



# VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 918]

MONDAY, SEPTEMBER 13.

[1948

Factories and Shops Acts.

## DETERMINATION OF THE HOTEL AND RESTAURANT BOARD.

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

NOTE.—On the 6th May, 1940, the following trade was proclaimed an Apprenticeship Trade as carried on in the Metropolitan District.

Cooking in hotels, clubs, restaurants, eating houses, coffee palaces in which three or more adults are permanently employed in the kitchen.

Full particulars of the Apprenticeship Regulations for this trade may be obtained on application to the Secretary, Apprenticeship Commission, 103 Russell Street, Melbourne.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which now has the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons—

- (a) employed in a restaurant, coffee palace, hotel, eating-house, or any premises for which an Australian wine licence or billiard table licence is in force or which are occupied as a club, but not including persons subject to the jurisdiction of any other Board heretofore appointed;
- (b) employed in the business of a caterer;
- (c) employed in connexion with the sale of aerated waters, fruit juice drinks, cordials, coffee, chocolate, oocoe, milk, or any other non-intoxicating beverage whatsoever consumed on the premises;
- (d) employed whole or part time selling confectionery, or pastry in any place in which the business of a restaurant is carried on—

has made the following Determination, namely:—

1. That on the 14th July, 1948, the last previous Determination of this Board shall be revoked and replaced by this Determination.

### HOTELS.

2.

APPRENTICES AND IMPROVERS.

	Wages (see below for Deductions where Board or Lodging is Provided).				
	Within a radius of 25 miles of the General Post Office, Melbourne, within a radius of 5 miles of the principal Post Office at Geelong, and in the City of Mildura.		In all other parts of Victoria.		
	Males.	Females.	Males.	Females.	
	Per Week of 40 hours.		Per Week of 40 hours.		
	s. d.	s. d.	s. d.	s. d.	
Improvers employed in the bar—					PROPORTION (IN ANY PLACE).
18 years of age or under ..	81 0	—	81 0	—	MALES OR FEMALES.
19 years of age ..	89 0	—	89 0	—	
20 years of age ..	105 0	—	105 0	—	<i>Apprentices.</i>
Apprentices and all other Improvers—					One apprentice to every three or fraction of three workers receiving not less than the minimum wage.
16 years of age or under ..	52 6	75 9	45 6	72 6	
17 years of age ..	62 6	75 9	55 6	72 6	<i>Improvers.</i>
18 years of age ..	70 6	75 9	62 0	72 6	Such number of improvers as shall not, together with apprentices, exceed, in the aggregate, one to every three or fraction of three adult weekly workers receiving not less than the minimum wage.
19 years of age ..	81 6	75 9	71 0	72 6	
20 years of age ..	99 0	75 9	88 0	72 6	
Deductions from the above rates when the employee is supplied, by the employer, with board or lodging as follows:—					
Board of three meals on each day ..	13 5	13 5	12 3	12 3	
Board of three meals on each day other than the employee's weekly day off ..	11 6	11 6	11 6	11 6	
Lodging ..	4 9	4 9	4 9	4 9	

## HOTELS—continued.

## OTHER EMPLOYEES.

Wages (see below for Deductions where Board or Lodging is Provided).							
Within a radius of 25 miles of the General Post Office, Melbourne, within a radius of 5 miles of the principal Post Office at Geelong, and in the City of Mildura.							
In all other parts of Victoria.							
Males.				Females.			
Per Week of 40 Hours.				Per Week of 40 Hours.			
s. d.				s. d.			
PART I.				PART II.			
Barman .. .. .	145	0	..	First cook where number of persons employed in kitchen is—	185	0	138 6
Cellarman .. .. .	157	0	..	Eight or more .. .. .	185	0	138 6
Assistant Cellarman .. .. .	145	0	..	Five, six, or seven .. .. .	175	0	128 6
Barmaids .. .. .	..	145	0	Three or four .. .. .	157	0	110 6
				Other first cooks, or cook employed alone .. .. .	151	0	104 6
				Second cook where number of persons employed in kitchen is—	167	6	121 0
				Eight or more .. .. .	167	6	121 0
				Five, six, or seven .. .. .	157	6	111 0
				Other second cooks .. .. .	145	0	102 6
				Night or relieving cook where number of persons employed in kitchen is—	167	6	121 0
				Eight or more .. .. .	157	6	111 0
				Five, six, or seven .. .. .	145	0	98 6
				Other night or relieving cooks .. .. .	148	0	101 6
				Larder cook .. .. .	151	0	104 6
				Pastrycook .. .. .	145	0	98 6
				Stove, grill, fish, third or breakfast cook .. .. .	142	0	95 6
				Vegetable or assistant cook .. .. .	135	0	..
				Oysterman .. .. .	135	0	..
				Pantryman or kitchenman .. .. .	142	0	..
				Storeman .. .. .	145	0	..
				Head waiter .. .. .	135	0	..
				Other waiters .. .. .	135	0	..
				Night porter .. .. .	135	0	..
				Day porter .. .. .	135	0	..
				Billiard-room attendant .. .. .	135	0	..
				Commissionaire or messenger .. .. .	82	6	80 9
				Housekeeper, stewardess, or manageress .. .. .	88	6	86 9
				Laundress .. .. .	88	6	86 9
				Head waitress .. .. .	82	6	80 9
				Other waitresses .. .. .	82	6	80 9
				Pantrymaid or kitchenmaid .. .. .	82	6	80 9
				Housemaid .. .. .	82	6	80 9
				Persons not otherwise provided for .. .. .	135	0	..
				Midday waitresses or midday kitchenmaid or pantrymaid (employed only between 11.40 a.m. and 3 p.m.) .. .. .	48	9	47 9

NOTE.—A copy of this Determination shall be displayed at or near the entrance of every establishment where the Determination of this Wages Board applies.

