



# VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 591]

FRIDAY, JULY 15.

[1949

## ESSENTIAL SERVICES ACT 1948.

### PROCLAMATION

By His Excellency the Lieutenant-Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

WHEREAS it appears to the Governor in Council that action has been taken by certain persons or bodies of persons whereby essential services, namely—

- (a) fuel, light, and power provided to the public of Victoria by the Metropolitan Gas Company (an undertaker under the *Gas Regulation Act 1933*);
- (b) transport provided to the public of Victoria by any person or body who or which provides the service of carrying passengers or the service of carrying goods by sea or by any other form of water transport;
- (c) transport and stevedoring provided to the public of Victoria by any person or body who or which provides within the Port of Melbourne, for the purposes of or in relation to the service of carrying goods by sea or by any other form of water transport, the services or any of them comprised in the definition of stevedoring hereinafter set out, that is to say:—

“Stevedoring” means—

- (a) the loading or unloading of cargo into or from ships;
- (b) the loading or unloading, into or from ships, of ships' stores, coal or fuel oil (whether for bunkers or not), passengers' luggage, or mails;
- (c) the handling or storage of cargo or other goods at or adjacent to a wharf;
- (d) the driving or operation of mechanical appliances used in connexion with the loading or unloading of ships or with the handling or storage of cargo or other goods at or adjacent to a wharf;
- (e) the haulage or trucking from ship to shed or shed to ship;

- (f) the removal or replacing of beams or hatches;
- (g) the handling of dunnage or ballast;
- (h) the preparing or cleaning of coals; or
- (i) the preparation of gear for use in connexion with loading or unloading of ships—

where those services—

- (i) are provided in relation to or for the purpose of an operation of intra-state transport within Victoria, or
- (ii) are provided in Victoria, in relation to or for the purpose of an operation of transport.

“Wharf” includes pier and jetty, and a shed adjacent to a wharf.

- (d) transport provided to the public of Victoria by the following persons providing such service to the public of Victoria, viz., any person or body who or which provides the service of transporting coal from ship's side in the Port of Melbourne to any place within Victoria—

are interrupted or dislocated: I, the Lieutenant-Governor of the said State, by and with the advice of the Executive Council of the said State, do by this my Proclamation declare that a state of emergency exists in relation to those services within a radius of 25 miles from the General Post Office situate at the corner of Bourke-street and Spencer-street, Melbourne, and do further declare that this Proclamation is limited to the period of fourteen days from the date of the gazettal thereof.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, this fifteenth day of July, in the year of our Lord One thousand nine hundred and forty-nine, and in the thirteenth year of the reign of His Majesty King George VI.

(L.S.)

E. F. HERRING.

By His Excellency's Command,

T. T. HOLLWAY,

Premier.

GOD SAVE THE KING!





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FRIDAY, JULY 15.

[1949

Factories and Shops Acts.

## DETERMINATION OF THE SHOPS BOARD No. 23 (ELECTRICAL AND RADIO GOODS).

NOTE.—This Determination applies to the following parts of Victoria, namely:—The Metropolitan District and the Geelong District as defined in the Factories and Shops Acts, and the Order in Council thereunder extending such Metropolitan District, the cities of Ballarat, Bendigo, and Warrnambool, and the boroughs of Eaglehawk and Sebastopol.

On the 18th May, 1932, the Shops Board No. 18 (Miscellaneous Shops) was deprived of the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the business of a seller of—

- (a) Electrical goods;  
(b) Wireless (radio) sets, parts, or accessories;

and such power was conferred exclusively on the Shops Board No. 23 (Electrical and Radio Goods).

