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[1948

Factories and Shops Acts.

DETERMINATION OF A WAGES BOARD ADJUSTED PURSUANT TO SECTION 21 OF THE FACTORIES AND SHOPS ACT 1934 (No. 4275).

I, Raymond Henry Beers, Secretary for Labour, in pursuance of the powers conferred by the Factories and Shops Acts, hereby make and issue the following adjusted Determination of the Wages Board referred to hereunder showing adjusted rates and prices to operate from the beginning of the first pay period to commence in February, 1948.

Dated at Melbourne, this
6th day of April, 1948.

RAY. H. BEERS,
Secretary for Labour.

MUSICIANS BOARD.

Clause 2 of the Determination published in *Government Gazette* No. 412 of the 14th October, 1947, shall be replaced by the following clause:—

WAGES.

2. (A) GRAND OPERA, GRAND BALLET, CONCERTS, OR RELIGIOUS PERFORMANCES.
- Weekly Employees.*
- (A1) For the purpose of this sub-clause (A) a week's work shall be deemed to consist of seven performances, namely, six at night and one matinee, or, at the option of the employer, of any performances and/or rehearsals to the aggregate number of seven, in either case all such seven to be held within seven consecutive days and none on Sunday.
- (A2) Leaders—
- | | |
|---|--------------|
| (i) Week's work | £ s. d. |
| (ii) Each performance not included in week's work | 10 15 0 |
| | 1 6 11 extra |
- (A3) Principals—
- | | |
|---|-------------|
| (i) Week's work | 8 15 0 |
| (ii) Each performance not included in week's work | 1 1 6 extra |
- (A4) Other performers—
- | | |
|---|---------------|
| (i) Week's work | 7 15 0 |
| (ii) Each performance not included in week's work | 0 18 10 extra |
- Casual Employees.*
- | | |
|--|--------|
| (A5) Leaders—each performance | 1 17 3 |
| (A6) Principals—each performance | 1 10 8 |
| (A7) Other performers—each performance | 1 7 6 |
- (B) GENERAL THEATRICAL ENTERTAINMENTS, INCLUSIVE OF PANTOMIME, VARIETY SHOW, VAUDEVILLE, REVUE, COMIC OPERA, MUSICAL COMEDY, DRAMA, BURLESQUE, MINSTREL SHOW, AND OTHER ENTERTAINMENTS SIMILAR TO ANY OF THESE NOT ELSEWHERE PROVIDED FOR BY THIS DETERMINATION.
- Weekly Employees.*
- (B1) For the purpose of this sub-clause (B)—
- (i) A week's work of six performances shall be deemed to consist of six night performances, or, at the option of the employer, of any performances and/or rehearsals to the aggregate number of six, all such performances and/or rehearsals in either case to be held within seven consecutive days and none on a Sunday.
- (ii) A week's work of twelve performances shall be deemed to consist of two performances on each of six calendar days, or, at the option of the employer, of any performances and/or rehearsals to the aggregate number of two on each of such days, all such twelve performances and/or rehearsals in either case to be held within seven consecutive days and none on a Sunday.
- | | |
|---|--------------|
| (B2) Week's work of six performances | £ s. d. |
| (B3) Week's work of twelve performances | 6 9 6 |
| (B4) Each performance not included in week's work | 9 9 6 |
| (B5) Pianist employed additionally for voice trials or similar work 5s. 5d. extra per hour of such work with a minimum payment as for one hour. | 0 16 2 extra |
- Casual Employees.*
- | | |
|---|---------|
| (B6) Each performance by any one (other than a pianist playing alone) | £ s. d. |
| (B7) Each performance by pianist playing alone | 1 3 8 |
| (B8) Pianist employed only for voice trials and similar work 6s. 6d. per hour with minimum as for one and a half hours. | 1 7 6 |

(c) PICTURE SHOWS.

Weekly Employees.

(c1) For the purpose of this sub-clause (c)—

- (i) A week's work of six performances shall be deemed to consist of six night performances, or, at the option of the employer, of any performances and/or rehearsals to the aggregate number of six, all such six performances and/or rehearsals in either case to be held within seven consecutive days and none on Sunday.
- (ii) A week's work of twelve performances shall be deemed to consist of two performances on each of six calendar days, or, at the option of the employer, of any performances and/or rehearsals to the aggregate number of two on each of such days, all such twelve performances and/or rehearsals in either case to be held within seven consecutive days and none on a Sunday.

