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[1949

Factories and Shops Acts.

DETERMINATION OF THE SLAUGHTERING FOR EXPORT BOARD.

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

IN accordance with the provisions of the Factories and Shops Acts the Wages Board which since the 13th October, 1941, has had the power to "determine the lowest prices or rates which may be paid to any person or classes of persons (other than persons subject to the provisions of any Wages Board heretofore appointed) employed in the meat export trade as—

- (a) slaughterers or dressers of sheep, lambs, cattle, pigs, or calves;
- (b) boners, trimmers, or labourers;
- (c) drovers, stockmen, or penners-up;
- (d) skin store workers;

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 1st February, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

SECTION A.

SHEEP AND LAMBS.

2. (a) Rates of Pay—

(i) Chain System as hereinafter described—

To slaughtermen employed in Group A, 5s. 7 ⁷ / ₁₀ d. plus 1 ¹ / ₂ d. war loading (total 5s. 9 ¹ / ₁₀ d.)	} Rams double rates.
per 100 sheep or lambs slaughtered	
To slaughtermen employed in Group B, 5s. 6 ¹ / ₂ d. plus 1s. 1 ¹ / ₂ d. war loading (total 6s. 8d.)	} per 100 sheep or lambs slaughtered
per 100 sheep or lambs slaughtered	

To learners—

For the first 21 days of employment—

35s. 4¹/₂d. plus 1s. 2¹/₂d. war loading (total 36s. 7d.) per day.

Thereafter until considered competent by the employer—

41s. 9⁷/₁₀d. plus 1s. 2¹/₂d. war loading (total 42s. 11¹/₂d.) per day.

No person under the age of 18 years shall be employed as a learner.

When one team only is employed, the composite rate of 65s. 2¹/₁₀d. plus 1s. 3d. war loading (total 66s. 5¹/₁₀d.) per 100 sheep or lambs slaughtered shall be divided equally between the members of Groups A and B.

When two or more teams are employed, men employed in Group A shall divide 5s. 7⁷/₁₀d. plus 1¹/₂d. war loading (total 5s. 9¹/₁₀d.) per 100 sheep or lambs slaughtered equally between them, and men employed in Group B shall divide 5s. 6¹/₂d. plus 1s. 1¹/₂d. war loading (total 6s. 8d.) per 100 sheep or lambs slaughtered equally between them.

Rate and a half for piecework slaughtermen on the mutton and lamb chain is to be paid when treating in excess of 80 head per man per day.

The following employees shall not be included as members of the team and shall be paid as hereunder:—

To men employed as pointsmen, washers, wipers, and stringers—

Such men shall be paid by the employer at the rate hereinafter prescribed for other labourers, and juvenile wipers, washers, and stringers shall be paid at the rate hereinafter prescribed for juvenile workers.

Employees engaged as trimmers on the chain shall be paid at "Other Labourers" rate for the first 2,000 sheep or lambs handled daily per employee and thereafter an additional daily rate of 6d. per 100 sheep or lambs per employee.

Employees engaged as pushers-in to chain or ring, i.e., feeding from the bleeding rail to the legging table, shall be paid at "Other Labourers" rate for the first 2,000 sheep or lambs handled daily per employee and thereafter an additional daily rate of 9d. per 100 sheep or lambs.

Employees engaged inserting spreader on the chain shall be paid at "Other Labourers" rate for the first 2,000 sheep or lambs handled daily per employee and thereafter an additional daily rate of 6d. per 100 sheep or lambs.

Employees engaged inserting spreader on the ring shall be paid at "Other Labourers" rate for the first 2,000 sheep or lambs handled daily per employee and thereafter an additional daily rate of 6d. per 100 sheep or lambs.

Employees engaged changing from long hook to gambrel and slide on the chain shall be paid at "Other Labourers" rate for the first 2,000 sheep or lambs handled daily per employee and thereafter an additional daily rate of 1s. per 100 sheep or lambs.

Employees engaged changing over on the ring shall be paid at "Other Labourers" rate for the first 3,000 sheep or lambs handled daily per employee and thereafter an additional rate of 6d. per 100 sheep or lambs.

Employees engaged changing to gambrel and slide on the ring shall be paid at "Other Labourers" rate for the first 2,000 sheep or lambs handled daily per employee, and thereafter an additional 6d. per 100 sheep or lambs.

Employees engaged as trimmers on the ring shall be paid at "Other Labourers" rate plus an additional daily rate of 1d. per 100 sheep or lambs handled daily per employee.

Employees engaged on the removal of caul fats on either the ring or chain shall be paid at "Other Labourers" rate plus an additional daily rate of 1d. per 100 sheep or lambs handled daily per employee.

In the event of more than one employee being engaged on one of the before-mentioned tasks, the additional daily rate above 2,000 or 4,000 per employee as the case may be shall be divided between those so employed on such task.

For the purpose of calculating payment in each instance 15 or over in each multiple of 25 sheep or lambs to be paid for as at 25 and under 15 to be disregarded.

(ii) Solo System as hereinafter described—

To slaughtermen employed on the solo system 65s. 2¹/₁₀d. plus 1s. 3d. war loading (total 66s. 5¹/₁₀d.) per 100 sheep or lambs slaughtered. Rams—double rates.

(b) Duties of Slaughtermen—

Men employed slaughtering sheep or lambs may be employed upon either the chain system or the solo system.

(i) Chain System.—Slaughtermen slaughtering sheep or lambs upon the chain system shall be organized into a team or teams. Each team shall be divided into the following groups:—

Group A.—Men employed in catching, sticking, shackling.

Group B.—Men employed in skinning hind legs and removing hind trotters, placing long hooks and removing shackle, skinning fore legs, removing tongue and sweetbread, tying weasand, punching briskets, removing spreader, splitting skins, removing front trotters, flanking and thumbing up, clearing tail and rectum gut, punching off skins, scalping and removing heads, gutting, removing pluck, splitting down briskets.

(ii) Solo System.—A slaughterman may be employed in individually performing the complete process of slaughtering, trimming and dressing sheep or lambs. Such slaughterman shall perform, in addition to trimming, such of the duties referred to in the preceding paragraph as are applicable to a solo slaughterman.

(c) Daggy, Maggoty, Diseased Sheep and Lambs and Full Wool Sheep:—

(i) Daggy and/or maggoty sheep and old lambs shall be treated before being stuck.

(ii) Double rates shall be paid for diseased sheep and/or lambs which are condemned by the Veterinary Officer or Chief Meat Inspector for diseases contagious to human beings.

(iii) Full wool sheep shall be paid for at rate and a half after 1st September.

(iv) Slaughtering of heavy sheep, woolly or shorn, over 64 lb. graded weight, shall be paid for at rate and a half.

Extra rates prescribed in this Determination shall not be cumulative.

NOTE.—To the daily earnings of each pieceworker (other than learners) the sum of 1s. 2¹/₂d. shall be added.

CATTLE.

3. (a) Rate of Pay to Slaughtermen.—

3s. 9¹/₄d. plus 1d. war loading (total 3s. 10¹/₄d.) per head of cattle slaughtered.

Bulls, 300 lb. or over freezer weight—double rates.

Downer cattle, i.e., cattle which are carted to the killing pen—double rates.

