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[1947

Factories and Shops Acts.

DETERMINATION OF THE RUBBER TRADE BOARD.

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

[N 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—

(1) employed in or in connexion with the trade of—

- (a) a maker of all kinds of rubber goods;
(b) a reclaimer of rubber; and
(c) a maker of solution;

(2) employed in the repairing of all kinds of rubber goods;

(3) employed preparing or manufacturing articles of xylonite or celluloid—

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.

	Wages per Week of 44 Hours.		Except in the fancy goods section no female shall be employed until she attains the age of fifteen years.
	Males.	Females.	
	<i>s. d.</i>	<i>s. d.</i>	
Under 16 years of age	30 6	24 3	
16 years of age	41 0	29 6	
17 " "	51 0	35 3	
18 " "	61 6	40 6	
19 " "	72 0	46 3	
20 " "	82 0	48 9	
And thereafter the minimum wage.			

Proportion.

MALE APPRENTICES.

One male apprentice to every three or fraction of three adult male workers receiving not less than 106s. per week of 44 hours.

MALE IMPROVERS.

Such number of improvers as shall not together with apprentices exceed, in the aggregate, one to every three or fraction of three adult male workers receiving not less than 106s. per week of 44 hours.

FEMALE APPRENTICES.

Fancy Goods Section.

Three female apprentices to every adult female worker receiving not less than 55s. 6d. per week of 44 hours.

All Other Sections.

One female apprentice to each adult female worker receiving not less than 55s. 6d. per week of 44 hours.

FEMALE IMPROVERS.

Fancy Goods Section.

Such number of improvers as shall not together with apprentices exceed in the aggregate three to each adult female worker receiving not less than 55s. 6d. per week of 44 hours.

All Other Sections.

Such number of improvers as shall not together with apprentices exceed, in the aggregate, one to each adult female worker receiving not less than 52s. per week of 44 hours.

(a) Except in the fancy goods section of the industry, the number of adult females or adult males respectively employed at any given time shall be deemed to be the weekly average number employed (exclusive of any female employees employed in the fancy goods section of the industry) during the immediately preceding period of twelve calendar months. For the purpose of ascertaining the proportion of improvers to male or female adults, there shall be a weekly count, and any Union official making an inspection of the books to ascertain such proportion shall take the weekly average number of such male or female adults as the case may be, and the average number of male or female improvers employed during the week in which the inspection is made.

(b) Notwithstanding anything hereinbefore contained, female workers receiving the adult female wage prescribed for the class of work being performed by them, shall be counted as adult female workers in calculating the proportion of females, but in calculating such wage, bonuses shall not be considered as part of the wage.