Under the provisions of Section 7 of the Factories and Shops Act 1936 (No. 4461) every employer of any employee in any hotel is required to keep a time-book in the prescribed form wherein each employee shall enter daily a record of the hours worked.

## CASUAL WORK.

3. Casual employee in Part I. of this Determination shall mean and be deemed to be any employee engaged for a less period than the working week of 40 hours on the class of employment for which the casual is employed. Casual work by males shall be paid at the rate of 50 per cent. in advance of wages prescribed in clause 2 hereof in respect of the position for which the worker is casually employed, with a minimum of 10s. for each engagement of the employee mentioned in Part I. and in respect of travelling to the place of work for the purpose of doing the work, or travelling from such place after doing the work in due course, shall be paid so far as it exceeds 3d., any fare reasonably incurred.

## HOURS OF WORK.

4. The hours of work for the employees mentioned in Part I. hereof engaged on work in licensed premises shall be 40 per week to be worked within a spread of 9 hours per day, from starting time (inclusive of meals). No employee shall work more than 8 hours each day, exclusive of meal hours. Any person employed for more than 8 hours in any one day shall be paid at the rate of time and a half for such extra time. All work in excess of 40 hours per week shall be paid for at the rate of time and a half. All work performed on Sunday by employees mentioned in Part I. hereof shall be paid for at the rate of double time.

## HOLIDAYS AND LEAVE OF ABSENCE.

5. (a) Each employee mentioned in Part I. hereof shall have a day off one day of each week, between Monday and Saturday.
- (b) Two weeks' notice shall be given of such rostered day off. The rostered day off may be changed by mutual consent at any time or by absence through sickness or other circumstances over which the employer has no control.
- (c) All work performed by employees on New Year's Day, Australia Day, Union Picnic Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Labour Day, Christmas Day and Boxing Day shall be paid at the rate of double time.

**HOTELS—continued.****LIVING-IN ALLOWANCE.**

6. (a) With regard to employees mentioned in Part I. hereof, the following provision shall apply :—

No employee shall be compelled to board on the premises where he or she is employed. If the employer desires that the employee shall reside on the premises where he or she is employed, then meals and accommodation shall be provided by the employer without any deduction in wages. If the employer and the employee mutually agree that meals and accommodation shall be provided for the employee, the same shall be supplied at the following cost :—

Within 25 miles of the General Post Office, Melbourne, within 5 miles of the Principal Post Office at Geelong and at Mildura, 6s. per week for lodging and 15s. per week for board of three meals per day per week ; and within the rest of Victoria, 6s. per week for lodging and 14s. per week for board of three meals per day per week.

(b) Where an employee does not lodge on the premises, but is lodging away from the premises, and is not provided with meals on his weekly day off then, in such cases, the amount to be deducted shall be 13s. instead of 15s., and 13s. instead of 14s. respectively.

**DEFINITIONS.**

7. "Barman" or "barmaid" shall mean and be deemed to be a person usually employed for more than two hours in any one day or night, in the sale of liquor, over the bar, either wholesale or retail, in any hotel or other licensed premises.

"Cellarman" shall mean an employee in charge of, responsible for, and substantially engaged in looking after the contents of the cellar of an hotel.

"Assistant cellarman" shall mean and be deemed to be a person who is substantially engaged in working in the cellar of an hotel.

**CONDITIONS SPECIALLY APPLICABLE TO PART II.**

The following conditions shall be specially applicable to Part II. of this Determination :—

**CASUAL WORK.**

8. A casual employee shall mean and be deemed to be an employee engaged for a less period than a working week of 40 hours of the class of employment for which the casual is engaged. Casual work shall be paid for at the rate of 50 per cent. in advance of wages prescribed in respect of the position for which the worker is casually employed, with a minimum of 10s. for males for each engagement and with a minimum of 7s. for females for each engagement.

**HOURS OF WORK.**

9. The hours of work for all employees mentioned in Part II. hereof engaged in licensed premises shall be 40 per week, to be worked within a spread of 12 hours per day, from starting time (inclusive of meal hours). No employee shall work more than 10 hours per day, exclusive of meal hours. Any person employed more than 10 hours in one day shall be paid at the rate of time and a half for such extra time. All work in excess of 40 hours per week shall be paid at the rate of time and a half.

**SATURDAY AND SUNDAY WORK.**

10. Any employee who in the ordinary course of duties is rostered for work on a Saturday or Sunday shall be paid at time and a quarter for work between 12 midnight on Friday and 12 midnight on Saturday, and at time and a half for work between 12 midnight on Saturday and 12 midnight on Sunday.

**HOLIDAYS.**

11. (a) Each employee in Part II. hereof shall have a full day off each week.

(b) Two weeks' notice shall be given of such rostered day off. The rostered day off may be changed by mutual consent at any time or by absence through sickness or other circumstances over which the employer has no control.

(c) All work performed by an employee on New Year's Day, Australia Day, Union Picnic Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Labour Day, Christmas Day and Boxing Day shall be paid at the rate of double time.

**LIVING-IN ALLOWANCE.**

12. (a) With regard to employees mentioned in Part II. hereof the following provision shall apply :—

If the employer and employee mutually agree that meals and accommodation shall be provided for the employee, they shall be supplied at the following cost :—

Within 25 miles of the General Post Office, Melbourne, and at Mildura, 6s. per week for lodging, and 15s. per week for board of three meals per day per week ; and within the rest of Victoria 6s. per week for lodging, and 14s. per week for board of three meals per day per week.