Double rates shall be paid for diseased cattle which are condemned by the Veterinary Officer or Chief Meat Inspector for diseases contagious to human beings.

(b) Duties of Slaughtermen—

Men slaughtering cattle shall be divided into the following classes—

Class A.—Men employed grounding, backing off, skinning tail.

Class B.—Men employed knocking down, shackling, hoisting to bleeding rail, sticking, cutting off heads, placing heads on slide or table, sawing horns, lowering, footing off, pritching, cutting brisket and aitch, lowering weasand, freeing heart fat, saving sweetbreads, removing caul fat, sawing brisket and aitch, placing rollers, hoisting, wiping, landing, necking off, dropping hide down chute, fronting out, chopping or machine sawing.

Class C.—Men employed spining, wiping hindquarters, washing chine bone, scrubbing ribs and brisket, wiping forequarters.

(c) Organization—

(i) Team System.—An employer may organize a team of employees consisting of not less than seven men in the proportion of 2 Class A, 4 Class B, 1 Class C or any multiple thereof. The total earnings shall be divided among the members of such team as follows:—Class A three ninths, Class B five ninths, Class C one ninth. The amount allotted to each class shall be divided equally among the members of such class.

(ii) Gang System.—An employer may permit any number of men, not exceeding six, to form themselves into a gang. The total earnings of such gang shall be divided between the members of such gang in such proportion as shall be mutually agreed upon between the employer and all of the members of such gang.

NOTE.—To the daily earnings of each pieceworker the sum of 1s. 2¹/₂d. shall be added.

CALVES.

4. Rates of pay to men slaughtering calves on the chain system or by the solo system—

Calves 100 lb. and under, skin on 59s. 11¹/₂d. plus 1s. 3d. war loading (total 61s. 2¹/₂d.) per 100 calves.

Calves 100 lb. and under, skin off 85s. 1d. plus 1s. 3d. war loading (total 86s. 4d.) per 100 calves.

Calves, 101 lb. to 150 lb., skin on 76s. 2¹/₂d. plus 1s. 3d. war loading (total 77s. 5¹/₂d.) per 100 calves.

Calves, 101 lb. to 150 lb., skin off 108s. 1¹/₂d. plus 1s. 3d. war loading (total 109s. 4¹/₂d.) per 100 calves.

Calves, 151 lb. to 200 lb., skin on 91s. 5¹/₂d. plus 1s. 3d. war loading (total 92s. 8¹/₂d.) per 100 calves.

Calves, 151 lb. to 200 lb., skin off 133s. 11¹/₂d. plus 1s. 3d. war loading (total 135s. 2¹/₂d.) per 100 calves.

Calf skimmers engaged skinning cold calves—
38s. 3¹/₂d. plus 1s. 2¹/₂d. war loading (total 39s. 5¹/₂d.) per day.

The weights referred to above are as stated, either including the weight of skin where the rate is quoted with skin on or excluding the weight of skin where the rate is quoted with skin off.

NOTE.—To the daily earnings of each pieceworker the sum of 1s. 2¹/₂d. shall be added.

Pros.

5. (a) Rates of pay to men slaughtering pigs—

Machine deaired—

Up to 100 lb.	..	..	..	..	10·874d. per head
101 lb. to 200 lb.	..	..	..	..	14·382d. per head
Over 200 lb.	..	..	..	..	23·692d. per head

Total.

Hand scudded—

Up to 100 lb.	..	..	..	..	18·65d. per head
101 lb. to 200 lb.	..	..	..	..	23·692d. per head
Over 200 lb.	..	..	..	..	37·681d. per head

These rates include 4 per cent. war loading.

If pigs are put through singeing machine 6¼d. per head shall be added to the above rates.

(b) Duties of slaughtermen slaughtering pigs.—Knocking down or stunning, shackling and hoisting to bleeding rail, sticking, handling into and in scald tank, handling out of scald tank into machine, handling out of machine, scraping, shaving and thoroughly cleaning, opening up and removing viscera, washing and hanging off, chopping or sawing down, washing and tucking up.

NOTE.—To the daily earnings of each pieceworker the sum of 1s. 2¼d. shall be added.

RATES OF PAY TO BONERS.

6. Boners may be employed at the daily rates as prescribed in clause 8 hereof or at the following piece-work prices, which in respect of beef, mutton, pork, or veal shall not apply until the following daily quota has been completed :—

(a) (i) Beef, 9½ bodies.

(ii) Mutton, 65 carcasses.

(iii) Veal—

Up to 60 lb., 57 carcasses	..	..	..	..	..
61 lb. to 120 lb., 38 carcasses	..	..	..	..	..
121 lb. to 200 lb., 19 carcasses	..	..	..	..	..
Over 200 lb. to be paid for at beef prices.					

Veal to be ribbed out, or birdcaged.

(iv) Pork—

- (1) When boned out and rinded and defatted to the satisfaction of the employer—1,900 lb. per day.
- (2) When previously derinded and only requires boning and defatting to the satisfaction of the employer—2,490 lb.

(b) Piece-work prices referred to above are—

(i) Mutton, 7·57d. for each additional carcass in excess of the daily quota.

Rams shall be paid for at double rates whenever done, and in addition an employee shall be paid 1¼d. for each carcass ribbed out and birdcaged.

Sheep over 64 lb. to be paid for at rate and a half.

For the purposes of this sub-clause—

- Two flying foxes shall equal one carcass.
- Three trunks shall equal two carcasses.
- Three pairs of legs shall equal one carcass.
- Three pairs of loins shall equal one carcass.
- Three pairs of hindquarters shall equal two carcasses.
- Five pairs of fore-quarters shall equal two carcasses.

(ii) Beef, 4s. 3·70d. and 12·94d. respectively for each additional body or quarter of beef (all-in-weight) in excess of the daily quota.

Bulls shall be paid for at double rates whenever done.

For the purposes of this sub-clause—

- Five briskets shall equal one-quarter of beef.
- Two rumps and loins shall equal one-quarter of beef.
- Four clods and stickings shall equal one-quarter of beef.
- Fifteen shins shall equal one-quarter of beef.
- Two necks and blades shall equal one-quarter of beef.
- Two ribs and two briskets shall equal one-quarter of beef.
- Three crops shall equal two quarters of beef.
- Three shoulders shall equal two quarters of beef.
- Three chucks and blades shall equal two quarters of beef.
- Three horses' heads under three ribs, shall equal two quarters of beef.
- Five butts shall equal two quarters of beef.
- Seven briskets with shin attached shall equal two quarters of beef.

Surplus fore-quarters being additional fore-quarters to the full bodies treated, horses' heads over three ribs and quarters of ox-beef when being boned out for export cuts (not canning) shall be paid for at the following rates :—

Under 100 lb.	..	..	..	12·94d. per quarter
101 lb. to 150 lb.	..	..	..	1s. 3·86d. per quarter
Over 150 lb.	..	..	..	1s. 5·25d. per quarter

Bone-in-weight.

(c) Calves—for each additional carcass in excess of the daily quota—

Up to 60 lb., 8·63d. per carcass	..	..	..	..
61 lb. to 120 lb., 12·94d. per carcass	..	..	..	..
121 lb. to 200 lb., 2s. 1·88d. per carcass	..	..	..	..

Veal to be ribbed out, or birdcaged.