	£	s.	d.
(c2) Week's work of six performances	6	6	0
(c3) Week's work of twelve performances	9	6	0
(c4) Each performance not included in a week's work	0	15	0 extra
(c5) Pianist employed additionally for voice trials or similar work 5s. extra per hour of such work with a minimum payment as for one hour.			

Intermittent Weekly Employees.

	£	s.	d.
(c6) One performance per week	1	8	11
(c7) Two performances per week	2	12	7
(c8) Three performances per week	3	12	11
(c9) Four performances per week	4	12	9
(c10) Five performances per week	5	18	0
(c11) Each extra performance over five	0	16	2 extra
(c12) Pianist employed additionally for voice trials or similar work 5s. extra per hour of such work, with a minimum payment as for one hour.			

Casual Employees.

	£	s.	d.
(c13) Each performance	1	4	2
(c14) Pianist employed only for voice trials or similar work 7s. per hour, with a minimum payment as for one and a half hours.			

(D) STAGE BAND.

Weekly Employees.

(D1) For the purpose of this sub-clause (D), a week's work shall be deemed to consist of six night performances, or, at the option of the employer, of any performances and/or rehearsals to the aggregate number of six, in either case all such six performances and/or rehearsals to be held within seven consecutive days and none on a Sunday.

	£	s.	d.
(D2) Week's work	4	11	0
(D3) Each performance not included in week's work	0	12	11* extra

Casual Employees.

	£	s.	d.
(D4) Each performance	1	0	5*

(E) BROADCASTING AND RELAYING.

Weekly Employees.

(E1) For the purposes of this sub-clause (E), a week's work of 18 or 36 hours shall be deemed to consist of work done in and according to the following manner and conditions, that is to say:—

- (i) In the case of the week's work of 18 hours, 3 hours, and in the case of the week's work of 36 hours, 6 hours is to be the day's work.
- (ii) The work is to be done on each of six days, all within seven consecutive days and none on a Sunday.
- (iii) It is to be done between 12 noon and 12 midnight.
- (iv) The employee is to be off duty for at least one hour between 1 p.m. and 3 p.m., and one hour between 5 p.m. and 7 p.m.
- (v) Each day's work is to be done in separate periods of either 1½ or 3 consecutive hours, chosen at the employer's option.
- (vi) During the second hour of each period of three consecutive hours, the employee is to be allowed an interval of at least ten minutes, which is to be deemed to be time worked.
- (vii) If not more than one-third in all of any one of the said periods of 1½ or 3 hours is used in performances, the employer is to have the right to use one-third of such period for rehearsals.

	£	s.	d.
(E2) Week's work of 18 hours	6	14	6
(E3) Week's work of 36 hours	10	14	6
(E4) Each performance not included in a week's work and not exceeding three hours	0	16	2 extra
(E5) Pianist not member of orchestra employed for accompaniments and occasional solos—			
(i) For 36 hours in a week not including Sunday	7	11	0
(ii) For each hour over 36 in the week	0	6	6 extra

Casual Employees.

	£	s.	d.
(E6) Per hour, with a minimum payment as for three hours—			
(i) Pianist playing alone	0	9	8
(ii) Others	0	8	7

Relaying.

(E7) If the whole or part of any musical performance of employees engaged otherwise than exclusively for broadcasting is broadcast, each of the said employees shall be paid, in addition to his prescribed rate, 5s. 5d.* for each such performance.

* If employed for any performance or rehearsal under sub-clauses (A) or (B) 10 per cent. to be deducted.

(F) CIRCUSES.

(F1) Musicians employed in circuses shall be paid at the rate of £7 18s. per week of six performances, which sum is to include all travelling allowances other than fares. Each additional performance shall be paid for at the rate of 16s. 2d. per performance. A casual employee shall be paid at the rate of £1 5s. 3d. per performance.

(F2) The bandmaster shall be paid at the said rates each increased by one-sixth.

(G) BRASS OR REED BANDS.

Casual Employees.

(G1) Each performance not to exceed three hours	£ s. d. 0 17 9*
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(H) CAFES, HOTELS, RESTAURANTS, AND SIMILAR PLACES.