(b) Where an employee does not lodge on the premises, but is lodging away from the premises, and is not provided with meals on his weekly day off, then, in such case, the amount to be deducted shall be 13s. instead of 15s., and 13s. instead of 14s. respectively.

**CONDITIONS APPLICABLE TO PARTS I AND II.****TERMS OF EMPLOYMENT.**

13. All employees (other than casual employees), shall be engaged by the week, and shall be paid weekly. Two days' notice shall be given by the employer or employee to terminate employment, or in lieu of such notice two days' wages shall be paid by the employer or forfeited by the employee, except in the case of misconduct by an employer. If an employer dismisses an employee without notice for any cause other than misconduct, he shall pay the employee two days' wages in lieu of notice. Provided that no employee shall be dismissed without notice for sickness, accident or other reasonable cause, if he informs his employer before 9 a.m. on any day, of his inability to take up his duty on that day, and also before that hour inform his employer of his whereabouts, and furnish a reasonable excuse for his absence. When notice of termination of service has been given, employees shall be paid within 24 hours from the expiry of such notice.

**OVERTIME.**

14. All time worked outside the ordinary hours of duty as rostered or outside the weekly hours or outside the spread of hours shall be regarded as overtime and shall be paid for at the rate of time and a half.

**UNIFORMS.**

15. Where an employer insists upon an employee wearing a house uniform whilst at work, the employer shall provide such uniforms and pay for the washing and ironing of same.

**TIME BOOK.**

16. The time book or other record shall be in the form prescribed under Section 7 of the *Factories and Shops Act* No. 4461, and shall be accessible to the Secretary of the Union at reasonable times.

## HOTELS—continued.

## ACCOMMODATION AND MISCELLANEOUS PROVISIONS.

17. An employer shall provide a dressing-room adequately lighted and ventilated with suitable floor covering and floor space to be sufficiently roomy to accommodate all employees likely to use it at the one time; sufficient seating accommodation and lounge or settee and steel or vermin-proof lockers; adjacent thereto wash basins with hot and cold water and toilets for staff use only. (Note.—Any employer who is unable to provide the facilities herein stated may make application to the Chief Inspector of Factories for exemption from this clause of the Determination.)

## ANNUAL HOLIDAYS.

18. 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.

## SICK LEAVE.

19. Any employee, other than a casual, who has been in the service of the same employer continuously, shall be allowed one week's sick leave on full pay annually. Such sick leave shall be inoperative for the first three months of employment. On completion of three months and up to six months of employment, three days' sick leave on full pay shall be allowed. After six months' service the full period of one week on full pay shall be operative; provided that not more than one week shall be allowed for each year of service.

Provided further that any claim made for sick leave shall be supported by evidence satisfactory to the employer that the employee is unable to work because of personal ill-health; but in the event of a continuous period of six days' sick leave being required, a medical certificate shall be furnished, the cost of such certificate to be borne by the employer.

Any employer taking over a business shall be responsible for all sick leave covered by the period of employment of such employee who was employed by a predecessor in the business.

Sick leave shall accumulate for a period of two years.

## FIRST-AID OUTFIT.

20. A first-aid kit shall be provided by the employers in a readily accessible place in each hotel.

## UNION OFFICIALS.

21. The Secretary or Organizer of the Federated Liquor and Allied Trades Employees' Union of Australasia may enter the employer's premises to interview members of the Union during non-working hours subject to the approval of the employer, which approval shall not be withheld except for a reasonable cause.

## MIXED FUNCTIONS.

22. Where an employee is put to work at a classification higher in respect of remuneration than that under which such employee was engaged or was deemed to have been working such employee shall be paid for the whole of the time during which such employee is employed at such work at the rate of remuneration prescribed for such higher classification. Provided that such employee shall be paid at the rate prescribed for such higher classification for the whole of the day if such work is performed continuously for over half of the day and for the whole of the week if such work is performed continuously for over half of the week.

**NOTE.**—Attention is drawn to the employment of females as barmaids in hotels pursuant to National Security (Employment of Women) Regulations.

The Women's Employment Board on 8th September, 1942, on the application of the United Licensed Victuallers Association (Victorian Branch) approved and laid down the conditions in respect to the employment of females not under 35 years of age as barmaids in hotels.

Extracts of the decisions of the Board are given herein:—

That females may be employed on the said work.

That the hours during which females may be employed on such work shall be 10 a.m. to 6 p.m. six days per week but in no event shall the total hours per week exceed 40.

That there shall be no period of probation.

That this decision shall bind the applicant and the Federated Liquor and Allied Trades Employees' Union and its members.

That the period of employment of extra females in bars (excluding those at present employed and registered with the State Government) shall be for the duration of the war.

That these employees shall be paid the same rate of wage as men, and this condition shall apply to present registered barmaids as it would be impracticable to differentiate.

That in order to prevent any replacement of existing bar personnel, whether male or female, by the prospective new female employees, there shall be established a Committee comprising an equal number of representatives of employers and employees. The decision of this Committee as to whether an employer may be permitted to engage new female labour shall be final, so far as this Order is made.

All female personnel to be engaged, whether permanently or for casual work, shall before commencing employment become members of the Federated Liquor and Allied Trades Employees' Union.

## CLUBS.

23.