Over 200 lb. to be paid for at beef prices.

For the purposes of this sub-clause—

- Two flying foxes of veal shall equal one carcass.
- Three trunks of veal shall equal two carcasses.
- Three pairs of legs of veal shall equal one carcass.
- Three pairs of loins of veal shall equal one carcass.
- Three pairs of hind-quarters of veal shall equal two carcasses.
- Five pairs of fore-quarters shall equal two carcasses.

(d) Pork—for each additional amount in excess of the daily quota—

- (1) When boned out and rinded and defatted to the satisfaction of the employer—2s. 1·88d. per 100 lb.
- (2) When previously derinded and only requires boning and defatting to the satisfaction of the employer—1s. 7·75d. per 100 lb.

Boners on piece-work shall work 40 hours per week and the standard of boning shall be carried out to the entire satisfaction of the employer.

RATES OF PAY TO SLICERS AND TRIMMERS.

7. Slicers and trimmers may be employed at the daily rates as prescribed in clause 8 hereof or at the following piece-work prices which shall not apply until the following daily quota has been completed:—

(a) (i) Beef—fourteen bodies, provided that when work is done on surplus fore-quarters as defined in clause 6 (b) (ii) the quota shall be:—

Under 100 lb.	56 quarters.
101 lb. to 150 lb.	52 quarters.
Over 150 lb.	48 quarters.

(ii) Mutton—130 carcasses.

(b) Piece-work prices referred to above are—

(i) Mutton—3.46d. for each additional carcass in excess of the daily quota.
 (ii) Beef—2s. 8.17d. for each additional body in excess of the daily quota provided that when surplus fore-quarters as defined in clause 6 (b) (ii) are done the following prices shall be paid for each additional fore-quarter in excess of the daily quota—

Under 100 lb.	8.04d. per quarter.
101 lb. to 150 lb.	8.66d. per quarter.
Over 150 lb.	9.38d. per quarter.

(c) Bull beef (excluding surplus fore-quarters) shall be paid for at 50 per cent. above ordinary rates.

Slicers and Trimmers on piece-work shall work 40 hours per week and the standard of slicing and trimming shall be carried out to the entire satisfaction of the employer.

8.

WAGES.

APPRENTICES AND IMPROVERS.

(Solo System only.)

	Weekly Wage.
	£ s. d.
1st year's experience	3 6 0
2nd " "	4 0 0
3rd " "	4 12 0
4th " "	6 1 6
5th " "	Minimum wage

PROPORTION (BY ANY EMPLOYER).

Apprentices.

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

Improvers.

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.

Juvenile Workers. For Definition, see Clause 12.		Other Employees.			
—	Wages per Day.	—	Wages per Day.		
			Ordinary Daily Wage.	War Loading Daily.	Total Daily Wages.
	s. d.		s. d.	s. d.	s. d.
16 years and under		Boners (Beef and Mutton)	39 9 ⁷ / ₂₀	1 2 ² / ₅	40 11 ¹ / ₂
17 years and under	12 3	Head and Feet Boners—			
18 years and under	12 10	(i) Sheep and Lambs—skinning, cheeking, splitting heads and removing brains			
19 years and under	15 4	(ii) Cattle—removing face pieces and cheeks, chopping heads, removing brains, skinning feet, removing sinews and hoofs	35 5 ¹ / ₂	0 9 ² / ₅	36 2 ¹ / ₂
20 years and under	18 4	Slicers and Trimmers	36 8 ¹ / ₂	0 9 ³ / ₅	37 6 ¹ / ₂
21 years and under	23 3	Labourers trimming, cleaning, scalding, and picking tripe	35 5 ¹ / ₂	0 9 ³ / ₅	36 2 ¹ / ₂
		Boners' Labourers	33 11 ¹⁷ / ₂₀	0 7 ¹ / ₅	34 7 ¹ / ₂
		Skin Shed Labourers	33 0 ¹ / ₂	0 7 ¹ / ₅	34 4 ¹ / ₂
		Other Labourers	35 0 ¹ / ₂	0 9 ³ / ₅	35 10 ¹ / ₂

Rate and a half for immediate attendant labour following slaughtermen shall be paid and is to be calculated on a unit basis when slaughtermen treat in excess of 80 head per man per day.

TIMES OF BEGINNING AND ENDING WORK.

9. Skin Shed Labourers—
 From Monday to Friday inclusive Time of Beginning. Time of Ending.
 7.30 a.m. 5 p.m.

Boners, slicers, and trimmers, boners' labourers and other labourers may, by mutual arrangement with the employer, commence not earlier than 7 a.m. and not later than 7.30 a.m.

HOURS.

10. The number of hours to constitute an ordinary week's work shall be 40 to be worked in five days (Monday to Friday inclusive), provided that employees if required shall work reasonable overtime on such days and on Saturdays for which overtime rates shall be paid and provided further that any employee who fails to work such overtime shall only be paid for the time actually worked.

OVERTIME.

11. All time worked in excess of eight hours on Monday to Friday inclusive and all time worked on Saturday shall be paid time and a half or rate and a half provided that employees required to work on Saturday shall be guaranteed a minimum of two and a half hours work or pay for same at penalty rates.

NOTE.—Overtime and penalty rates shall be calculated on ordinary rates of pay, excluding war loadings.

DEFINITION.

12. A juvenile worker shall mean a person under 21 years of age employed only in performing one or more of the following tasks, viz.:—Washing, wiping, stringing, picking sweetbreads and crown fat, packing kidneys and livers, tying on tags and strings, pinning tails, picking up wool pieces, veining, sweeping, carrying gambrels, slides and spreaders, washing and packing hearts, stamp-marking carcasses, feeding grade elevator, working in the beef house for the purpose of learning the trade.

WAITING TIME.

13. (a) If any employee covered by the team slaughtering clause comes to work at an hour specified by the employer, or if he comes to work at the usual hour without being notified previously that he shall not be required, he shall (except in the case hereinafter mentioned) be paid as from that hour at the rate of 6s. per hour until he be started work on that day, or until one hour after notice that he shall not be required on that day. The excepted case is that of his being started at work within five minutes after the hour specified or usual time, as the case may be.

(b) When slaughtermen, at the request of employers, have to wait the arrival of stock, or have interrupted killings during the day for causes other than a break down of machinery, they shall be entitled to payment after the first fifteen minutes at the rate of 6s. per hour for such delay.

(c) When the minimum period in either section of this clause is exceeded, the payment for waiting time shall commence from the beginning of the period.

MEAL TIME.

14. (a) Stickers shall be allowed one hour for a meal between 11.45 a.m. and 12.45 p.m.

(b) Team slaughtermen shall be allowed one hour for a meal between 12 noon and 1.15 p.m.

(c) All other employees shall be allowed one hour for a meal between 12 noon and 1.30 p.m.

SMOKOS.

15. All employees shall be allowed fifteen minutes smoko between 9 a.m. and 10 a.m., and fifteen minutes smoko between 3 p.m. and 4 p.m.; provided that stickers shall commence their smokos fifteen minutes earlier than the team slaughtermen.

GRINDSTONES.

16. An employer shall provide grindstones in the proportion of one grindstone to every twenty slaughtermen employed by him.

WATERPROOF CLOTHING.