(H1) For six performances, each not exceeding one hour and being one performance a day	£ s. d. 3 4 6
(H2) For twelve performances, being two performances per day, each not exceeding one hour (but such performances on the same day may be grouped as one performance not exceeding two hours)	4 3 6
(H3) For eighteen performances, being three performances per day, each not exceeding one hour (but such performances may be grouped as one performance not exceeding one hour, and one performance not exceeding two hours, or one performance not exceeding three hours)	6 0 6
(H4) For six performances, each not exceeding one and a half hours and being one performance per day	3 4 6
(H5) For twelve performances, being two performances per day, each not exceeding one and one-half hours (but such performances may be grouped as one performance not exceeding three hours)	5 16 0
(H6) For eighteen performances, being three performances a day, each not exceeding one and one-half hours (but such performances may be grouped as one not exceeding one and one-half hours and one not exceeding three hours)	7 16 0
(H7) An employee who has an engagement under (H3) or (H6) may during the period of that engagement be engaged at the following rate:—For six performances after 7.30 p.m., each not exceeding one and one-half hours, and being one performance per night, if by the same employer and at any place within the Metropolitan District as defined in the Factories and Shops Acts	2 11 0
(H8) An employee who has an engagement under (H2) and (H3) may during the period of that engagement be engaged for six performances after 7.30., each not exceeding one and one-half hours per night, if by the same employer and at any place within the Metropolitan District as defined in the Factories and Shops Acts	3 4 6
(H9) An employee who has an engagement under (H1) and (H4) may during the period of that engagement be engaged for six performances after 7.30 p.m., each not exceeding one and one-half hours and being one performance per night if by the same employer and at any place within the Metropolitan District as defined in the Factories and Shops Acts	3 12 0
(H10) For six performances, each not exceeding three hours	6 3 0
(H11) To employees working after 7.30 p.m. and not between the hours of 11 a.m. and 7 p.m.; for six consecutive performances between 7.30 p.m. and 11.30 p.m., not exceeding three consecutive hours	6 9 0
(H12) For an extra performance under (H1) to (H3) not exceeding one hour	0 10 9 extra
(H13) For an extra performance under (H4) to (H6) not exceeding one and one-half hours	0 10 9 extra
(H14) For extra performances under (H10) not exceeding three hours	0 13 5 extra
(H15) The performances for which each of the foregoing rates for weekly employees are prescribed in this sub-clause (H) are performances all held within seven consecutive days and none on a Sunday.	
(H16) The performances for which the rates are prescribed in the foregoing sub-clauses (H1) to (H6) inclusive, (H10), (H12), (H13), and (H14) are performances all held between the hours of 11 a.m. and 7.30 p.m.	

Casual Employees.

(H17) An employee employed on a week day between 11 a.m. and 7.30 p.m. shall be paid 7s. an hour, with a minimum payment of 17s. 6d. for each performance.

(H18) An employee employed on a week day after 7.30 p.m. shall be paid 8s. 1d. an hour, with a minimum payment of £1 4s. 3d. for each performance.

Playing for Dancing.

(H19) If in any of the preceding cases covered by this sub-clause (H) an employee is required to play for dancing where arrangements are made for dancing by clearing the floor or any portion of same for that purpose, or when dancing is advertised or paid for, he shall be paid in addition to the appropriate rate hereinbefore prescribed a further 10 per cent.

(I) DANCES AND DANCING CLASSES.

Weekly Employees.

(I1) For the purpose of this sub-clause (I)—	
(i) A week's work of six performances shall be deemed to consist of one performance not to exceed three consecutive hours on each of six calendar days, all to be given within seven consecutive days, and none on a Sunday.	
(ii) A week's work of twelve performances shall be deemed to consist of two performances, two on each of six calendar days, each performance not to exceed three consecutive hours, all to be given within seven consecutive days, and none on a Sunday.	
(I2) Week's work of six performances done between 9 a.m. and 6 p.m.—	£ s. d.
(i) By any one (other than a pianist playing alone)	6 6 0
(ii) By pianist playing alone	7 3 0
(I3) Week's work of six performances done between 6 p.m. and midnight—	
(i) By any one (other than a pianist playing alone)	6 11 0
(ii) By pianist playing alone	7 8 0
(I4) Week's work of twelve performances all done between 9 a.m. and 6 p.m.—	
(i) By any one (other than by a pianist playing alone)	9 6 0
(ii) By pianist playing alone	10 4 0
(I5) Week's work of twelve performances not all done between 9 a.m. and 6 p.m.—	
(i) By any one (other than a pianist playing alone)	9 11 0
(ii) By pianist playing alone	10 9 0
(I6) Each performance on a week day not included in a week's work	0 16 2 extra
(I7) Pianist playing alone on a week day in dancing classes—	
(i) For not more than 30 hours in a week	6 6 0
(ii) For each hour over 30 in a week	0 5 5 extra

Casual Employees.

