50 h.p. or over	129 0	126 0
	(ii) if under 50 h.p.	126 0	123 0
	Motor Drivers or Attendants	117 0	114 0
	Fireman	121 6	118 6
	Fireman—First class	127 0	124 0
	Greasers	117 0	114 0
	All others	112 6	109 6

JUVENILE WORKERS.

Juvenile workers (i.e., employees 17 to 19 years of age, both inclusive, working in a coal mine on an intermediate, air, or electrically-driven geared hauling winch operating intermittently on branch haulage roads to any one or more main haulage roads)—

DAY SHIFT.

	<i>s.</i>	<i>d.</i>	
17 years of age	75	6	per week
18 " "	90	6	"
19 " "	100	6	"

AFTERNOON OR NIGHT SHIFT.

The rates to be paid for the afternoon or night shift shall be the rates provided for day shift, plus 7½ per cent.

PROPORTION.

One juvenile worker to every three or fraction of three workers receiving not less than 109s. 6d., per week of 44 hours. Where the employment or work involves functions of a mixed character the wages to be paid to an employee shall be calculated as if he performed such only of the said functions as involves the highest rate of wages.

EXTRA RATES.

3. Extra rates payable, in addition to those mentioned in clause 2 :—

	<i>s.</i>	<i>d.</i>
Engine-drivers or firemen who also attend an electric generator or dynamo (other than a dynamo for merely lighting the works)	6	0
Engine-drivers or firemen in charge of plant	6	0
When two firemen are employed on the plant at the one time, one shall be a leading fireman and shall be paid	3	0
Greasers, if under the supervision of an engine-driver, they stop and start engines	6	0
Winch drivers hauling up or down shafts where the haul exceeds 150 feet	3	0

An engine-driver or fireman who is responsible for repair work on any portion of the plant other than the packing of glands and the replacing of gauge glasses for the mounting of boilers, will be deemed to be in charge of the plant as stipulated herein and the 6s. referred to shall apply to each engine-driver and/or fireman employed on each shift.

Greasers doing engine-drivers' work other than starting and stopping engines under the supervision of an engine-driver, shall be paid engine-drivers' rates.

Any person engaged inside the gas or water space of any boiler, flue, or economizer, in cleaning or scraping work shall be paid whilst so employed, in addition to his ordinary or overtime rate, 9d. per hour extra.

WEEKLY ENGAGEMENT.

4. (a) Except as hereinafter provided all employment shall be by the week. Employees to become entitled to payment on a weekly basis shall perform such work as the management shall from time to time require on the days and during the hours usually worked by the class of employees effected. Employment shall be terminated only by a week's notice being given on either side, such notice to be given at any time during the week. This shall not affect the right of the management to dismiss any 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 or through any break-down of machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible. Provided that where an employer orders employees not to work on rainy days because of the state of the weather, such order shall not deprive such employees of their claim for payment under the weekly engagement, but if such employees cease work on rainy days without being ordered to do so they shall not be entitled to payment for time so lost.

(b) Any employee, competent to do the work he is engaged to do, who is employed for less than six days from the date he starts work, and is refused work or dismissed without any fault of his own shall be entitled to be paid for each day so worked 10 per cent. more than one-fourth of the weekly rate prescribed by this Determination for the work performed by him, multiplied by the number of hours actually worked.

OVERTIME.

5. (NOTE.—Nothing in this clause shall apply to persons working underground in a coal mine.) Time and a half shall be paid for all work done :—

- (a) In excess of four hours on Saturday and eight hours on other days { where an ordinary week's work is worked on six week days.
- (b) On Saturdays, and in excess of eight hours 48 minutes on other days { where an ordinary week's work is worked on five week days (Monday to Friday).

The hourly rate on which the overtime additional rates shall be computed shall be one-fourth of the weekly rate prescribed in clause 2 for the class of work done.

In reckoning the time of duty any time necessarily occupied in raising steam, in starting up or closing down engines, or in banking fires, shall be included.

MEAL INTERVAL.

6. (a) Except on shift work, provision shall as far as practicable be made by the employer to enable an employee to have a midday meal interval of not less than 45 minutes nor more than one hour on all working days except Saturday. Such meal interval shall not be deemed to be time worked, and the time of ceasing work shall be extended by time equal to the duration of the meal interval.

(b) Employees on shift work shall be given a meal interval of half-an-hour whilst "standing by" their engines. Such interval shall be included as part of the day's work, and if an employee is required for work during same he shall be paid for such work at the rate of time and a half.

SUNDAYS AND HOLIDAYS.