## APPRENTICES OR IMPROVERS.

WAGES PER WEEK OF 40 HOURS.							PROPORTION (IN ANY PLACE).
—	Males.			Females.			
	Ordinary Wage.	War Loading.	Total Wage.	Ordinary Wage.	War Loading.	Total Wage.	
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	MALES OR FEMALES.
Under 16 years of age	35 0	1 0	36 0	35 0	1 0	36 0	<i>Apprentices.</i>
16 years of age ..	47 0	1 6	48 6	37 0	1 0	38 0	One apprentice to every three or fraction of three workers receiving not less than the minimum wage.
17 ..	54 6	1 6	56 0	43 0	1 3	44 3	
18 ..	61 6	1 9	63 3	45 6	1 6	47 0	<i>Improvers.</i>
19 ..	75 0	2 3	77 3	49 6	1 6	51 0	One improver to every four or fraction of four workers receiving not less than the minimum wage.
20 ..	97 0	3 0	100 0	56 0	1 9	57 9	

## CLUBS—continued.

## OTHER EMPLOYEES.

	† WAGES.			
	Within a radius of 25 miles of the General Post Office, Melbourne, the Cities of Bendigo, Ballarat, Geelong, and Warrnambool, and the City of Mildura.		In all other parts of Victoria.	
	Males.	Females.	Males.	Females.
	Per Week of 40 Hours.	Per Week of 40 Hours.	Per Week of 40 Hours.	Per Week of 40 Hours.
	s. d.	s. d.	s. d.	s. d.
Steward .. .. .	141 0	..	141 0	..
First cook where the number of persons employed in the kitchen is—				
Eight or more .. .. .	181 0	136 6	181 0	136 6
Five, six, or seven .. .. .	171 0	126 6	171 0	126 6
Three or four .. .. .	153 0	108 6	153 0	108 6
Other first cooks or cook employed alone ..	147 0	102 6	145 3	102 6
Second, or night or relieving cook, when the number of persons employed in the kitchen is—				
Eight or more .. .. .	163 6	119 0	163 6	119 0
Five, six, or seven .. .. .	153 6	109 0	153 6	109 0
Less than five .. .. .	141 0	96 6	139 6	96 6
Larder cook .. .. .	144 0	99 6	143 6	99 6
Pastrycook shall be paid the rates fixed by the Pastrycooks Board				
Sweets cook .. .. .	143 0	97 6	142 6	97 6
Third, stove, grill, fish, or breakfast cook ..	141 0	96 6	139 6	96 6
Vegetable or assistant cook .. .. .	138 0	93 6	138 0	93 6
Oysterman .. .. .	131 0	..	130 6	..
Pantryman or kitchenman .. .. .	131 0	..	129 6	..
Storeman .. .. .	138 0	..	138 0	..
Head waiter .. .. .	141 0	..	141 0	..
Other waiters .. .. .	131 0	..	129 6	..
Night porter .. .. .	131 0	..	129 6	..
Day porter .. .. .	131 0	..	129 6	..
Billiard-room attendant .. .. .	131 0	..	129 6	..
Commissionaire or messenger .. .. .	131 0	..	129 6	..
Housekeeper, stewardess, or manageress ..	..	91 6	..	91 6
Laundress .. .. .	..	81 6	..	81 6
Head waitress or supervisor .. .. .	..	81 6	..	81 6
Other waitresses .. .. .	..	77 6	..	77 6
Pantrymaid or kitchenmaid .. .. .	..	77 6	..	77 6
Counterhand .. .. .	..	77 6	..	77 6
Housemaid .. .. .	..	77 6	..	77 6
Linen maid or seamstress .. .. .	..	82 0	..	82 0
Persons not otherwise provided for .. .. .	131 0	77 6	129 6	77 6
		Per week of 20 hours. Provided that a minimum payment of 15s. shall be paid each week irrespective of the number of hours worked.		Per week of 20 hours. Provided that a minimum payment of 15s. shall be paid each week irrespective of the number of hours worked.
Midday waitresses or midday kitchenmaid or pantrymaid (employed only between 11.40 a.m. and 3 p.m.) ..	..	47 0	..	47 0

NOTE.—War Loading—For convenience War Loadings as follows:—

Males .. .. .	4s. per week
Midday waitresses, midday kitchen maids, or pantrymaids ..	1s. 6d. "
Other females .. .. .	2s. 6d. "

have been included in wages for employees classified under heading of other employees.

NOTE.—A copy of this Determination shall be displayed at or near the entrance of every establishment where the Determination of this Wages Board applies.

† SUBJECT TO:—(a) A maximum deduction as for two meals a day being made where an employee commences work at 9 a.m. or later and finishes at 4 p.m. or earlier on the same day or where he or she commences for the day between 1 p.m. and 4 p.m.; and (b) a maximum deduction as for one meal a day being made where an employee commences work at or after 4 p.m., the minimum wage shall (except in the case of an apprentice, an improver, a midday waitress, a midday kitchenmaid or pantrymaid, or a casual employee) be, where the employer—

- (i) boards the employee and provides three meals per day, one of which shall be a substantial meal, 13s. 6d. per week less;
- (ii) boards the employee and provides three meals per day where substantial meals are not provided, 9s. 0d. per week less;
- (iii) provides only two meals per day for an employee who is employed between 6 a.m. and 3 p.m. or between 11.30 a.m. and 11.45 p.m., 9s. 0d. per week less; or
- (iv) boards and lodges the employee, 21s. 0d. per week less.

Notwithstanding any condition in this clause no deduction for meals shall be made for a public holiday when the employee is not required to work on such public holiday.