17. Waterproof boots and waterproof aprons shall be provided by the employer free of charge to employees engaged as washers and scrubbers, and to employees engaged cleaning, scalding, and picking tripe. Canvas aprons shall be provided to employees treating offal. Such boots and aprons shall remain the property of the employer.

SPECIAL RATES.

18. Slaughtermen shall be paid double rate and all other employees shall be paid double time for all work done on Sundays, Christmas Day, Boxing Day, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Cup Day, and Butchers' Picnic Day; 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.

HOLIDAYS.

19. (a) All employees (other than slaughtermen) shall be entitled to the ten holidays hereinafter mentioned at ordinary daily rates of pay, provided that such employee has been employed during any portion of the working week in which any one or more of such holidays is observed, viz.:—Christmas Day, Boxing Day, New Year's Day, Australia Day, Labour Day, Anzac Day, Good Friday, Easter Monday, Cup Day, and Butchers' Picnic Day; but, if any other day be by Act of Parliament or Proclamation substituted for any of the above-mentioned holidays in any place, all employees in that place shall be entitled to such day in lieu of the holiday for which it was substituted.

(b) Slaughtermen shall be entitled to the ten holidays mentioned in sub-clause (a) hereof and shall be paid for same at the average of their daily earnings for the week immediately preceding such holiday.

(c) An employee to become entitled to payment for the holidays prescribed in sub-clause (a) hereof must have been in the employ of his present employer within one month immediately preceding such holiday.

ANNUAL HOLIDAY AND SICK LEAVE.

20. (a) 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.)

(b) For the purpose of this clause 40 hours' sick leave is progressively paid for by the addition of an added rate to the hourly, daily, and/or piecework rates of pay as the case may be.

WORK TO BE PERFORMED.

21. An employee shall perform such work as the employer or his representative shall from time to time require on the days and during the hours usually worked by the class of employee affected.

WEIGHTS.

22. All weights referred to shall mean the frozen weights of animals slaughtered.

SKINS.

23. Skins and hides shall be taken off free from cuts and tears.

TALLY BOARD.

24. Each employer using the team system of slaughtering shall cause to be hung in a conspicuous place a blackboard, on which shall be recorded the daily tally and the number of men on each chain.

PAY DAY.

25. Wages shall be paid weekly and not later than Friday, provided that where killing has ceased for the working week wages shall be paid on the day in which such cessation occurs.

MEAL ALLOWANCE.

26. Employees required to work overtime for more than one and a half hours on any day without having been notified on the preceding day that they would be required so to work shall be paid the amount of 2s. in addition to any overtime payment to which they may be entitled.

KNIVES TO BE SUPPLIED.

27. Knives which shall remain the property of the employer shall be supplied under the following conditions to labourers when necessary for the performance of their duties:—

(i) They shall be returned to the employer on termination of the employment or at the end of the season.

(ii) If such knives are not returned the employer shall be entitled to deduct their cost from any money owing to the employee.

RIGHT OF ENTRY.

28. A duly accredited representative of the Australasian Meat Industry Employees Union shall have the right to enter employers' premises during the meal hour for the purpose of interviewing employees on legitimate Union business on the following conditions:—

(a) That he produces his authority to the manager or such other person as may be appointed by the employer.

(b) That he interviews employees only at the place where they are taking their meal.

(c) That not more than one representative visits the premises at any one time.

(d) That not more than one representative visits the same premises more than once in a week; and

(e) That, if any employer allege that a representative is unduly interfering with his business or is creating disaffection amongst his employees or is offensive in his methods or is committing a breach of any of the previous conditions such employer may refuse the right of entry.

SECTION B.

DROVERS, STOCKMEN, OR PENNERS-UP.

29. **ADULT WORKERS.**
- Men picking up stock at Newmarket Sale Yards—35s. 11½d. plus 6d. war loading (total, 36s. 5½d.), per day.
 - Men droving stock from Newmarket Sale Yards to Imperial Freezing Works, Lynch-street, Footscray—11s. 2½/10d. plus 2d. war loading (total, 11s. 4½/10d.), per trip and if from Newmarket Rail Siding an extra 2s. 6d.
 - Men droving stock from Newmarket Rail Siding to the abattoirs—13s. 3d. plus 2d. war loading (total 13s. 5d.), per trip.
 - Men droving stock from Newmarket Sale Yards to the abattoirs—10s. 8½d. plus 2d. war loading (total 10s. 10½d.), per trip.
 - Men droving stock from Newmarket Sale Yards to—
 - (a) Western and Murray, Geelong-road, Brooklyn } 34s. 8d., plus 6d. war loading
 - (b) Thos. Borthwick and Sons (A'sia.) Ltd., Brooklyn } (total, 35s. 2d.), per trip.
 - (c) Sims Cooper Freezing Works, Newport } 41s. 8½d. plus 6d. war loading
 - } (total 42s. 2½d.), per trip. } if from Newmarket Rail Siding an extra 2s. 6d.
 - Men on trips to the country for the purpose of lifting stock and delivering same to Freezing Works—38s. 9d., plus 6d. war loading (total, 39s. 3d.), per day, including Saturdays and Sundays.
 - Penners-Up, Checkers, or Counters of live stock—
 - 36s. 7½d. plus 9½d. war loading (total 37s. 4½/20d.), per day.
 - All others—
 - 35s. 3d. plus 7½d. war loading (total, 35s. 10½d.), per day.

30. **JUVENILE WORKERS.**

							Wages per Day.
							s. d.
16 years of age and under 17 years of age	..	..	..	..	..	..	12 3
17 years of age and under 18 years of age	..	..	..	..	..	..	12 10
18 years of age and under 19 years of age	..	..	..	..	..	..	15 4
19 years of age and under 20 years of age	..	..	..	..	..	..	18 4
20 years of age and under 21 years of age	..	..	..	..	..	..	23 3

PROPORTION:—One juvenile worker to every three or fraction of three adult workers.

- TIME OF BEGINNING AND ENDING WORK.**
31. Monday to Friday Time of Beginning. Time of Ending.
 .. 6 a.m. .. 6 p.m.
- OVERTIME.**
32. (a) Outside the times of beginning and ending work }
 (b) Within the times of beginning and ending work in excess of 9 hours in any one day or 40 hours in any one week } Time and a half.

NOTE.—Overtime and penalty rates shall be calculated on ordinary rates of pay, excluding war loadings.

SPECIAL RATES.

33. Employees shall be paid double time for all work done on Sundays, Christmas Day, Boxing Day, New Year's Day, Australia Day, Labour Day, Anzac Day, Good Friday, Easter Monday, Cup Day, and Butchers' Picnic Day; provided that employees called upon to work on any of the aforementioned days shall be paid for a minimum of four hours' work; provided further that men on trips to the country for the purpose of lifting stock and delivering same to Freezing Works shall not be entitled to double time for work done on Sundays.

ANNUAL LEAVE OF ABSENCE.

34. (a) 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.)
 (b) For the purpose of this clause, 40 hours' sick leave is progressively paid for by the addition of an added rate to the hourly, daily, and/or piece-work rates of pay as the case may be.

PAYMENT OF WAGES.

35. Wages shall be paid weekly and not later than Friday.

EXPENSES.

36. The employer shall pay all out-of-pocket expenses reasonably and necessarily incurred by the employee whilst on trips to the country for the purpose of lifting stock.