3. ADULT MALES (other than those employed preparing or manufacturing articles of xylonite or celluloid).

	Wages per Week of 44 Hours.
1. Employee engaged on any operation connected with or incidental to the handling, preparation, manufacture, or repair of rubber and/or rubber goods and/or goods in the manufacture of which rubber is used (except storemen and packers not herein specifically provided for) other than those set out hereunder	£ s. d. 5 6 0
2. Sifter and/or drier of compounding ingredients	5 8 0
3. Operator in charge of drying machine	5 10 0
4. Weigher and/or assembler of compounds for mixing, calendaring, &c.	5 13 0
5. Storeman and packer as defined herein	5 10 0
6. Wrapper of goods made by wrapped process	5 8 0
7. Operator in charge of lead-covered hose stripping machine	5 10 0
8. Operator in charge of hose-making machine (wrapped process)	5 12 0
9. Helper on hose-making machine (wrapped process)	5 10 0
10. Lead-covering machine helper	5 10 0
11. Operator in charge of lead-covering machine (hose)	5 16 6
12. Maker of wrapped hose by hand-made process	5 19 0
13. Dough mixer working on mill and/or enclosed mixer for solution or cement	5 10 0
14. Operator on washing mill and/or grinding waste	5 10 0
15. Operator on warming and/or masticating mill and/or reclaim refining mill	5 12 0
16. Operator on cracker mill	5 10 0
17. Operator on mixing mill	5 19 0
18. Reclaimer or employee engaged on acid tank	5 10 0
19. Employee on digester machine	5 12 0
20. Spreader in charge of machine (not otherwise classified)	5 13 0
21. Spreader of waterproof piece-goods for making garments and/or spreader of rugs and/or printers blankets and/or bed sheeting	5 19 0
22. Employee engaged on doubling and/or chalking and/or polishing and/or embossing	5 9 0
23. Operator engaged on motor, motor cycle, bicycle tube and/or bicycle tire making and/or joining (not otherwise classified)	5 10 0
24. Operator engaged on motor, motor cycle and/or bicycle tube joint curing	5 12 0
25. Operator building pneumatic tire on flat and/or crown drum and/or on flat top core (excluding bicycle tire)	5 14 0
26. Operator building pneumatic tire on core (excluding flat top core and/or bicycle tire)	5 16 6
27. Inspector and/or examiner and/or tire tester	5 12 0
28. Tester with water	5 6 0
29. Weaver in charge of braiding machine and/or circular and/or flat loom and/or knitting machine and/or operator in charge of creels and/or other similar machines and/or winding wire	5 12 0
30. Operator in charge of cotton creels	5 12 0
31. Cutter of treads and/or assembler of motor, motor cycle and/or bicycle treads by machine	5 10 0
32. Maker of packing	5 12 0
33. Operator on mat-cutting guillotine, mat-punching process, mat-buffing and/or sanding machine	5 12 0
34. Designer and/or maker of inlaid mats and/or inlaid floor matting (including punched mats)— First year	5 10 0
Second and third year	5 16 6
Thereafter	6 1 0
35. Operator employed fitting solid tire to wheel (motor vehicle or otherwise)	5 14 0
36. Operator employed fitting pneumatic tire to rim and/or wheel	5 10 0
37. Operator on clicking press and/or sole-cutting machine and/or mechanically operated punching press	5 12 0
38. Operator on lathe and/or other power-driven cutting machine engaged in cutting off rings, washers and/or strips and/or buffing cylindrical rollers up to 3 feet in length	5 12 0
39. Operator employed on mechanical lathe fashioning hand-made mechanical and/or surgical goods (including buffing cylindrical rollers over 3 feet in length)	5 16 6
40. Operator on lathe engaged fashioning biased bowls	5 16 6
41. Operator dipping balloons and/or other dipped goods	5 12 0
42. Operator of rubber thread cutting lathe	5 14 0
43. Operator in charge of self-contained mould and/or heaterman in charge of curing pan and/or dry heater	5 12 0
44. Helper on self-contained mould and/or curing pan and/or dry heater	5 6 0
45. Operator in charge of vulcanizing press, more than 4 feet in length	5 16 6
46. Operator in charge of vulcanizing press, not more than 4 feet in length	5 14 0
47. Helper on vulcanizing press, more than 4 feet in length	5 12 0
48. Operator in charge of person engaged in the moulding of and/or on any operation directly connected with the moulding of motor and/or motor cycle tires	5 19 0
49. Operator engaged in the moulding of and/or on any operation directly connected with the moulding of motor and/or motor cycle tires and/or air bags	5 16 6
50. Operator in charge of person engaged in making and/or moulding solid motor tires	5 16 6
51. Operator engaged in making and/or moulding solid motor tires	5 10 0
52. Operator engaged in moulding articles other than motor and/or motor cycle tires and/or tubes and/or air bags	5 12 0
53. Moulder in charge other than moulder engaged on motor and/or motor cycle and/or solid tire moulding	5 14 0
54. Operator in charge hand making transmission conveyor and/or elevator belting	5 16 6
55. Operator engaged hand making transmission conveyor and/or elevator belting	5 13 0
56. Operator engaged on belt making machine	5 10 0
57. Operator laying mats, tiles, or rubber flooring	5 19 0
58. Repairer of used motor and/or motor cycle tire and/or tube and/or air bags	5 19 0
59. Repairer of blemishes on new motor and/or motor cycle and/or bicycle tire and/or tubes	5 12 0
60. Operator re-treading new tires	5 10 0
61. Maker of air bags with extruded material	5 12 0
62. Maker of air bags (not otherwise classified)	5 19 0
63. Operator in charge of forcing machine	5 14 0
64. Operator in charge of forcing machine straining rubber	5 10 0

ADULT MALES (other than those employed preparing or manufacturing articles of xylonite or celluloid)—*continued.*

	Wages per Week of 44 Hours.		
	£	s.	d.
65. Operator in charge of textile cutting machine	5	12	0
66. Operator of electric cutting machine (other than cutter in the waterproof) or operator cutting textile by hand	5	10	0
67. Operator engaged in the individual making of surgical mechanical and/or sporting goods who designs, lays out, cuts to shape and/or builds up and is responsible for making complete article up to but not including the sandpapering or curing or turning of the article	6	1	0
68. Operator engaged in the making of general surgical mechanical or sporting goods, including mandrel and/or drum built belts	5	12	0
69. First assistant on calender 48 inches and over	5	16	6
70. First assistant on calender under 48 inches	5	10	0
71. Operator in charge of calender 72 inches and under	6	8	0
72. Operator in charge of calender over 72 inches	6	13	0
73. Table hand and/or machinist employed on sewing machines engaged in the manufacture of waterproof articles (other than articles of waterproof clothing)	5	17	0
74. Operator engaged in the process of sponge rubber made from latex or similar composition on the following class or classes of work:—mixing, frothing, pouring, stripping, trimming, inserter hydro, cleaning or tying, table hand	5	12	0
75. Storeman in charge of moulds	5	8	0
76. Operator engaged on sand blasting in a properly enclosed cabinet	5	10	0

ADULT FEMALES (other than those employed preparing or manufacturing articles of xylonite or celluloid).

	Wages per Week of 44 Hours.		
	£	s.	d.
77. Adult female employee who individually fabricates complete shoes, goloshes and/or rubber boots, or who lasts up shoes and/or rubber boots	3	1	0
78. Adult female employee employed tire making and/or case making and/or individually fabricating motor and/or motor cycle and/or bicycle tires and/or tubes and/or mechanical surgical and/or sporting goods	3	0	0
79. Adult female employee employed on sewing machine	3	1	0
80. Female employees engaged in the production of fabric covered corrugated gas mask connecting tubes	3	3	6
81. Adult female employee on machine used in the production of rubber goods and/or goods containing rubber and/or employed on part making any rubber goods and/or goods containing rubber (including rubber footwear)	2	18	6
82. Adult female employee employed on dipped goods	2	18	6
83. Adult female employee engaged cleaning, finishing, folding, packing, labelling, despatching and/or carton making and despatching	2	18	6
84. Adult female employee employed on wire or bead making	3	0	0
85. Adult female employees not specially provided for	2	15	6

* N.B. See note (ii) at end of this clause.