In computing the amount to be deducted for meals where an employee works for less than six days a week or who is provided with less meals than those provided for in (i), (ii), and (iii) hereof the amount to be allowed as a deduction for each meal shall be one-seventeenth of the amount herein provided for a weekly deduction.

## CLUBS—continued.

## HOURS OF WORK.

24. The hours of work shall be 40 per week to be worked within a spread of 12 hours per day, including meal intervals and not more than two other breaks, which, in the aggregate, shall not exceed 3 hours each day.

## TERMS OF EMPLOYMENT.

25. (a) Employees (other than casual employees, midday waitresses and midday kitchenmaids or pantrymaids) shall be engaged by the week and paid by the week.

(b) Employees (other than casual employees, midday waitresses and midday kitchenmaids or pantrymaids) ready, willing, and available to perform such work as the employer shall from time to time require on the days and during the hours usually worked by the class of employee affected, shall have no deduction made from the weekly wages prescribed except for time lost through sickness (*vide* clause 33, Sick Leave) or absence from work without permission of the employer.

(c) The provisions of sub-clauses (a) and (b) hereof shall not apply if there is a stoppage of work for which the employer cannot reasonably be held responsible through any strike, breakdown of machinery, or other cause, proof of which shall be on the employer.

## OVERTIME.

26. Time and a half calculated on the rates fixed without any deductions for board and/or lodging shall be paid for all time worked in excess of 40 hours per week or in excess of 10 hours per day and/or outside a spread of 12 hours each day.

## CASUAL LABOUR.

27. Casual employees (i.e., persons employed during any week for not more than one-half the maximum number of hours fixed in this Determination as a week's work) shall be paid at the rate of time and a third on week days and time and a half on Sundays, with a minimum payment of three hours for work done on any one day: Provided that any employee who is employed within a club located on a football ground or a cricket ground shall be paid the rate prescribed by clause 42 (b) of the Restaurant Section.

## SUNDAYS.

28. The special rate to be paid to employees, other than casuals, for work done on a Sunday shall be time and a half.

## SPECIAL RATES.

29. Employees, other than casual employees, required to work on New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day, or any other day which may be by Act of Parliament or Proclamation substituted for any of the abovenamed holidays, shall be paid a minimum of 7 hours at ordinary rates plus ordinary rates for the actual time worked up to 7 hours and double time for all time worked in excess of 7 hours.

## HOLIDAYS.

30. Employees, other than casual employees, not required to work, shall be entitled to be absent on the holidays prescribed in clause 29 without deduction of pay, provided that the employee does not absent himself or herself from work without the employer's permission or reasonable cause on the working day preceding or succeeding any such holiday.

For the purposes of this clause a holiday shall be deemed to be of 7 hours.

## UNIFORMS.

31. Where any female employee is required by the employer to wear a uniform (other than a black uniform) such uniform shall be provided and laundered by the employer free of cost to the employee.

## ANNUAL HOLIDAYS.

32. 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.

## SICK LEAVE.

33. (a) Any employee who has been in the employment of the same employer for a period of not less than six months and who does not attend for duty 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 ground of personal ill-health or accident for more than 40 hours of working time in each year of service or a proportionately less time during any shorter period of employment.

(b) Notwithstanding the provisions of sub-clause (a) hereof, if the full period of sick leave as prescribed 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 120 hours of working time, which shall be the maximum amount of leave to which an employee shall be entitled in any year of service without deduction of pay.

For the purposes of this sub-clause, service prior to the 4th July, 1946, shall be disregarded.

## DEFINITIONS.

34. (a) "Sweets Cook" shall include any person manufacturing cakes or pastry for meals supplied by the employer.

(b) "Substantial Meal."—A substantial meal shall consist of food comprising soup, entrée, or joint, vegetables and sweets, and on Fridays, a choice of fish.

(c) "Full Pay" shall mean the rate prescribed in the Determination for the class of work performed, without any deductions whatever.

(d) Storeman shall mean an employee continuously engaged in storing, checking, tallying, or handling stores.

(e) Linen maid or seamstress shall mean a female employee who makes and/or repairs linen, uniforms, or furnishings for use in the club concerned.

## RIGHT OF ENTRY.

35. Any official of the Federated Liquor and Allied Trades Employees Union of Australasia or the Victorian Chamber of Catering Industries authorized in writing by the Secretary for Labour shall have the right to enter any establishments or premises covered by this Determination in order to inspect time sheets and to interview employees on any matter connected with their employment. Such accredited official before entering such establishment or premises shall produce the authority in writing mentioned on a demand by an employer or his representative for such production.

## TERMINATION OF EMPLOYMENT.

36. Employees (other than Casual Employees) shall, except in a case of misconduct by either employer or employee, give or receive two days' notice of termination of employment, or in lieu of such two days' notice one third of the weekly rate fixed for the class of work performed by the employee shall be paid by the employer or forfeited by the employee, but such notice shall not be required from an employee who terminates employment because of his or her illness or injury.