(I8) Performing at a dance on a week day: Per hour with a minimum payment as for three hours—	£ s. d.
(i) Pianist playing alone	0 11 10
(ii) Others	0 8 7
(I9) Performing at a dancing class on a week day: Per hour, with a minimum payment as for three hours—	
(i) Pianist playing alone	0 7 1
(ii) Others	0 5 11

* If employed for any performance or rehearsal under sub-clauses (A) or (B) 10 per cent. to be deducted.

(J) SKATING RINKS AND OTHER LIKE FORMS OF ENTERTAINMENT NOT ELSEWHERE PROVIDED FOR.

Weekly Employees.

(j1) For the purpose of this sub-clause (j)—

- (i) A week's work of six performances shall be deemed to consist of one on each of six days, each performance not to exceed three consecutive hours in duration, all to be held within seven consecutive days, and none on a Sunday.
- (ii) A week's work of twelve long performances shall be deemed to consist of two performances on each of six calendar days, each performance not to exceed three consecutive hours in duration, all twelve to be held within seven consecutive days, and none on a Sunday.
- (iii) A week's work of twelve short performances shall be deemed to consist of two performances on each of six calendar days, each performance not to exceed two consecutive hours in duration, all twelve to be held within seven consecutive days, and none on a Sunday.

	£	s.	d.
(j2) Week's work of six performances	6	2	0
(j3) Week's work of twelve long performances	9	2	0
(j4) Each performance on a week day not included in a week's work of six performances or twelve long performances, and not to exceed three consecutive hours	0	13	5 extra
(j5) Week's work of twelve short performances in roller skating rinks, performances to be held between 2.30 p.m. and 5 p.m., and between 8 p.m. and 10.30 p.m.	6	16	0
(j6) Each performance on a week day in roller skating rink not included in week's work of twelve short performances, and not to exceed two consecutive hours	0	10	9 extra

Casual Employees.

(j7) Seven shillings and one penny per hour on a week day, with minimum payment as for two hours in roller skating rink and as for three hours in other cases.

(K) PERFORMANCES FOR SUCH DANCING AND FOR OTHER PURPOSES AS ARE NOT ELSEWHERE PRESCRIBED FOR HEREIN.

Casual Employees.

	£	s.	d.
(k1) Pianist playing alone, each performance on a week day, not to exceed three hours in duration	1	15	6
(k2) Employee (not being pianist playing alone)—			
(i) Engaged for one performance on a week day not to exceed three consecutive hours in duration, and in this case to be given between 9 a.m. and 11 p.m.	1	5	10
(ii) Engaged for two such performances to be given on one day, with one hour interval between them for refreshments	1	19	3
(iii) Engaged for three such performances to be given between 10 a.m. and 10 p.m. on one day, with one hour interval between each two performances for meals	2	10	0

(L) GRAMOPHONE RECORDING.

Casual Employees.

(l1) To employees not receiving any royalty, 11s. 4d. per hour on week days, with a minimum payment as for two hours.

(M) CONDUCTOR LEADERS.

Weekly or Casual Employees.

(m1) A conductor leader shall be paid the appropriate rate for a member of the orchestra, with an addition of one-fourth of such rate.

Intermittent Weekly Employees.

(m2) A conductor leader shall be paid 5s.† extra for each performance.

(N) LEADERS.

Weekly or Casual Employees.

Where there is a conductor in an orchestra (not being an orchestra to which sub-clause (A) of this clause 2 applies), the leader of such orchestra shall be paid the appropriate rate for a member of the orchestra with an addition of one-sixth of such rate.

(O) ADDITION TO PRESCRIBED RATE IF EMPLOYEE PLAYS ONE OR MORE EXTRA INSTRUMENTS.

Weekly Employees.

	£	s.	d.
(o1) If any extra instrument supplied by employee: Each performance during week of employment—			
(i) If three performances or less	0	4	4†extra
(ii) If four	0	3	9†extra
(iii) If five	0	3	3†extra
(iv) If six or more	0	2	8†extra
(o2) If no extra instrument supplied by employee: For each performance	0	2	8†extra

Casual Employees.