Preparing or manufacturing articles of xylonite or celluloid.

ADULT MALES.

	Wages per Week of 44 Hours.		
	£	s.	d.
86. Machine operators and/or process workers	5	14	0
ADULT FEMALES.			
87. All adult Females	2	18	6*

* N.B. See note (ii) at end of this clause.

NOTES:—(i) The wages rates of all employees covered by this Determination shall be increased by the addition of the following loadings:—

	per week.
	£ s. d.
Adult males	6 0
Adult females	5 0
Junior males and junior females	3 0

These loadings shall not be subject to adjustments pursuant to cost of living fluctuations and shall not be taken into account in the calculation of overtime or other penalty rates prescribed by this Determination.

*(ii) Notwithstanding anything elsewhere in this Determination contained, the minimum weekly wage for adult females shall be not less than 75 per cent. of the needs basic wage plus 3s prosperity loading. (Such amount being £3 18s.)

This method of calculating the minimum weekly wage for adult females shall remain in operation during the period of the present war and shall terminate at the expiration of six months thereafter.

4. SPECIAL RATES.—

(a) Any female or junior (male or female) employed in any way in the making, finishing, or packing of preventatives, pessaries, or sheaths, shall receive the male basic wage provided herein, and in addition thereto shall receive the margin provided for a male operator engaged in the individual making of surgical goods.

(b) Any employee engaged in the process of acid curing, cold curing, or vapour curing (as defined in clause 23 hereof) shall be paid at the rate of 4s. per hour.

(c) Employees engaged in processing free carbon black or slicking and/or spraying motor and/or motor cycle tires or actually working on acid vats in reclaiming shall be paid the sum of 1s. per day in addition to the rate herein fixed for the class of work performed.

(d) Employees using a spray gun for the purpose of spraying motor and/or motor cycle and/or bicycle tires, other than the spraying of trade marks, transfer marks, or other distinguishing signs, shall be paid the sum of 1s. per day in addition to the rates herein prescribed for the class of work performed. Such payment shall include any payment made under sub-clause (c) hereof.

(e) Employees engaged on continuous work shifts shall be paid an additional 1s. per shift on afternoon and night shift. Instead of paying the said sum of 1s. for each afternoon or night shift the employer may at his option pay the sum of 8d. for each continuous work shift.

(f) Employees, not engaged on continuous work shifts, working on night shift, as defined in clause 5 hereof, shall be paid an additional 1s. per shift.

5.

DEFINITIONS.

"Storeman and packer" means a male employee employed handling raw materials before manufacture or a male employee handling manufactured products in the factory immediately they are manufactured and before such manufactured products are delivered to a store or warehouse or such part of a factory as is used for that purpose. "Adult female," as used in this Determination, shall include junior female workers receiving the adult female wage under sub-clause (b) 2 hereof.

"Night shift" means any shift worked wholly or partially between the hours of 8 p.m. and 6 a.m., but shall not include any shift worked on continuous work shift.

"Union," in this Determination, shall mean The Federated Rubber Workers' Union of Australia.

6.

HOURS OF DUTY.

(a) The ordinary hours of duty for employees not engaged on continuous work shifts, shall not without payment of overtime at the rates and subject to the conditions hereinafter appearing, exceed 8 hours 48 minutes on each of the first five days of the week, and 4 hours on Saturday, and shall not exceed 44 hours in any week.

(b) The ordinary hours of duty of employees on continuous work shifts shall not without payment of overtime at the rates and subject to the conditions hereinafter appearing, exceed eight in any one day; nor 48 in any one week; nor an average of 44 per week during the period of employment upon such shifts; nor a total of 132 during any three consecutive working weeks of the period of employment upon such shifts.

Employees on continuous work shifts shall work such shifts up to six per week as may be required. A meal break, not exceeding twenty minutes shall be granted with pay on each shift exceeding four hours, and shall be arranged by the employer at a convenient time as near as practicable to the middle of the shift. Continuous work shifts shall be worked in rotation.

(c) The hours of duty of any night shift worker shall be consecutive with breaks for meals.

(d) No male junior worker, under the age of eighteen years, shall work between the hours of 10.30 p.m. and 6 a.m.

(e) The starting or finishing time of any employee must be the same for at least one week unless overtime is paid: provided that the starting or finishing times may be changed in the case of sickness or accident or breakdown of plant or equipment, or in the case of an employee replacing another who does not turn up for work at his usual starting time.

(f) Females may be employed on continuous or rotating shift operations, provided that the following shift allowances shall be paid:—

Continuous shifts—									Per shift.	
									s.	d.
Morning shift	1 0
Afternoon shift	2 0
Night shift	3 0
Rotating shifts—										
Afternoon	2 0
Night	3 0

For the purpose of this sub-clause "afternoon shift" shall mean any shift worked wholly or partly between 8 p.m. and 11 p.m. "Night shift" shall mean any shift worked wholly or partly between 11 p.m. and 6 a.m.

