



# VICTORIA GOVERNMENT GAZETTE.

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Factories and Shops Acts

## DETERMINATION OF THE SHOPS BOARD No. 9 (DRAPERS AND MEN'S CLOTHING).

NOTE.—1. On the 9th March, 1921, this Board was appointed in lieu of the Drapers Board and the Men's Clothing Board.

2. 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 price or rates which may be paid to any persons employed in the business of a seller of—

- (a) any article of men's or boys' clothing (whether made to order or otherwise), mercery, or wearing apparel, including underclothing, hats, and caps;  
 (b) goods usually sold by drapers or haberdashers, including mantles, costumes, millinery, gloves, stockings, and underclothing," has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 9th March, 1948, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers.				Other Employees.		
* Wages per Week of 40 Hours				* Wages per Week of 40 Hours.		
Age.	Males.	Females.	—	Within the Metropolitan District	Outside the Metropolitan District wherever this Determination applies.	
	s. d.	s. d.	Males.	s. d.	s. d.	
Under 15 years of age .. ..	33 6	29 6	Manager (other than departmental manager), i.e., a person entrusted with the control or superintendence of a shop, notwithstanding he may be under the orders of a superior who does not devote his whole time to the management of the said shop .. .. . Departmental manager, i.e., a person in control of three or more salesmen or saleswomen 21 years of age or over, notwithstanding he may be under the orders of a superior who does not devote his whole time to the management of such department .. .. . Person in charge of an order tailoring establishment .. .. .	159 0	159 0	
At .. .. .	35 6	29 6		151 0	151 0	
.. 16 .. .. .	43 0	35 6		159 0	159 0	
.. 17 .. .. .	55 6	43 6		151 0	151 0	
.. 18 .. .. .	69 6	54 0		159 0	159 0	
.. 19 .. .. .	86 6	62 6		159 0	159 0	
.. 20 .. .. .	108 0	72 6		159 0	159 0	

\* The above rates include a war loading of 4s. per week in the case of adult males and proportionate amounts for females and all juniors.

SHOPS BOARD No. 9 (DRAPERS AND MEN'S CLOTHING)—continued.

Apprentices or Improvers.	Other Employees.	
	* Wages per Week of 40 Hours.	
PROPORTION (in any Shop or Place).	Within the Metropolitan District.	Outside the Metropolitan District wherever this Determination applies.
		<i>Males.</i>
	Pattern-men, assemblers, or salesmen ..	145 0 140 0
	Canvassers, who are in any way connected with the sale of goods .. .. .	148 0 148 0
	Collectors who, in addition to their duties of collecting, are in any way connected with the sale of goods .. .. .	148 0 148 0
	Foreman packer or storeman, i.e., a person in control of four or more packers or storemen, notwithstanding he may be under the orders of a superior who does not devote his whole time to the management of such department .. .. .	137 0 137 0
	Packers or storemen .. .. .	132 6 132 6
	Porters .. .. .	132 6 132 6
	All others .. .. .	145 0 140 0
	<i>Females.</i>	<i>Females.</i>
	Managress (other than departmental manager-ess), i.e., a person entrusted with the control or superintendence of a shop stocking frocks, dress or Manchester goods, drapery furnishing, prints, silks, or men's clothing, notwithstanding she may be under the orders of a superior who does not devote his whole time to the management of the said shop .. .. .	159 0 159 0
	Departmental manageress— (a) in control of three or more salesmen or saleswomen 21 years of age or over, in dress, Manchester, drapery furnishing, prints, silks, or men's clothing departments, notwithstanding she may be under the orders of a superior who does not devote his whole time to the management of such department .. .. .	151 0 151 0
	(b) In control of three or more saleswomen 21 years of age or over in any other department, notwithstanding she may be under the orders of a superior who does not devote his whole time to the management of such department .. .. .	108 6 106 6
	Saleswomen selling goods usually sold in dress, Manchester, drapery furnishing, prints, silk, or men's clothing departments .. .. .	145 0 140 0
	Other saleswomen or pattern women, or assemblers .. .. .	93 0 89 0
	Packers .. .. .	131 0 131 0
	Canvassers who are in any way connected with the sale of goods .. .. .	93 0 93 0
	Porters .. .. .	131 0 131 0
	All others .. .. .	93 0 89 0

\* The above rates include a war loading of 4s. per week in the case of adult males and proportionate amounts for females and all juniors.

3. DETERMINATION TO BE AVAILABLE FOR INSPECTION.

An employer shall cause to be kept in a conspicuous place, a copy of this Determination, on each floor of a building where work covered by this Determination is being performed. Such copy of the Determination shall readily be available for inspection at any time.