RIGHT OF ENTRY.

37. A duly accredited representative of the Australasian Meat Industry Employees Union shall have the right to enter employers' premises during the meal hour for the purpose of interviewing employees on legitimate Union business on the following conditions:—
- (a) That he produces his authority to the manager or such other person as may be appointed by the employer.
 - (b) That he interviews employees only at the place where they are taking their meal.
 - (c) That not more than one representative visits the premises at any one time.
 - (d) That not more than one representative visits the same premises more than once in a week; and
 - (e) That, if any employer alleges that a representative is unduly interfering with his business or is creating disaffection amongst his employees or is offensive in his methods or is committing a breach of any of the previous conditions, such employer may refuse right of entry.

ALLOWANCE FOR DOGS.

38. An amount of two shillings per day shall be paid by the employer to each drover, stockman, or penner-up towards the maintenance of the dog or dogs (irrespective of the number) used by each such drover, stockman, or penner-up in the course of his carrying out the job or service required by that employer.

ARTICLES TO BE SUPPLIED.

39. The following are to be supplied by the employer and are to remain his property and if not returned when required shall be paid for by the employee:—
- (a) Muzzles for dogs.
 - (b) Raincoats to drovers on outside work, and
 - (c) Hurricane lamps, when necessary, to drovers.

PERIODICAL ADJUSTMENT OF WAGES.

40. The wages rates set out in clauses 2 to 8 (inclusive), 29, and 30, 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 from time to time in accordance with the variations in the said basic wage as follows:—

The daily earnings of pieceworkers (except learners) in clauses 2 to 5 inclusive shall be increased or decreased by 2½d. for every 1s. increase or decrease in the basic wage.

All other rates shall be increased or decreased in proportion to the increase or decrease in the basic wage.

Basic Wage.

Place.	Needs Basic Wage (Adjustable).	Loading (Constant).	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Throughout the State	5 17 0	6 0	6 3 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

41. (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.

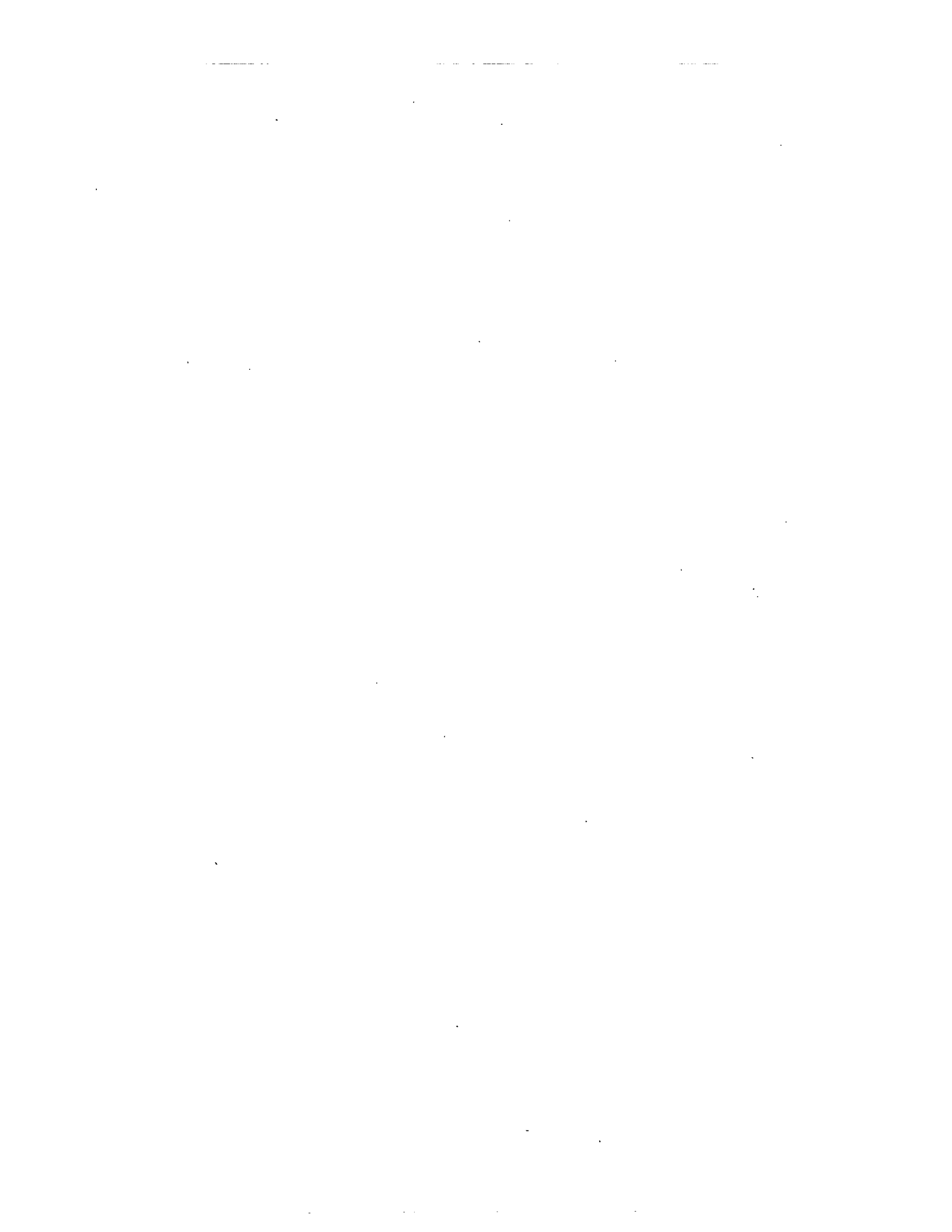
(b) Until the beginning of the first pay period to commence in May, 1949, the amounts of the Basic Wage shall be as prescribed in clause 40.

(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 the 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, 9th February, 1949.



[1917]



VICTORIA GOVERNMENT GAZETTE.

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WEDNESDAY, MARCH 23.

[1949

Factories and Shops Acts.

DETERMINATION OF THE MINERAL EARTHS BOARD.

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

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

- (i) in the process, trade, business, or occupation of manufacturing or preparing mineral earths by milling, grinding, or pulverizing rocks, earths, or clays other than mineral ores;
- (ii) in the process, trade, business, or occupation of pulverizing wood;
- (iii) in the process, trade, business, or occupation of manufacturing or preparing any insulating material fabricated from molten stone"

has made the following Determination, namely:—

1. That, as from the beginning of the first pay period to commence in February, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

PART I.

Persons OTHER THAN those employed in the process, trade, business, or occupation of manufacturing or preparing any insulating material fabricated from molten stone.

2. WAGES PER WEEK OF 40 HOURS.

(a) IMPROVERS.	s. d.	(b) OTHER EMPLOYEES.	s. d.
Under 17 years of age	43 9	Mill attendants	155 6
17 to 18 years of age	76 0	Persons not otherwise provided for, including mill feeders, baggers, and crusher hands	148 6
18 to 19 years of age	99 6	Leading Hands—	
19 to 21 years of age	117 0	Leading hands in charge of not fewer than three and not more than twelve employees, 12s. per week extra; more than twelve employees, 20s. per week extra.	
<i>Proportion (in any place).</i>			
One improver to every six adult employees.			