(o3) If any extra instrument supplied by employee: For each performance	0	5	5†extra
(o4) If no extra instrument supplied by employee: For each performance	0	3	9†extra

Exceptions.

(o5) The flute and piccolo are not extra to each other, nor are other instruments extra to each other which the Victorian Branch of the Musicians Union of Australia by its authorized representative and the employer concerned agree are not to be considered extra.

(P) REHEARSALS NOT INCLUDED BY OPTION OF EMPLOYER IN A WEEK'S WORK IN LIEU OF A PERFORMANCE.

All *Weekly or Casual Employees* intended to be employed in a performance for which the rehearsal is held, including *Conductor Leader, Leaders, and Principals.*

	£	s.	d.
(p1) In grand opera, and other work comprised in sub-clause (A) of this clause—			
(i) Commencing before 3 p.m. not to exceed two hours	0	10	9
(ii) Commencing before 3 p.m. not to exceed three hours	0	16	2
(iii) Commencing at or after 3 p.m. not to exceed two hours	0	13	3
(iv) Commencing at or after 3 p.m. not to exceed three hours	1	0	2
(p2) In any other work—			
(i) Commencing before 3 p.m. not to exceed two hours	0	8	1‡
(ii) Commencing before 3 p.m. not to exceed three hours	0	10	9‡
(iii) Commencing at or after 3 p.m. not to exceed two hours	0	10	9‡
(iv) Commencing at or after 3 p.m. not to exceed three hours	0	16	2‡
(p3) In the case of weekly employees the foregoing rates prescribed in this sub-clause are extra rates to be paid in addition to the rates prescribed for the week's work.			

† If employed for any performance or rehearsal under sub-clauses (A) or (B) 10 per cent. to be deducted.
‡ If employed for any performance or rehearsal under sub-clause (B) 10 per cent. to be deducted.

Other Employees.

(P4) Pianist employed only for rehearsals with company or artists in grand opera or any other work comprised in sub-clause (A) hereof—

	£	s.	d.
(i) Weekly employee for 36 hours in a week, excluding Sunday	6	11	0
(ii) Weekly employee for each hour over 36 in the week	0	5	10 extra
(iii) Casual employee for each hour on a week day, with a minimum payment as for three hours	0	4	10

(P5) Pianist employed only for rehearsals with company or artists in any general theatrical or other work comprised in sub-clause (B) hereof—

(i) Weekly employee for 36 hours in a week, excluding Sunday	6	6	0
(ii) Weekly employee for each hour over 36 in the week	0	4	10
(iii) Casual employee for each hour on a week day with minimum payment as for three hours	0	4	5

(Q) ADDITION TO PRESCRIBED RATES FOR PERFORMING OUTSIDE ORCHESTRA PIT OR WELL.*Weekly or Casual Employees.*

	£	s.	d.
(Q1) Where an orchestra is required to perform on the stage in view of the audience— For each musician—per performance	0	2	8† extra
(Q2) Where a musician is required to play in view of the audience either solo or as one of a duet, trio, or otherwise than in the ordinary way as part of a complete orchestra— For such musician—per performance	0	3	3† extra

(R) ADDITION TO PRESCRIBED RATES WHERE EMPLOYEE SUPPLIES MUSIC.*Weekly Employees.*

	£	s.	d.
(R1) Employee required to supply music	0	11	4† extra

Casual Employees.

(R2) Employee so required—per performance	0	3	9† extra
(R3) For any performance commencing at 11 p.m. or after and extending beyond 12 midnight employees shall, notwithstanding anything hereinbefore contained, be paid at double rates, but in respect of such performance clause 11 hereof shall not apply.			

(S) HIGHER DUTIES.

If a musician engaged to do certain work is required to do in lieu thereof other work for which a higher rate is prescribed, he shall be paid for such other work at the higher rate with a minimum payment as for one performance or as for three hours on each occasion on which he is so required.

(T) LOWER RATES MAY BE AGREED TO.

Where the Federal or State Executive of the Musicians Union of Australia agrees with any employer that for special reasons lower rates should be accepted by an employee, rates may be agreed upon between the said Union and Employer.

A written copy of any such agreement, signed by the Secretary of the Union and the Employer concerned, shall be lodged with the Secretary for Labour within 7 days of the making thereof.

† If employed for any performance or rehearsal under sub-clause (A) or (B) 10 per cent. to be deducted. Clauses, other than clause 2, of the said Determination shall remain in force.