## RESTAURANTS, COFFEE PALACES, EATING-HOUSES, AND ALL OTHER PLACES EXCEPT HOTELS AND CLUBS.

37. (a)		APPRENTICES OR IMPROVERS.					
		Wages per week of 40 hours.					
		Males.			Females.		
		Ordinary Wage.	War Loading.	Total Wage.	Ordinary Wage.	War Loading.	Total Wage.
		s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Under 16 years of age	..	35 0	1 0	36 0	35 0	1 0	36 0
16 years of age	..	47 0	1 6	48 6	37 0	1 0	38 0
17 "	..	54 6	1 6	56 0	43 0	1 3	44 3
18 "	..	61 6	1 9	63 3	45 6	1 6	47 0
19 "	..	75 0	2 3	77 3	49 6	1 6	51 0
20 "	..	97 0	3 0	100 0	56 0	1 9	57 9

## PROPORTION (IN ANY PLACE).

## MALES OR FEMALES.

## Apprentices.

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

## Improvers.

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

(b)

## ADULTS.

## Barmen, Cellarmen, Assistant Cellarmen, and Barmaids.

		Wages.			
		Within a radius of 25 miles of the General Post Office, Melbourne, within a radius of 5 miles of the principal Post Office at Geelong, and in the City of Mildura.		In all other parts of Victoria.	
		Males.	Females.	Males.	Females.
		Per Week of 40 Hours.	Per Week of 40 Hours.	Per Week of 40 Hours.	Per Week of 40 Hours.
		s. d.	s. d.	s. d.	s. d.
Barman, cellarman, or assistant cellarman (employed in or in connexion with wine saloons) shall be paid the rates and be subject to the conditions provided for such employees in the Hotels Section of this Determination	..	..	..	..	..
Barmaids (employed in or in connexion with wine saloons) shall be subject to the conditions provided by Clauses 3 to 22 inclusive in the Hotels Section of this Determination	..	..	145 0	..	142 0
Deductions from barmaids' rates when the employee is supplied by the employer with board or lodgings as follows—			Deductions per week.		
Board of three meals on each day	..	..	13 5	..	12 3
Board of three meals on each day other than on the employee's weekly day off	..	..	11 6	..	11 6
Lodging	..	..	4 9	..	4 9

## OTHER EMPLOYEES.

		† Wages.			
		Within a radius of 25 miles of the General Post Office, Melbourne.		In all other parts of Victoria.	
		Males.	Females.	Males.	Females.
		Per week of 40 hours.	Per week of 40 hours.	Per week of 40 hours.	Per week of 40 hours.
		s. d.	s. d.	s. d.	s. d.
First cook where the number of persons employed in the kitchen is—					
Eight or more	..	178 0	136 6	178 0	136 6
Five, six, or seven	..	168 0	126 6	168 0	126 6
Three or four	..	150 0	108 6	150 0	108 6
Other first cooks or cook employed alone	..	144 0	102 6	142 3	102 6
Second cook where the number of persons employed in the kitchen is—					
Eight or more	..	160 6	119 0	160 6	119 0
Five, six, or seven	..	150 6	109 0	150 6	109 0
Other second cooks	..	138 0	96 6	136 6	96 6
Night or relieving cook	..	138 0	96 6	136 6	96 6
Larder cook	..	141 0	99 6	140 6	99 6
Pastrycook shall be paid the rates fixed by the Pastrycooks Board					
Sweets cook	..	140 0	97 6	139 6	97 6
Third, stove, grill, fish, or breakfast cook	..	138 0	96 6	136 6	96 6
Vegetable or assistant cook	..	135 0	93 6	135 0	93 6
Oysterman	..	128 0	..	127 6	..
Pantryman or kitchenman	..	128 0	..	126 6	..
Storeman or storewoman	..	135 0	81 6	135 0	81 6
Head waiter	..	138 0	..	138 0	..
Other waiters	..	128 0	..	126 6	..
Night porter	..	128 0	..	126 6	..
Day porter	..	128 0	..	126 6	..
Billiard-room attendant	..	128 0	..	126 6	..
Commissionaire or messsnger	..	128 0	..	126 6	..
Housekeeper or stewardess	..	..	91 6	..	91 6
Laundress	..	..	81 6	..	81 6
Head waitress or supervisor	..	..	81 6	..	81 6
Other waitresses	..	..	77 6	..	77 6
Pantrymaid or kitchenmaid	..	..	77 6	..	77 6
Fruit juice, flavour, or soda fountain hand	..	..	80 6	..	80 6
Counterhand (other than a soda fountain hand as defined)	..	..	77 6	..	77 6
Housemaid	..	..	77 6	..	77 6
Linen maid or seamstress	..	..	82 0	..	82 0

## RESTAURANTS, COFFEE PALACES, EATING-HOUSES, AND ALL OTHER PLACES EXCEPT HOTELS AND CLUBS—continued.

## OTHER EMPLOYEES—continued.

	† WAGES.			
	Within a radius of 25 miles of the General Post Office, Melbourne.		In all other parts of Victoria.	
	Males.	Females.	Males.	Females.
	Per Week of 40 Hours.	Per Week of 40 Hours.	Per Week of 40 Hours.	Per Week of 40 Hours.
Persons not otherwise provided for .. ..	s. d. 128 0	s. d. 77 6 Per week of 20 Hours. Provided that a minimum payment of 15s. shall be paid each week irrespective of the number of hours worked.	s. d. 126 6	s. d. 77 6 Per week of 20 Hours. Provided that a minimum payment of 15s. shall be paid each week irrespective of the number of hours worked.
Midday waitresses or midday kitchenmaid or pantry-maid (employed only between 11.40 a.m. and 3 p.m.) .. ..	.. ..	47 0	.. ..	47 0

NOTE.—WAR LOADINGS: For convenience War Loadings as follows:—

Males .. ..	.. ..	4s. 0d. per week
Midday waitresses, midday kitchenmaids or pantrymaids .. ..	.. ..	1s. 6d. "
Other females .. ..	.. ..	2s. 6d. "

have been included in wages for employees classified under heading of other employees.

NOTE.—A copy of this Determination shall be displayed at or near the entrance of every establishment where the Determination of this Wages Board applies.