ADDITIONAL PAYMENT.

3. Employees working on milling of coloured pigments or handling diatomaceous or talite earths shall be paid an additional 2s. per day for each day, or part thereof, they are so employed.

PROHIBITION OF EMPLOYMENT.

4. The Board determines that no person shall be employed as an apprentice at any work covered by this Part.

HOURS OF EMPLOYMENT (EXCEPT IN THE CASE OF SHIFT WORK).

5. With the exceptions herein set out the ordinary hours of employment shall be 40 per week, to be worked in five days of not more than 8 hours and one day (Saturday) of not more than 4 hours, or five days of 8 hours each, continuously except for meal hour breaks at the discretion of the employer between 7 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 7 a.m. to noon on Saturday.

OVERTIME.

6. (a) That all time worked outside ordinary hours except by shift workers shall be paid for at the rate of time and a half for the first three hours' work, and double time thereafter.

(b) An employer may require any employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with such requirement.

SHIFT WORK.

7. (a) The ordinary hours of shift workers shall not exceed—

- (i) 40 in any week, to be worked in five shifts of 8 hours, on Monday to Friday inclusive, or five shifts of not more than eight hours and one shift (Saturday) of not more than four hours; or
- (ii) 80 in fourteen consecutive days, in which case an employee shall not, without payment for overtime, be required to work more than eight consecutive hours on any shift or more than six shifts in any week;
- (iii) 120 in 21 consecutive days, in which case an employee shall not, without payment of overtime, be required to work more than eight consecutive hours on any shift or more than six shifts in any week.

(b) Such ordinary hours shall be worked continuously except for meal breaks at the discretion of the employer. An employee shall not be required to work for more than six hours without a break for a meal.

(c) Except at regular change-over of shifts, an employee shall not be required to work more than one shift in each 24 hours.

(d) Shift workers whilst on afternoon or night shifts shall be paid 10 per cent. more than the ordinary rates for such shifts.

(e) Subject to this sub-clause, shift workers for all time worked on a Sunday or holiday shall be paid at the rates prescribed by clause 8 of this Part. Where shifts commence between 11 p.m. and midnight on Sundays and/or holidays, the time so worked before midnight shall not entitle the employee to the Sunday or holiday rate: Provided that the time worked by an employee on a shift commencing before midnight on the day preceding a Sunday or holiday and extending into a Sunday or holiday shall be regarded as time worked on such Sunday or holiday.

(f) Shift workers for all time worked in excess of or outside the ordinary working hours prescribed by this Part or on a shift other than a rostered shift shall—

(i) if employed on continuous work (as defined), be paid at the rate of double time; or

(ii) if employed on other shift work, at the rate of time and a half for the first four hours and double time thereafter except in each case when the time is worked—

(iii) by arrangement between the employees themselves;

(iv) for the purpose of effecting the customary rotation of shifts; or

(v) is due to the fact that the relief man does not come on duty at the proper time.

Provided that when not less than eight hours' notice has been given to the employer by the relief man that he will be absent from work and the employee whom he should relieve is not relieved, the unrelieved employee shall be paid at the rate of time and a half for the first four hours on duty after he has finished his ordinary shift, and at the rate of double time thereafter, except where the employee is required to continue to work on his rostered day off, when he shall be paid double time.

"Continuous work" shall mean work carried on by shifts of at least 12 hours for not less than five consecutive days.

(g) Shift workers who work on any afternoon or night shift which does not continue for at least five successive afternoons or nights in a five-day workshop, or for at least six successive afternoons or nights in a six-day workshop, shall be paid at the rate of time and a half.

(h) A shift worker who, during a period of engagement on shift, works only on night shift and without some regular rotation with some other shift or with day work, shall be paid at the rate of time and a quarter for all time worked during ordinary working hours.

(i) The method of working shifts may in any case be varied by agreement between the employer and the employee concerned or the accredited representative of the union to suit the circumstances of the establishment.

HOLIDAYS.

8. (a) All employees, whether in a city or elsewhere, shall be granted the following holidays without deduction of pay:—The days observed as New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, and Boxing Day.

(b) If any of the above holidays occurs on a Sunday or Saturday and is not observed on any other day, then employees shall not be paid for such Sunday, and shall be paid for such Saturday as for a half day only when the working week consists of five and a half days.

(c) All employees whether in a city or elsewhere, shall be paid for the above holidays an amount for each holiday based on the actual weekly wage paid to them by the employer.

(d) Any employee absenting himself or herself from work on any portion of the working day preceding, or any portion of the working day succeeding a holiday provided for herein, other than Boxing Day and New Year's Day, without permission from the employer or without having reasonable cause for having absented himself or herself from work, shall not be entitled to payment for such holiday.

(e) Any employee who is employed on a Sunday or any holiday provided for herein shall be paid for that day at the rate of double time.

CASUAL EMPLOYEES.

9. Casual employees, namely persons engaged and paid as such, shall receive the appropriate wages rate together with the addition of ten per cent.

ANNUAL HOLIDAY.

10. 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.

11. (a) An employee on weekly hiring with not less than three months service with an employer who is absent from his work on account of personal illness, or on account of injury by accident arising out of and in the course of his employment, shall be entitled to leave of absence, without deduction of pay, subject to the following conditions and limitations:—

(i) He shall not be entitled to paid leave of absence for any period in respect of which he is entitled to Workers' Compensation.

(ii) He shall prove to the satisfaction of his employer (or in the event of dispute the Secretary for Labour) that he was unable on account of such illness or injury to attend for duty on the day or days for which sick leave is claimed.

(iii) He shall not be entitled in any year (whether in the employ of one employer or of several) to leave in excess of 40 hours of working time.

For the purpose of administering paragraph (iii) of this sub-clause, an employer may, within two weeks of the employee entering his employment, require an employee to make a sworn declaration or other written statement as to what paid leave of absence he has had from any employer during the then current year; and upon such statement the employer shall be entitled to rely and act.

(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 120 hours of working time, which shall be the maximum amount of leave to which an employee may be entitled in any year without deduction of pay.

(c) Notwithstanding anything contained in sub-clause (a) hereof, an employee suffering injury through an accident arising out of and in the course of his employment (not being an injury in respect of which he is entitled to Workers' Compensation) necessitating his attendance during working hours on a doctor, chemist, or trained nurse, or at a hospital, shall not suffer any deduction from his pay for the time (not exceeding four hours) so occupied on the day of the accident, and shall be reimbursed by the employer all expenses reasonably incurred in connexion with such attendance.

"Year" means the period between the 8th day of May in each year and the next 7th day of May.

CONTRACT OF EMPLOYMENT.

12. (a) All employees (other than casuals) willing, ready and available for work shall be paid the full weekly wage. Any employee not specifically engaged as a casual employee shall be deemed to be employed by the week.

(b) Employment shall be terminated by a week's notice on either side given at any time during the week, or by the payment or forfeiture of a week's wages as the case may be.

(c) The provisions of sub-clauses (a) and (b) hereof shall not affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty or misconduct, and in such cases the wages shall be paid up to the time of dismissal only, or to deduct payment for any day the employee cannot be usefully employed because of any strike, or through any breakdown in machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

PAYMENT OF WAGES.