7. (a) For all other work performed on a Sunday or holiday, double time shall be paid.

(b) An employee shall be entitled to the following ten holidays without deduction of pay, viz. :—New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Picnic Day, Christmas Day, and Boxing Day, or any day which by Act of Parliament or proclamation shall be substituted for any of the above-mentioned holidays, or any such other days not less than nine as the employer may substitute for the employee with the consent of the Union through its nearest local representative.

Provided that the day observed as Picnic Day by miners at any mine shall be the day so observed at such mine by employees subject to this Determination.

(c) In the event of an employee being called upon to work on any of the above holidays or substituted holidays, he shall be paid for each day so worked an additional sum of one-sixth of his ordinary weekly wage.

ANNUAL HOLIDAY.

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

SICK PAY.

9. All employees necessarily absent on account of sickness, or through an accident whilst at work, shall be entitled to six days' leave on full pay in each year of service, provided satisfactory evidence of such illness or accident is produced to the management within 24 hours of his first absence from work.

Provided that the balance of sick leave not taken shall accumulate from year to year and shall be available to the employee for a period of two years, but no longer, from the end of the year in which it accrues.

Sick pay shall be payable on the first pay day after becoming due.

HANDLING OF FUEL.

10. Any Winding Engine-driver responsible for his own firing shall not be required to handle fuel stacked at a distance greater than 15 feet from the boiler furnace.

First-Aid Outfit.

11. In places where employees are regularly employed, the employer shall provide and continuously maintain at a place or places reasonably accessible to all employees a first-aid ambulance chest equipped and supplied with the following articles :—

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

DEFINITIONS.

12. (a) "Engine-driver" shall mean and include any person who operates or drives any engine or engines, the motive power of which is steam, and shall include the operator or driver of an internal combustion engine, a compressed air engine, or electrical engine.

(b) "Fireman—first-class" means a fireman who attends to two or more boilers or two or more suction gas generators or one or more boilers or one or more generators developing 1,000 i.h.p. in the aggregate, and includes the fireman of a steam navy or excavator.

(c) "Winding and haulage engine-driver" shall mean and include an engine-driver who takes charge of the principal winding plant or plants (other than a Holman or similar baby hoist) on or below the surface of a mine, whether the motor power is steam, air, water, gas, oil, or electricity.

(d) "Winch driver" shall mean and include an engine-driver (other than a winding or haulage engine-driver, as defined in sub-clause (b)) in charge of and working a geared winding engine.

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*, shall be automatically adjusted as prescribed in clause 14. Provided that the amount of wages for all junior employees shall be adjusted proportionately to the basic wage rate in the same place calculated to the nearest 6d., every change of amount not exceeding 3d. to be disregarded.

BASIC WAGE RATES.

Place.	Needs Basic Wage (Adjustable).	Loading (Constant).	Total Basic Wage.	Index number set assigned.
Within 20 miles of G.P.O., Melbourne	£ s. d. 5 2 0	s. d. 6 0	£ s. d. 5 8 0	Melbourne
Within the Mining District of Gippsland, and Dry Creek, Gaffney's Creek, Wood's Point, Matlock, Big River, Jamieson, Kevington, Mitta Mitta, Bothanga, Harrietville, Bright, Wandiligong, Alexandra, Walhalla, and Cooryong Divisions of the Mining District of Beechworth, the contemporaneous wage provided for Melbourne				
Within all other Districts of Victoria 3s. less than the contemporaneous wage provided for 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 November, 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 November, a February, a May, or an August, 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.

Marginal Rates.

15. In addition to the basic wage provided in clause 13 the margins set out in this clause shall be the minimum rate payable to employees therein named :—

Classification.	Margin Per Week.
	<i>s. d.</i>
Winding and haulage engine-drivers—	
(a) If they sometimes or always raise or lower human beings	38 0
(b) If they do not raise or lower human beings	32 0
Winch drivers—	
(a) If working underground or on surface of mines, and they raise or lower human beings	24 0
(b) If working underground or on surface of mines, and they do not raise or lower human beings	21 0
(c) On dredges	21 0
Other drivers—	
(a) Attending to a steam engine with condenser attached	24 0
Attending to a steam engine without condenser	21 0
(b) Operating a suction gas engine, other internal combustion engine, or electrically-driven plant—	
(i) if 50 b.h.p. or over	21 0
(ii) if under 50 b.h.p.	18 0
Motor Drivers or Attendants	9 0
Fireman	13 6
Fireman—First-class	19 0
Greasers	9 0
All others	4 6

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

J. W. RYAN, Secretary.

Melbourne, 9th October, 1947.