7.

OVERTIME.

(a) Except as hereinafter provided all time worked before or after the employee's starting or finishing time shall be paid for at the rate of time and one-half for the first four hours, and double time thereafter.

(b) On continuous work shifts, when one or more employees fail to report for duty without having given 24 hours' notice of intention of being absent, a corresponding number of employees on the preceding shift may be worked overtime at the rate of time and a quarter for the first two hours, and double time thereafter.

(c) The laws in force at the date of commencement of this Determination governing overtime in factories in the State of Victoria, except in regard to the payment of tea money to females, shall, where not inconsistent with this Determination, be deemed to be incorporated in this Determination as part thereof: provided, however, that the number of days upon which males under sixteen years of age, or females may be called upon to work overtime, shall be thirty in each year, and such additional number of days as may be approved by the Secretary of Labour.

For the purposes of this sub-clause "year" shall mean twelve calendar months, starting with the 1st day of November each year.

8.

MEALS.

(a) Any male employee not informed the day before that he is required to work overtime shall be allowed the sum of 2s. for meal money, if the overtime so worked exceeds one hour in any day or shift. If an employee, pursuant to notice in that regard, has provided himself with a meal and is not required to work overtime, he shall be paid 2s. for the meal so provided: provided that this payment need not be made if the employee concerned could not work overtime on account of a strike by the Union or any other Union, or through any breakdown of machinery, or any stoppage of work brought about by any cause whatsoever which the employer could not reasonably prevent.

(b) Any female required to work overtime in excess of 30 minutes in any one day shall be paid 1s. meal money.

(c) An interval of not less than 30 minutes shall be allowed for the midday meal, as near as possible to the middle of the day's work: provided that on shift operations, other than continuous work shift, a meal period of not less than 20 minutes in each shift shall be provided, which shall not count as time worked.

(d) Any employee required for duty during his usual meal time shall be paid at the rate of time and a half until he be allowed the usual length of time for a meal, unless he is allowed to have his meal at his job and is paid at the rate of time and a half during the time of his usual meal time.

9.

MAXIMUM NUMBER OF HOURS WORKED.

(a) No employee shall be required to work in the factory, workshop, or repair-shop for more than twelve hours in any one day or night.

(b) No employee engaged on day work, shift-work, or night shift, after completing the recognized hours which constitute the day's work or shift, shall be called upon to work an extra shift.

(c) No employee shall be required to work in the factory or workshop for more than twelve hours without a break of eight hours' rest before commencing a shift or day's work.

10.

RECORD OR TIME BOOK.

(a) Each employer shall keep some card or check used in connexion with a mechanical clock or a time and wages book, showing the name of each employee, his occupation, the hours worked each day, and the wages, allowances and overtime paid each week: provided that the requirement in respect to his occupation shall be deemed to be shown as required if the item number set out against the employee's classification in clause 3 hereof be shown in lieu of the said occupation.

(b) The records referred to in sub-clause (a) hereof shall be open for inspection by a duly accredited official of the Union (as to members of his Union) during the usual office hours at the employer's office or other convenient place: provided that no inspection shall be demanded unless the secretary of the Union or of a branch thereof 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: provided also that no demand for production need be complied with unless 24 hours' notice in writing of the intention to inspect shall have been given to the employer concerned.

11.

HOLIDAY AND SUNDAY WORK.

(a) All weekly wage employees shall be granted the following holidays without deduction of pay:—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Eight Hours Day, Anzac Day, the day observed as King's Birthday, Christmas Day, and Boxing Day or such other day in substitution for any specified day as may be agreed upon between the Union and any employer.

(b) If any of the above holidays occur on a Sunday or a Saturday, and are not observed on any other day, then employees shall not be paid for such Sunday, and shall be paid for such Saturday if a working day as for a half day, but not otherwise: provided that if the employee is a shift worker, working a full day on Saturday he shall be paid for the full day.

(c) Any employee absenting himself from work on any portion of the working day preceding or following a holiday provided for in this clause without reasonable excuse or without permission from his employer, shall not be entitled to payment for such holiday.

(d) Shift workers may be required to work until the completion of their shifts on holidays without the payment of holiday rates, provided they are not required to work on the night shift commencing on a holiday. Where a holiday, prescribed by this Determination, is observed on a Monday, shift workers may be given time off on the shift commencing on the Sunday night preceding a holiday, and in such event shall be required to work on the usual night shift commencing on the holiday, without additional pay.

(e) Notwithstanding anything to the contrary contained in this Determination, if any employer shall give to any employee a notice of termination of engagement expiring or taking effect as a dismissal within seven days of the date on which any of the said holidays fall or are observed, such employer shall pay to the employee so dismissed, a day's pay for each such holiday falling or being observed within seven days of the termination of the engagement, unless the engagement is determined by the employer by reason of the misconduct of the employee: provided that this sub-clause shall not apply to any employee who at the date of the expiration of such notice shall not have been employed by the employer concerned for at least 80 per cent. of the ordinary working time of the three consecutive weeks immediately preceding the expiration of such notice: provided further that when any holiday is observed on a non-working day, the employee concerned shall not be entitled to payment for such holiday.