4. FLOOR SUPERVISORS, FLOOR WALKERS AND/OR SUPERINTENDENTS.

Floor supervisors, floor walkers and/or superintendents shall be paid 5 per centum over and above the rate fixed for persons 21 years or over, provided that any person acting as floor supervisor, floor walker and/or superintendent for less than 20 hours in any one week shall not be entitled to the additional 5 per centum.

5. TIMES OF BEGINNING AND ENDING WORK.

	Time of Beginning.	Time of Ending.
On the usual half-holiday .. .. .	9.5 a.m.	noon.
On the other working days of the week .. .. .	9.5 a.m.	5.30 p.m.

6. OVERTIME.\*

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

- (a) By persons (including apprentices and improvers) employed as salesmen or saleswomen —
  - (1) Before 9 a.m. .. .. . Five times the ordinary rate.
  - (2) Outside the times of ending work .. .. . Double time.
  - (3) Within the times of beginning and ending work in excess of 40 hours Double time.
- (b) By all other persons (1) Outside the times of beginning and ending work. Double time.
  - (2) Within the times of beginning and ending work in excess of 40 hours Double time.

\* NOTE.—Section 117 (2) Act 3677 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.

Section 105, however, makes it an offence for an employer to detain an employee later than half an hour on a half-holiday.

NOTE.—Section 174 of the Factories and Shops Acts provide that where any person is employed to perform two or more classes of work to which a rate fixed by a Wages Board is applicable then such person shall be paid in respect of the time occupied in each class of work at the rate fixed by the Board for such work.

## 7. MEAL MONEY.

Any employee required to work after the usual finishing hour of work or before the usual commencing hour of work beyond one hour shall be paid not less than 2s. 6d. meal money in addition to the overtime rates as prescribed for in this Determination.

## 8. TIME RATE.

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 20 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 20 hours aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

Provided that no person shall be employed for less than four consecutive hours on any one working day between the hours of 9 a.m. and 6 p.m. on Monday to Friday or for less than 2 hours 55 minutes on Saturday.

## 9. MEAL INTERVALS.

All employees shall be allowed the following meal intervals with permission to leave the shop for the whole of such intervals viz. :—

From Monday to Friday, one hour for lunch between noon and 3 p.m.

## 10. REST PERIOD.

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

## 11. TERMINATION OF EMPLOYMENT.

Except in a case where an employee or an employer has been guilty of misconduct, or where an employee has been engaged temporarily for a period not exceeding six weeks in duration, seven days' notice of termination of employment shall be given by either party or one week's wages paid or forfeited, as the case may be, in lieu thereof.

## 12. NOTICE OF INTENTION TO RATION.

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

## 13. ANNUAL HOLIDAY.

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.)

## 14. SICK LEAVE.

(a) Any employee not attending for duty who has had not less than 12 months' service with the same employer shall lose his or her pay for the actual time lost unless such employee produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill-health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the grounds of personal ill-health or accident for more than six days in 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 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 of service without deduction of pay.

## 15. SPECIAL RATES FOR SUNDAYS AND HOLIDAYS.

The special rates for all work done on Sundays or the undermentioned Public Holidays shall be—

Sunday .. .. .	Double time.
New Years Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Christmas Day, Boxing Day, or after 12.30 p.m. on Show Day in localities mentioned in the Twelfth Schedule to the <i>Public Service Act 1928</i> within the area to which this Determination applies .. .. .	Time and a half.
Easter Saturday—	

(a) In the area enclosed by and including Flinders-street, Spencer-street, Lonsdale-street, and Spring-street in the City of Melbourne .. .. . Five times the ordinary rate.

(b) In all other places where this Determination applies .. .. . Double time.

But if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted.

## 16. BICYCLE ALLOWANCE.

Where a bicycle is provided by an employee and is required to be used in connexion with his employer's business, an allowance of 1s. 6d. per week in addition to the ordinary wage shall be paid to such employee.

## 17. REFERENCE.

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

## 18. TIME AND WAGES RECORDS.

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

## 19. PAYMENT OF WAGES.

All wages due shall be paid not later than Thursday in each week, and must be paid during working hours.

## 20. PERIODICAL ADJUSTMENT OF WAGES.

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 21.

Provided that the wages of employees receiving less than the amount of the total basic wage shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 6d., half or less than half of 6d. 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.	
Victoria .. .. .	5 7 0	6 0	5 13 0	Melbourne

## 21. ADJUSTMENT OF BASIC WAGE.

(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 May, 1948, the amounts of the Basic Wage shall be as prescribed in clause 20.

(c) During each future successive period beginning with the first pay period to commence in a May, an August, a November, or a February, 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 February, 1948.