Under the provisions of Section 7 of the Factories and Shops Act 1936 (No. 4461) every employer of any employee in any restaurant is required to keep a time-book in the prescribed form wherein each employee shall enter daily a correct record of the hours worked. Any employer or employee who commits a breach of this section is liable to a penalty not exceeding £2.

†SUBJECT TO—(a) A maximum deduction as for two meals a day being made where an employee commences work at 9 a.m. or later and finishes at 4 p.m. or earlier on the same day, or he or she commences work for the day between 1 p.m. and 4 p.m.; and (b) A maximum deduction as for one meal a day being made where an employee commences work for the day at or after 4 p.m., the minimum wage shall (except in the cases of barmaids or of employees working for an employer who carries on the business of a Restaurant, Dining Room, Eating House, or Cafeteria in connexion with a Departmental Store or Emporium, and of an apprentice, an improver, a midday waitress, a midday kitchenmaid or pantrymaid, or a casual employee, working in other places) be, where the employer—

- (i) boards the employee and provides three meals per day, one of which shall be a substantial meal, 13s. 6d. per week less;
- (ii) boards the employee and provides three meals per day, where substantial meals are not provided, 9s. per week less;
- (iii) provides only two meals per day for an employee who is employed between 6 a.m. and 3 p.m. or between 11.30 a.m. and 11.45 p.m., 9s. per week less; or
- (iv) boards and lodges the employee, 21s. per week less.

Notwithstanding any condition in this clause no deduction for meals shall be made for a public holiday when the employee is not required to work on such public holiday.

In computing the amount to be deducted for meals where an employee works for less than six days a week or who is provided with less meals than those provided for in sub-clauses (i), (ii), and (iii) hereof the amount to be allowed as a deduction for each meal shall be one-seventeenth of the amount herein provided for a weekly deduction.

## HOURS OF WORK.

38. The hours of work shall be 40 per week to be worked within a spread of 12 hours per day, including meal intervals and not more than two other breaks, which, in the aggregate, shall not exceed three hours each day.

## TERMS OF EMPLOYMENT.

39. (a) Employees (other than casual employees, midday waitresses and midday kitchenmaids or pantrymaids) shall be engaged by the week and paid by the week.

(b) Employees (other than casual employees, midday waitresses and midday kitchenmaids or pantrymaids) ready, willing and available to perform such work as the employer shall from time to time require on the days and during the hours usually worked by the class of employee affected, shall have no deduction made from the weekly wages prescribed except for time lost through sickness (*vide* clause 49, Sick Leave) or absence from work without permission of the employer.

(c) The provisions of sub-clauses (a) and (b) hereof shall not apply if there is a stoppage of work for which the employer cannot reasonably be held responsible through any strike, breakdown of machinery, or other cause, proof of which shall be on the employer.

## OVERTIME.

40. Time and a half calculated on the rates fixed without any deductions for board and/or lodging shall be paid for all time worked in excess of 40 hours per week or in excess of 10 hours per day and/or outside a spread of 12 hours each day.

## FEMALES EMPLOYED AFTER MIDNIGHT.

41. Females (other than casuales) required to do any work between midnight and 3 a.m. shall be paid for such work at the rate of double time.

## CASUAL LABOUR.

42. Casual employees (i.e., persons employed during any week for not more than one-half the maximum number of hours fixed in this Determination as a week's work) shall be paid—

- (a) All casual workers other than those employed by caterers—time and a third on week days and time and a half on Sundays, with a minimum payment of three hours for work done on any one day.
- (b) Casual workers employed in the business of a caterer—

## Persons employed on racecourses—

Barmen .. ..	.. ..	6s. 0d. per hour
All others—		
Males .. ..	.. ..	5s. 0d. per hour
Females .. ..	.. ..	3s. 1d. per hour
Persons employed on show grounds, picnic grounds, or recreation grounds—		
Barmen .. ..	.. ..	5s. 6d. per hour
All others—		
Males .. ..	.. ..	5s. 0d. per hour
Females .. ..	.. ..	3s. 1d. per hour

With a minimum of 4 hours' pay for work done on any one day.



Persons employed on a shop day (i.e., persons employed preparing for a function on the day before such function or cleaning up on the day after such function)—

(i) For a function held on a racecourse, showground, picnic ground, or a recreation ground—

Males .. .. .	37s. 10d. per day of 8 hours.
Females .. .. .	25s. 6d. per day of 8 hours.

(ii) For a function other than a function provided for in sub-clause (i)—

Males .. .. .	4s. 6d. per hour with a minimum payment for 5 hours on any day.
Females .. .. .	2s. 9d. per hour with a minimum payment for 5 hours on any day.

Where the employer does not provide a midday meal for a casual worker employed on a shop day such worker shall be paid 1s. per day extra.

All others— Per hour

Males .. .. .	4s. 6d. }	With a minimum payment of three hours for work done on any one day.
Females .. .. .	2s. 9d. }	

(c) Notwithstanding any provision in sub-clauses (a) and (b) hereof the minimum payment for employees who work during a theatre interval only, viz., between 8.45 p.m. and 10.15 p.m. for a period not exceeding one hour shall be 4s. 6d. for each day.

(d) The special rate to be paid to casual workers employed in the business of a caterer for work done on Sunday, Good Friday, and Christmas Day shall be double time.

#### TRAVELLING.

43. The special rate to be paid to employees who work away from their employer's place of business for time occupied in travelling between the employer's place of business and work, or between the employee's residence and work, shall be at ordinary rates.