(f) Any employee who is employed on a Sunday or any holiday provided for in this clause shall for all time worked on that day be paid at the rate of double time.

ANNUAL LEAVE.

Period of Leave.

12. (a) Except as hereinafter provided a period of fourteen consecutive days' leave shall be allowed annually to an employee after twelve months' continuous service after 1st January, 1946 (less the period of annual leave) as an employee in any one or more of the occupations to which this Determination applies.

Annual Leave Exclusive of Public Holidays.

(b) The annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by clause 11 of this Determination and if any such holiday falls within an employee's period of annual leave and is observed on a day which in the case of that employee would have been an ordinary working day there shall be added to that period one working day for each such holiday falling as aforesaid.

Broken Leave.

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

Calculation of Continuous Service.

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

- (i) any interruption or determination of the employment by the employer if such interruption or determination has been made merely with the intention of avoiding obligations hereunder in respect of leave of absence;
- (ii) any absence from work on account of personal sickness or accident or on account of leave lawfully granted by the employer; or
- (iii) any absence with reasonable cause proof whereof shall be upon the employee.

In respect of absences referred to in paragraph (iii) of sub-clause (d) hereof, the employee shall in addition to his obligations thereunder inform the employer, in writing if practicable, within 24 hours of the commencement of such absence of his inability to attend for duty, the reason for and the estimated duration of such absence.

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.

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 accordance with this sub-clause, 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 each 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.

Successor or Assignee.

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

Calculation of Month.

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

Leave to be Taken.

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

Time of Taking Leave.

(h) Annual leave shall be given at a time fixed by the employer within a period not exceeding 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.

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

Where leave has been granted to an employee pursuant to this sub-clause before the right thereto has accrued due and the employee subsequently leaves or is discharged from the service of the employer before completing the twelve months' continuous service in respect of which the leave was granted the employer may for each one complete month of the qualifying period of twelve months not served by the employee deduct from whatever remuneration is payable upon the termination of the employment one-twelfth of the amount of wage paid on account of the annual leave, which amount shall not include any sums paid for any of the holidays prescribed by clause 11 of this Determination.

Payment for Period of Leave.

(j) Each employee before going on leave shall be paid all wages which would normally become due and payable during the period of leave.

For the purposes of this sub-clause and sub-clauses (k) and (l) hereof wages shall be at the rates prescribed by clauses 2 and 3 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.

(k) If after one month's continuous service in any qualifying twelve-monthly period an employee lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid $7\frac{1}{2}$ hours at his ordinary rate of wage in respect of each completed month of continuous service.

Annual Close Down.

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

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

(m) All disputes under this clause shall be referred to the Wages Board.

13.

TERMS OF ENGAGEMENT.

(a) To become entitled to payment of a weekly wage, an employee must 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 employee affected, and in accordance with the terms of this Determination.

(b) An employee engaged for the first time shall for the first three weeks of such engagement be employed from day to day at the weekly rate fixed by this Determination.

(c) Any employee failing to attend for duty shall lose pay for the time of such non-attendance unless such employee produces or forwards, within 48 hours of commencement of such absence, a medical certificate, or other evidence satisfactory to the management, that such non-attendance was due to personal accident arising out of and in the course of employment in respect of which no payment is received under any Workers Compensation Act, or to personal ill health necessitating such absence: provided that any employee shall be entitled to payment for non-attendance on the ground of personal ill health for not more than four days in any one year of his or her employment.

(d) Employment shall be determined only by a week's notice on either side, but such notice may be given at any time during any week: provided that any employer may dismiss any employee without notice for malingering, inefficiency, neglect of duty, or misconduct, and in any such case the employee shall be paid up to the time of dismissal only: provided further, that any employer may deduct payment for any day or part thereof an employee cannot be usefully employed because of any strike by the Union, or any other Union, or through any breakdown of machinery, or any stoppage of work by any cause whatsoever which the employer cannot reasonably prevent.

(e) Casual employees may be engaged at hourly rates, provided such rates calculated from hour to hour are 10 per centum higher than the rates prescribed for weekly employees doing the same class of work.

(f) Employees who leave without proper notice may, at the option of the employer, be called upon to forfeit to the employer up to three days' pay.

14.

PAYMENT OF WAGES.

(a) Wages shall be paid not later than Wednesday in each week. Provided that in the xylonite and celluloid section arrangements existing at the 29th October, 1942, may be continued.

(b) No employer shall keep more pay in hand than has accrued to any employee up to the end of the preceding calendar week.

(c) All wages shall be paid during working hours.

(d) Any employee leaving on proper notice or dismissed shall be paid his wages on leaving or being dismissed: provided that when an employee is dismissed outside ordinary office hours he shall be paid not later than 10 a.m. on the next working day. In the case of bonus workers, the time wages only need be paid in accordance with the foregoing provisions.

15.

MIXED FUNCTIONS.

(a) Any employee engaged in any one day or shift for more than two hours at work in a higher class than he is employed to perform shall be paid for the full day or shift at the highest rate payable for any such work under this Determination; but if he is so engaged for less than two hours he shall only be paid at the rates fixed by this Determination for the work he actually performs.