13. Wages shall be paid not later than Thursday in each week in the employer's time.

RESPIRATORS.

14. When engaged at rock-crushing mills or any place where the inhalation of dust or other matter is likely to occur, employees shall be provided, free of charge, with suitable and efficient respirators.

SHOWERS.

15. The employer shall provide hot and cold shower baths for the employees' use.

WASHING TIME.

16. Persons employed on milling of coloured pigments shall be allowed ten minutes, and other employees five minutes, at the end of each day or shift, as washing time.

RIGHT OF ENTRY OF UNION OFFICIAL.

17. (a) For the purpose of interviewing employees on legitimate union business, a duly accredited union representative shall have the right to enter employers' premises during the midday meal break on the following conditions:—

- (i) That he produces his authority to the gatekeeper or such other person as may be appointed by the employer.
- (ii) That he interviews employees only at places where they are taking their meal.
- (iii) That not more than one representative of each of not more than three unions be on the premises at any one time.
- (iv) That no one representative visit the premises more than once in each week.
- (v) That if any employer alleges that a representative is unduly interfering with his work or is creating dissatisfaction amongst his employees, or is offensive in his methods, or is committing a breach of any of the previous conditions, such employer may refuse the right of entry, but the representative shall have the right to bring such refusal before the Secretary for Labour.

Provided that where certain employees are working under a system of shift-work which precludes a representative from interviewing them during the midday meal break, the representative shall have the right to enter the employer's premises for the purpose of interviewing such employees at such time and under such conditions as to notice as may be mutually arranged by the representative and the employer or, failing agreement at such times, and under such conditions as the Secretary for Labour may decide.

(b) For the purpose of investigating complaints concerning the application of this Part, a duly accredited union representative shall be afforded reasonable facilities for entering an employer's workshop or plant during working hours, subject to the following conditions:—

- (i) That he discloses to the employer or his representative the complaint which he desires to investigate;
- (ii) that he makes his investigations in the presence of the employer or his representative (if the employer so desires);
- (iii) that he does not interfere with work proceeding in the workshop or plant;
- (iv) that he conducts himself properly.

(c) A union representative shall be a duly accredited representative of an organization bound by this Part if he be the holder for the time being of a certificate, signed by the general secretary of that organization and bearing the seal of that organization, in the following form, or in a form not materially differing therefrom:—

(Name of organization.)

This is to certify that
organization.

is a duly accredited representative of the abovenamed

General Secretary.

Seal.

Date—

Specimen signature of holder.

Strictly not transferable.

PART 2.

Persons employed in the process, trade, business, or occupation of manufacturing or preparing any insulating material fabricated from molten stone.

18. * WAGES PER WEEK OF 40 HOURS.

(a) Improvers.				(b) Other Employees.			
Males.		s. d.		Males.		s. d.	
Under 17 years of age	.. .. .	43	9	Leading charging hand	.. .. .	168	0
17 to 18 years of age	.. .. .	76	0	Assistant charging hand	.. .. .	152	0
18 to 19 years of age	.. .. .	99	6	Notcher	.. .. .	168	0
19 to 21 years of age	.. .. .	117	0	Oven hands	.. .. .	160	0
<i>Females.</i>				Process worker (including taker off conveyor or granulator attendant)	.. .. .	148	0
Under 16 years of age	.. .. .	35	0	Leading Hands—			
16 to 17 years of age	.. .. .	46	9	Leading hands in charge of not fewer than three and not more than twelve employees, 12s. per week extra; more than twelve employees, 20s. per week extra.			
17 to 18 years of age	.. .. .	49	9	NOTE.— The above rates include an allowance of 7½ per cent. for all shifts.			
18 to 19 years of age	.. .. .	58	6	<i>Females.</i>			
19 to 20 years of age	.. .. .	67	3	Adult females	.. .. .	90	6
20 to 21 years of age	.. .. .	76	0				
PROPORTION (IN ANY PLACE).							
<i>Males.</i>							
One male improver to every six adult employees.							
<i>Females.</i>							
One female improver to every four or fraction of four female workers receiving not less than the adult female rate.							

* These wages are loaded to compensate for industry disabilities.

PROHIBITION OF EMPLOYMENT.

19. The Board determines that no person shall be employed as an apprentice at any work covered by this Part.

HOURS OF EMPLOYMENT (EXCEPT IN THE CASE OF SHIFT WORK).

20. With the exceptions herein set out the ordinary hours of employment shall be 40 per week, to be worked in five days of not more than 8 hours and one day (Saturday) of not more than 4 hours, or five days of 8 hours each, continuously except for meal hour breaks at the discretion of the employer between 7 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 7 a.m. to noon on Saturday.

OVERTIME.

21. (a) That all time worked outside ordinary hours except by shift workers shall be paid for at the rate of time and a half for the first three hours' work, and double time thereafter.

(b) An employer may require any employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with such requirement.

SHIFT WORK.

22. (a) The ordinary hours of shift workers shall not exceed—

- (i) 40 in any week, to be worked in five shifts of 8 hours, on Monday to Friday inclusive, or five shifts of not more than eight hours and one shift (Saturday) of not more than four hours; or
- (ii) 80 in fourteen consecutive days, in which case an employee shall not, without payment for overtime, be required to work more than eight consecutive hours on any shift or more than six shifts in any week;
- (iii) 120 in 21 consecutive days, in which case an employee shall not, without payment of overtime, be required to work more than eight consecutive hours on any shift or more than six shifts in any week.

(b) Such ordinary hours shall be worked continuously except for meal breaks at the discretion of the employer. An employee shall not be required to work for more than six hours without a break for a meal.

(c) Except at regular change-over of shifts, an employee shall not be required to work more than one shift in each 24 hours.

(d) Subject to this sub-clause, shift workers for all time worked on a Sunday or holiday shall be paid at the rates prescribed by clause 23 of this Part. Where shifts commence between 11 p.m. and midnight on Sundays and/or holidays, the time so worked before midnight shall not entitle the employee to the Sunday or holiday rate: Provided that the time worked by an employee on a shift commencing before midnight on the day preceding a Sunday or holiday and extending into a Sunday or holiday shall be regarded as time worked on such Sunday or holiday.

(e) Shift workers for all time worked in excess of or outside the ordinary working hours prescribed by this Part or on a shift other than a rostered shift shall—

- (i) if employed on continuous work, be paid at the rate of double time; or
- (ii) if employed on other shift work, at the rate of time and a half for the first four hours and double time thereafter; except in each case when the time is worked—
- (iii) by arrangement between the employees themselves;
- (iv) for the purpose of effecting the customary rotation of shifts; or
- (v) is due to the fact that the relief man does not come on duty at the proper time.

Provided that when not less than eight hours' notice has been given to the employer by the relief man that he will be absent from work and the employee whom he should relieve is not relieved, the unrelieved employee shall be paid at the rate of time and a half for the first four hours on duty after he has finished his ordinary shift, and at the rate of double time thereafter, except where the employee is required to continue to work on his rostered day off, when he shall be paid double time.

(f) Shift workers who work on any afternoon or night shift which does not continue for at least five successive afternoons or nights in a five-day workshop, or for at least six successive afternoons or nights in a six-day workshop, shall be paid at the rate of time and a half.