#### SUNDAYS.

44. The special rate to be paid to employees, other than casuals, for work done on a Sunday, shall be time and a half.

#### SPECIAL RATES.

45. Employees, other than casual employees, required to work on New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day, or any other day which may be by Act of Parliament or Proclamation substituted for any of the above-named holidays, shall be paid a minimum of seven hours at ordinary rates plus ordinary rates for the actual time worked up to seven hours and double time for all time worked in excess of seven hours.

#### HOLIDAYS.

46. Employees, other than casual employees, not required to work, shall be entitled to be absent on the holidays prescribed in clause 45 without deduction of pay, provided that the employee does not absent himself or herself from work without the employer's permission or reasonable cause on the working day preceding or succeeding any such holiday.

For the purposes of this clause a holiday shall be deemed to be of seven hours.

#### UNIFORMS.

47. Where any female employee is required by the employer to wear a uniform (other than a black uniform) such uniform shall be provided and laundered by the employer free of cost to the employee.

#### ANNUAL HOLIDAYS.

48. 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.

#### SICK LEAVE.

49. (a) Any employee who has been in the employment of the same employer for a period of not less than six months and who does not attend for duty 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 ground of personal ill-health or accident for more than 40 hours of working time in each year of service or a proportionately less time during any shorter period of employment.

(b) Notwithstanding the provisions of sub-clause (a) hereof, if the full period of sick leave as prescribed 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 120 hours of working time, which shall be the maximum amount of leave to which an employee shall be entitled in any year of service without deduction of pay.

For the purposes of this sub-clause, service prior to the 4th July, 1946, shall be disregarded.

#### DEFINITIONS.

50. (a) "Sweets cook" shall include any person manufacturing cakes or pastry for meals supplied by the employer.

(b) "Substantial meal" shall consist of food comprising soup, entrée, or joint, vegetables and sweets, and on Fridays, a choice of fish.

(c) Full pay shall mean the rate prescribed in the Determination for the class of work performed without any deductions whatever.

(d) Departmental store or emporium shall mean an establishment where more than one class of business is carried on, and where under section 83 of the *Factories and Shops Acts* such establishment is required to close at the hours prescribed by such section.

(e) Linen maid or seamstress shall mean a female employee who makes and/or repairs linen, uniforms, or furnishings for use in connexion with a business covered by this Determination.

(f) Fruit juice, flavour, or soda fountain hand shall mean a female employee who as required prepares fruit juices and/or flavours.

(g) Storeman or storewoman shall mean an employee continuously engaged in storing, checking, tallying, or handling stores.

#### TERMINATION OF EMPLOYMENT.

51. Employees (other than casual employees) shall except in a case of misconduct by either employer or employee, give or receive two days' notice of termination of employment, or in lieu of such two days' notice one third of the weekly rate fixed for the class of work performed by the employee shall be paid by the employer or forfeited by the employee, but such notice shall not be required from an employee who terminates employment because of his or her illness or injury.

## RIGHT OF ENTRY.

52. Any official of the Federated Liquor and Allied Trades Employees Union of Australasia or the Victorian Chamber of Catering Industries authorized in writing by the Secretary for Labour shall have the right to enter any establishments or premises covered by this Determination in order to inspect time-sheets and to interview employees on any matter connected with their employment. Such accredited official before entering such establishment or premises shall produce the authority in writing mentioned on a demand by the employer or his representative for such production.

## ACCOMMODATION.

53. Adequate accommodation apart from rooms to which the public have access shall be provided for dressing, and reasonable accommodation shall be provided for employees to have their meals.

## PERIODICAL ADJUSTMENT OF WAGES.

54. (a) The wages rates for adult males and barmaids set out in clause 2, and for adult males set out in clause 23 and adult males and barmaids in clause 37 (b) 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 by clause 55. Provided that the rates of adult females (other than barmaids) shall be increased or decreased as the case may be in accordance with the table set out in sub-clause (b) hereof.

Provided further that the amounts of the rates of all juniors shall be adjusted proportionately to adjustments of the basic wage calculated to the nearest 6d., any broken part of 6d. in the result not exceeding 3d. to be disregarded.

(b)

Table.

Original Index Number Division (1225-1235).

Index Number Divisions.		Amounts of Addition or Deduction.	
For Addition.	For Deduction.	Males.	Females.
		<i>s. d.</i>	<i>s. d.</i>
1225-1235	1225-1235	Nil.	Nil.
1236-1247	1213-1224	1 0	0 6
1248-1258	1202-1212	2 0	1 3
1259-1270	1190-1201	3 0	1 9
1271-1281	1179-1189	4 0	2 9
1282-1293	1167-1178	5 0	3 0
1294-1304	1156-1166	6 0	3 6
1305-1316	1144-1155	7 0	4 3
1317-1327	1133-1143	8 0	4 9
1328-1339	1121-1132	9 0	5 3

Any extension of this table must be of the same construction as the table.

(c)

## Basic Wage.

Place.	Needs Basic Wage (Adjustable).	Loading (Constant).	Total Basic Wage.	Index Number Set Assigned.
	<i>Per week.</i> <i>£ s. d.</i>	<i>Per week.</i> <i>£ s. d.</i>	<i>Per week.</i> <i>£ s. d.</i>	
Throughout the State .. .. .	5 9 0	0 6 0	5 15 0	Melbourne

## ADJUSTMENT OF BASIC WAGE.

55. (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 August, 1948, the amounts of the basic wage shall be as prescribed in clause 54.

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

J. V. WILLOX, Secretary.

Melbourne, 10th August, 1948.