(b) Any employee who is transferred to a lower grade of work than that upon which he is usually employed, shall be paid at the higher wage for the remainder of the day or shift on which such transfer takes place, and from the commencement of the next working day or shift he shall be paid at the appropriate wage for the class of work performed.

16.

TOOLS OF TRADE.

(a) The employer shall provide all tools of trade.

(b) Any employee engaged on acid vats, or on reclaiming or washing raw rubber, or in wet places, shall be supplied with apron or overalls, and rubber or other suitable boots, free of charge.

17.

SEATS FOR FEMALE WORKERS.

When practicable, seats shall be provided for all females whilst on duty.

18.

HEAVY WEIGHTS.

(a) No male employee shall be required to pull, drag, or push more than 10 cwt.: provided that this sub-clause shall not apply to any truck on rails nor to any truck fitted with ball or roller bearings.

(b) No female employee shall be required to lift or carry more than 30 lb.

(c) No male employee shall be required to lift or carry excessive weights. Any dispute about what constitutes "excessive weights" shall be referred to the Secretary of Labour.

19.

REST TIME FOR FEMALES.

A rest time of ten minutes shall be allowed to all females in the forenoon and afternoon at a time to be fixed by the employer as nearly as may be practicable to the middle of the stretch of work.

20.

HEALTH OR HYGIENIC CONDITIONS.

(a) Every employer shall in each factory supply suitable dining-room accommodation.

(b) Every employer shall provide sufficient boiling water for employees at meal hours.

(c) Every employer shall supply drinking water in each department of the factory.

(d) Any employee engaged as a reclaim worker or moulder of motor and/or motor cycle tires, calender hands, mill hands, compound hands, and employees engaged in the wet sponge rubber department, shall be provided with a lock-up cupboard, suitable baths or showers, and a changing-room.

- (e) All dipping vats, excluding those containing latex and varnishing solutions, shall be provided with covers.
- (f) Sifting boxes or machines shall be rendered reasonably dust proof.
- (g) Hoods and exhaust flues shall be installed over all mixing mills, dry heaters, chalking or sifting machines, and buffs, provided that no hood or exhaust flue shall be required to be installed over any portable buff.
- (h) The provisions of sub-clauses (a), (b), (c), and (d) hereof shall have no application to repair shops.

21.

SICKNESS.

- (a) Any employee may leave work at any time on account of occupational sickness or accident arising out of and in the course of his employment, and shall be entitled to re-employment at the termination of the sickness or recovery from the accident: provided that a satisfactory medical certificate, if called for, is produced to the employer or his representative at the time of application for re-employment, and provided that notice of his inability to work be conveyed to the employer within 48 hours of such inability arising.
- (b) Any employee so leaving work for more than seven days may be required to give to his employer seven days' prior notice of his fitness to resume work.
- (c) In no case shall an employee be entitled to re-employment in pursuance of this clause after the expiration of six months from the first notification of the sickness or the accident causing the absence.
- (d) This clause shall apply only to employees who are entitled to benefits under the Workers' Compensation Act of the State concerned.
- (e) Any employee injured on the employer's premises, whether the injury is incidental to his or her work or not, shall report such injury at a first-aid room or other appointed place before leaving the premises.

22.

FIRST-AID ATTENDANT.

- (a) First-aid appliances and a certified first-aid attendant shall be provided by employers at all factories, and where female employees are employed such first-aid attendant, or another first-aid attendant, shall be a female. Such female attendant may do other work.
- (b) The provisions of sub-clause (a) hereof shall have no application to repair shops.
- (c) A sufficient first-aid outfit shall be provided and maintained on the premises by employers at all repair shops.

23.

PROCESS OF COLD CURING, ETC.

- (a) No person shall be engaged acid curing, cold curing, or vapour curing for more than two consecutive hours, and every person so engaged must have at least four hours interval before resuming same. The employer shall provide fresh milk and respirators free of charge for persons engaged on this class of work.
- (b) Provided that vapour curing in sub-clause (a) hereof shall include only vapour curing by bi-sulphide of carbon or benzine with chloride of sulphur.

24.

UNION DELEGATE.

- (a) The general secretary or any branch secretary of the Union, or any official thereunto, authorized by the Union, shall not be prevented by any employer from visiting and conversing with the members of the Union in the dining-room or waiting-room (where provided) at meal times, or before or after the hours of work.
- (b) If any such official make himself objectionable to the employer or to any manager or foreman or employee, the right of such official to visit may be determined by the respondent employer affected, and the Union may substitute another official in his stead.
- (c) Any official of the Union shall have access to any repair shop for the purpose of interviewing any employee engaged therein.

25.

UNION BUSINESS.

Any member of the Federal Council of the Union or any member of the Committee of Management of any State branch thereof, may leave work to attend to the business of the Union, provided that at least three days' notice of such intention shall have been given to the employer. Any employee so absent shall not be paid for the period of such absence.

26.

NOTICE BOARD.