(g) A shift worker who, during a period of engagement on shift, works only on night shift and without some regular rotation with some other shift or with day work, shall be paid at the rate of time and a quarter for all time worked during ordinary working hours.

(h) The method of working shifts may in any case be varied by agreement between the employer and the employee concerned or the accredited representative of the union to suit the circumstances of the establishment.

HOLIDAYS.

23. (a) All employees, whether in a city or elsewhere, shall be granted the following holidays without deduction of pay:—The days observed as New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, and Boxing Day.

(b) If any of the above holidays occurs on a Sunday or Saturday and is not observed on any other day, then employees shall not be paid for such Sunday, and shall be paid for such Saturday as for a half day only when the working week consists of five and a half days.

(c) All employees whether in a city or elsewhere, shall be paid for the above holidays an amount for each holiday based on the actual weekly wage paid to them by the employer.

(d) Any employee absenting himself or herself from work on any portion of the working day preceding, or any portion of the working day succeeding a holiday provided for herein, other than Boxing Day and New Year's Day, without permission from the employer or without having reasonable cause for having absented himself or herself from work, shall not be entitled to payment for such holiday.

(e) Any employee who is employed on a Sunday or any holiday provided for herein shall be paid for that day at the rate of double time.

CASUAL EMPLOYEES.

24. Casual employees, namely persons engaged and paid as such, shall receive the appropriate wages rate together with the addition of ten per cent.

ANNUAL HOLIDAYS.

25. 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.

26. (a) An employee on weekly hiring with not less than three months' service with an employer who is absent from his work on account of personal illness, or on account of injury by accident arising out of and in the course of his employment, shall be entitled to leave of absence, without deduction of pay, subject to the following conditions and limitations:—

- (i) He shall not be entitled to paid leave of absence for any period in respect of which he is entitled to Workers' Compensation.
- (ii) He shall prove to the satisfaction of his employer (or in the event of dispute the Secretary for Labour) that he was unable on account of such illness or injury to attend for duty on the day or days for which sick leave is claimed.
- (iii) He shall not be entitled in any year (whether in the employ of one employer or of several) to leave in excess of 40 hours of working time.

For the purpose of administering paragraph (iii) of this sub-clause, an employer may, within one month of this Determination coming into operation or within two weeks of the employee entering his employment, require an employee to make a sworn declaration or other written statement as to what paid leave of absence he has had from any employer during the then current year; and upon such statement the employer shall be entitled to rely and act.

(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 120 hours of working time, which shall be the maximum amount of leave to which an employee may be entitled in any year without deduction of pay.

(c) Notwithstanding anything contained in sub-clause (a) hereof, an employee suffering injury through an accident arising out of and in the course of his employment (not being an injury in respect of which he is entitled to Workers' Compensation) necessitating his attendance during working hours on a doctor, chemist, or trained nurse, or at a hospital, shall not suffer any deduction from his pay for the time (not exceeding four hours) so occupied on the day of the accident, and shall be reimbursed by the employer all expenses reasonably incurred in connexion with such attendance.

"Year" means the period between the 8th day of May in each year and the next 7th day of May.

CONTRACT OF EMPLOYMENT.

27. (a) All employees (other than casuals) willing, ready and available for work shall be paid the full weekly wage. Any employee not specifically engaged as a casual employee shall be deemed to be employed by the week.

(b) Employment shall be terminated by a week's notice on either side given at any time during the week, or by the payment or forfeiture of a week's wages as the case may be.

(c) The provisions of sub-clauses (a) and (b) hereof shall not affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty or misconduct, and in such cases the wages shall be paid up to the time of dismissal only, or to deduct payment for any day the employee cannot be usefully employed because of any strike, or through any breakdown in machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

PAYMENT OF WAGES.

28. Wages shall be paid not later than Thursday in each week in the employer's time.

RESPIRATORS.

29. When engaged at rock-crushing mills or any place where the inhalation of dust or other matter is likely to occur employees shall be provided, free of charge, with suitable and efficient respirators.

SHOWERS.

30. The employer shall provide hot and cold shower baths for the employees' use.

WASHING TIME.

31. Employees shall be allowed five minutes, at the end of each day or shift, as washing time.

RIGHT OF ENTRY OF UNION OFFICIAL.

32. (a) For the purpose of interviewing employees on legitimate union business, a duly accredited union representative shall have the right to enter employer's premises during the midday meal break on the following conditions:—

- (i) That he produces his authority to the gatekeeper or such other person as may be appointed by the employer.
- (ii) That he interviews employees only at places where they are taking their meal.
- (iii) That not more than one representative of each of not more than three unions be on the premises at any one time.
- (iv) That no one representative visit the premises more than once in each week.
- (v) That if any employer alleges that a representative is unduly interfering with his work or is creating dissatisfaction amongst his employees, or is offensive in his methods, or is committing a breach of any of the previous conditions, such employer may refuse the right of entry, but the representative shall have the right to bring such refusal before the Secretary for Labour.

Provided that where certain employees are working under a system of shift-work which precludes a representative from interviewing them during the midday meal break, the representative shall have the right to enter the employer's premises for the purpose of interviewing such employees at such time and under such conditions as to notice as may be mutually arranged by the representative and the employer or, failing agreement at such times, and under such conditions as the Secretary for Labour may decide.

(b) For the purpose of investigating complaints concerning the application of this Part, a duly accredited union representative shall be afforded reasonable facilities for entering an employer's workshop or plant during working hours, subject to the following conditions:—

- (i) That he discloses to the employer or his representative the complaint which he desires to investigate;
- (ii) that he makes his investigations in the presence of the employer or his representative (if the employer so desires);
- (iii) that he does not interfere with work proceeding in the workshop or plant;
- (iv) that he conducts himself properly.

(c) A union representative shall be a duly accredited representative of an organization bound by this Part if he be the holder for the time being of a certificate, signed by the general secretary of that organization and bearing the seal of that organization, in the following form, or in a form not materially differing therefrom:—

(Name of organization.)

This is to certify that _____ is a duly accredited representative of the abovenamed organization.

General Secretary.

Seal.

Date—

Specimen signature of holder.

Strictly not transferable.

PART 3.

Wage adjustment provisions applicable to Part 1 and Part 2.

PERIODICAL ADJUSTMENT OF WAGES.

33. The adult male rates set out in clause 2 of Part 1 and clause 18 of Part 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 34.

Basic Wage.

Place.	Needs Basic Wage.	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
Throughout the State	£ s. d. 5 17 0	s. d. 6 0	£ s. d. 6 3 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

34. (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, 1949, the amounts of the basic wage shall be as prescribed in clause 33.

(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.

(d) The wages of adult females and improvers wheresoever appearing shall be the undermentioned percentages of the needs basic wage calculated to the nearest threepence, half or less than half of threepence to be disregarded.

	Percentage of Needs Basic Wage.
Adult females	85
Improvers—	
MALES.	
Under 17 years of age	37½
17 to 18 years of age	65
18 to 19 years of age	85
19 to 21 years of age	100
FEMALES.	
Under 16 years of age	30
16 to 17 years of age	40
17 to 18 years of age	42½
18 to 19 years of age	50
19 to 20 years of age	57½
20 to 21 years of age	65

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

J. V. WILLOX, Secretary.

Melbourne, 1st February, 1949.