- (a) A notice board shall be provided in the dining-room or in some other prominent position at the works.
- (b) Any notice previously approved by the employer or his representative may be posted on such notice board.
- (c) A copy of this Determination shall be posted and kept posted at the notice board provided pursuant to sub-clause (a) hereof not later than 28 days after the date of issue of such Determination.

27.

PERIODICAL ADJUSTMENT OF WAGES.

The wages rates, set out in clauses 2 and 3, 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.

The minimum rate of wage to be paid to adult employees shall be the rate ascertained in the following manner, namely:— Where the work is performed in the area or place mentioned in the first column of Table "A" hereunder written, a male employee shall be paid the rate mentioned in the fourth column, and a female employee shall be paid the rate mentioned in the fifth column, and where the employee is performing any of the classes of work mentioned in the first column of Table "B" hereunder written, the employee shall also be paid the marginal difference (if any) prescribed in the second column of the said Table "B."

TABLE "A."

Place.	Needs Basic Wage (Adjustable).	Loading (Constant).	Total Basic Wage for Adult Males.	Minimum Wage for Adult Females.	Index Number Set Assigned.
	Per Week.	Per Week.	Per Week.	Per Week.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
Throughout the State	5 0 0	0 6 0	5 6 0	2 15 6	Melbourne

Apprentices and Improvers.

The minimum rates of wage to be paid to apprentices and improvers shall be as follows:—

	Males.		Females.	
	Adjustable Portion of Wage.	Loading (Constant).	Adjustable Portion of Wage.	Loading (Constant).
	Per Week.	Per Week.	Per Week.	Per Week.
		s. d.		s. d.
Under 16 years of age.. .. .	30 } Per cent. of the adult male	0 6	45 } Per cent. of the minimum	0 6
16 years of age	40 } needs basic wage payable	1 0	55 } wage for adult females	0 6
17 " "	50 } from time to time under	1 0	65 } payable from time to	1 0
18 " "	60 } this Determination (cal-	1 6	75 } time under this Deter-	1 0
19 " "	70 } culated to the nearest	2 0	85 } mination less 3s. (cal-	1 6
20 " "	80 } 3d.)	2 0	90 } culated to the nearest	1 6
			3d.)	

TABLE "B."

Adult Males (other than those employed preparing or manufacturing articles of zylonite or celluloid).

First Column. Class of Work.	Second Column. Marginal Difference per Week.
	s. d.
1. Employee engaged on any operation connected with or incidental to the handling, preparation, manufacture or repair of rubber and/or rubber goods and/or goods in the manufacture of which rubber is used, excepting storemen and packers not herein specifically provided for other than those set out hereunder	Nil
2. Sifter and/or drier of compounding ingredients	2 0
3. Operator in charge of drying machine	4 0
4. Weigher and/or assembler of compounds for mixing, calendering, &c.	7 0
5. Storeman and packer as defined herein	4 0
6. Wrapper of goods made by wrapped process	2 0
7. Operator in charge of lead-covered hose stripping machine	4 0
8. Operator in charge on hose-making machine (wrapped process)	6 0
9. Helper on hose-making machine (wrapped process)	4 0
10. Lead-covering machine helper	4 0
11. Operator in charge of lead-covering machine (hose)	10 6
12. Maker of wrapped hose by hand-made process	13 0
13. Dough mixer working on mill and/or enclosed mixer for solution or cement	4 0
14. Operator on washing mill and/or grinding waste	4 0
15. Operator on warming and/or masticating mill and/or reclaim refining mill	6 0
16. Operator on cracker mill	4 0
17. Operator on mixing mill	13 0
18. Reclaimer or employee engaged on acid tank	4 0
19. Employee on digester machine	6 0
20. Spreader in charge of machine (not otherwise classified)	7 0
21. Spreader of waterproof piece-goods for making garments and/or spreader of rugs and/or printers blankets and/or bed sheeting	13 0
22. Employee engaged on doubling and/or chalking and/or polishing and/or embossing	3 0
23. Operator engaged on motor, motor cycle, bicycle tube and/or bicycle tire making and/or joining (not otherwise classified)	4 0
24. Operator engaged on motor, motor cycle and/or bicycle tube joint curing	6 0
25. Operator building pneumatic tire on flat and/or crown drum and/or on flat top core (excluding bicycle tire)	8 0
26. Operator building pneumatic tire on core (excluding flat top core and/or bicycle tire)	10 6
27. Inspector and/or examiner and/or tire tester	6 0
28. Tester with water	Nil
29. Weaver in charge of braiding machine and/or circular and/or flat loom and/or knitting machine and/or operator in charge of creels and/or other similar machines and/or winding wire	6 0
30. Operator in charge of cotton creels	6 0
31. Cutter of treads and/or assembler of motor, motor cycle and/or bicycle treads by machine	4 0
32. Maker of packing	6 0
33. Operator on mat-cutting guillotine, mat-punching process, mat-buffing and/or sanding machine	6 0
34. Designer and/or maker of inlaid mats and/or inlaid floor matting (including punched mats)— First year	4 0
Second and third years	10 6
Thereafter	15 0
35. Operator employed fitting solid tire to wheel (motor vehicle or otherwise)	8 0
36. Operator employed fitting pneumatic tire to rim and/or wheel	4 0
37. Operator on clicking press and/or sole-cutting machine and/or mechanically operated punching press	6 0
38. Operator on lathe and/or other power-driven cutting machine engaged in cutting off rings, washers and/or strips and/or buffing cylindrical rollers up to 3 feet in length	6 0
39. Operator employed on mechanical lathe fashioning hand-made mechanical and/or surgical goods (including buffing cylindrical rollers over 3 feet in length)	10 6
40. Operator on lathe engaged fashioning biased bowls	10 6
41. Operator dipping ballons and/or other dipped goods	6 0
42. Operator of rubber thread cutting lathe	8 0
43. Operator in charge of self-contained mould and/or heaterman in charge of curing pan and/or dry heater	6 0
44. Helper on self-contained mould and/or curing pan and/or dry heater	Nil
45. Operator in charge of vulcanizing press, more than 4 feet in length	10 6
46. Operator in charge of vulcanizing press, not more than 4 feet in length	8 0
47. Helper on vulcanizing press, more than 4 feet in length	6 0
48. Operator in charge of person engaged in the moulding of and/or on any operation directly connected with the moulding of motor and/or motor cycle tires	13 0
49. Operator engaged in the moulding of and/or on any operation directly connected with the moulding of motor and/or motor cycle tires and/or air bags	10 6
50. Operator in charge of person engaged in making and/or moulding solid motor tires	10 6
51. Operator engaged in making and/or moulding solid motor tires	4 0
52. Operator engaged in moulding articles other than motor and/or motor cycle tires and/or tubes and/or air bags	6 0
53. Moulder in charge other than moulder engaged on motor and/or motor cycle and/or solid tire moulding	8 0
54. Operator in charge hand making transmission conveyor and/or elevator belting	10 6
55. Operator engaged hand making transmission conveyor and/or elevator belting	7 0
56. Operator engaged on belt making machine	4 0
57. Operator laying mats, tiles, or rubber flooring	13 0
58. Repairer of used motor and/or motor cycle tire and/or tube and/or air bags	13 0
59. Repairer of blemishes on new motor and/or motor cycle and/or bicycle tires and/or tubes	6 0
60. Operator re-treading new tires	4 0
61. Maker of air bags with extruded material	6 0
62. Maker of air bags (not otherwise classified)	13 0
63. Operator in charge of forcing machine	8 0
64. Operator in charge of forcing machine straining rubber	4 0
65. Operator in charge of textile cutting machine	6 0
66. Operator of electric cutting machine (other than cutter in the waterproof) or operator cutting textile by hand	4 0
67. Operator engaged in the individual making of surgical mechanical and/or sporting goods who designs, lays out, cuts to shape and/or builds up, and is responsible for making complete article up to but not including the sandpapering or curing or turning of the article	15 0
68. Operator engaged in the making of general surgical mechanical or sporting goods, including mandrel and/or drum built belts	6 0
69. First assistant on calender, 48 inches and over	10 6

TABLE "B"—continued.

Adult Males (other than those employed preparing or manufacturing articles of xylonite or celluloid)—continued.

First Column. Class of Work.	Second Column.
	Marginal Difference per Week.
	<i>s. d.</i>
70. First assistant on calender, under 48 inches	4 0
71. Operator in charge of calender, 72 inches and under	22 0
72. Operator in charge of calender, over 72 inches.. .. .	27 0
73. Table hand and/or machinist employed on sewing machines engaged in the manufacture of waterproof articles (other than articles of waterproof clothing)	11 0
74. Operator engaged in the process of sponge rubber made from latex or similar composition on the following class or classes of work :—mixing, frothing, pouring, stripping, trimming, inserter hydro, cleaning or tying, table hand	6 0
75. Storeman in charge of moulds	2 0
76. Operator engaged on sand blasting in a properly enclosed cabinet	4 0

Adult Females (other than those employed preparing or manufacturing articles of xylonite or celluloid).

77. Adult female employee who individually fabricates complete shoes, goloshes and/or rubber boots, or who lasts up shoes and/or rubber boots	5 6
78. Adult female employee employed tiremaking and/or casemaking and/or individually fabricating motor and/or motor cycle and/or bicycle tires and/or tubes and/or mechanical surgical and/or sporting goods	4 6
79. Adult female employee employed on sewing machine	5 6
80. Female employees engaged in the production of fabric covered corrugated gas mask connecting tubes	8 0
81. Adult female employee on machine used in the production of rubber goods and/or goods containing rubber and/or employed on part making any rubber goods and/or goods containing rubber (including rubber footwear)	3 0
82. Adult female employee employed on dipped goods	3 0
83. Adult female employee engaged cleaning, finishing, folding, packing, labelling, despatching and/or carton making and despatching	3 0
84. Adult female employee employed on wire or bead making	4 6
85. Adult female employees not specially provided for	Nil

Preparing or Manufacturing Articles of Xylonite or Celluloid.

ADULT MALES.

First Column. Class of Work.	Second Column.
	Marginal Difference per Week.
	<i>s. d.</i>
86. Machine operators and/or process workers	8 0
ADULT FEMALES.	
87. All adult females	3 0

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.

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

J. V. WILLOX, Secretary.

Melbourne, 8th January, 1947.

By Authority: J. J. GOURLEY, Government Printer, Melbourne