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 in the business of a seller of—

- (a) Electrical goods;  
(b) Wireless (radio) sets, parts, or accessories"—

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 24th June, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

### 2. WAGES PER WEEK OF 40 HOURS.

Apprentices and Improvers.				Other Employees.			
				Within the Metropolitan District.		Outside the Metropolitan District wherever the Determination applies.	
MALES.				MALES.			
				s.	d.	s.	d.
Under 16 years of age	..	..	..	33	0	177	6
16 years of age	..	..	..	44	0		
17 "	..	..	..	56	6		
18 "	..	..	..	79	0		
19 "	..	..	..	100	6		
20 "	..	..	..	123	6	173	6
FEMALES.				FEMALES.			
Under 16 years of age	..	..	..	33	6	162	0
16 years of age	..	..	..	42	6		
17 "	..	..	..	47	6		
18 "	..	..	..	55	0		
19 "	..	..	..	62	6		
20 "	..	..	..	71	0	158	0
<p>PROPORTION (WITHIN ANY SHOP).</p> <p><i>Apprentices.</i></p> <p>MALES.</p> <p>One male apprentice to every three or fraction of three workers receiving not less than 158s. per week.</p> <p>FEMALES.</p> <p>One female apprentice to every three or fraction of three workers receiving not less than 122s. 6d. per week.</p> <p><i>Improvers.</i></p> <p>MALES.</p> <p>One male improver to every two or fraction of two workers receiving not less than 158s. per week.</p> <p>FEMALES.</p> <p>One female improver to every two or fraction of two workers receiving not less than 122s. 6d. per week.</p>				<p>(a) Person in charge of a shop <i>Or,</i> (b) Manager in charge of one or more persons in an electrical and/or radio department of a departmental store, the business of which is not confined to the sale of radio or electrical goods (c) Canvassers, travellers, collectors, installers, and all others who are in any way connected with the sale of goods on a merchant's premises, but excluding those selling off such premises if they are paid exclusively by commission and have the right to sell goods for more than one merchant</p>			
				Females .. .. .		126	6
						122	6

## PAYMENT WHERE LESS THAN A FULL WEEK IS WORKED.

3. Any person who is ready, available and willing to complete the number of hours for a week's work for which he or she was engaged, shall, if actually employed in any week for less than 40 hours, be paid for each hour up to 30 hours as follows:—

(a) in any week in which two or more public holidays occur—at the ordinary rate, with an addition of fifty per centum;

(b) in any other week—at the ordinary rate, with an addition of thirty-three and one-third per centum;

and thereafter the ordinary wage rate up to but not exceeding the appropriate wage rate prescribed for a week of 40 hours.

## 4. TIMES OF BEGINNING AND ENDING WORK.

	Time of Beginning.	Time of Ending.
Saturday .. .. .	7.45 a.m.	noon
On the other working days of the week .. .. .	7.45 a.m.	5.30 p.m.

## MEAL INTERVAL.

5. No employer shall require any employee to take a longer interval than one hour for a meal.

## OVERTIME.

6. Outside the hours fixed in clause 4 .. .. . } Time and a half.  
Within the hours fixed in clause 4 in excess of the number of hours as fixed for an ordinary week's work .. .. . }

## SPECIAL RATES.

7. Time and a half shall be paid for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Melbourne Cup Day (Metropolitan District only), King's Birthday, Christmas Day, Boxing Day, and after 12.30 p.m. on Show Day (in such localities mentioned in the Sixth Schedule to the *Public Service Act 1946* as are within the area to which this Determination applies). If any other day be by Act of Parliament or proclamation substituted for any of the abovenamed holidays, the special rate shall be payable only for work done on the day so substituted.

## TERMINATION OF EMPLOYMENT.

8. Except in a case where an employer or an employee has been guilty of a misdemeanour, seven days' notice of termination of employment shall be given by either party or one week's wages paid or forfeited as the case may be, in lieu thereof.

## ALLOWANCE.

9. When, in conformity with the custom of the trade, an employee wears, when at work, a washable outer garment the laundering of which is not paid for by the employer, such employee shall be paid 2s. 6d. per week in addition to the ordinary rate.

## TEA MONEY.

10. Any employee whose weekly rate is not more than 142s. 6d. who is required to work overtime in excess of two hours on any one day, shall receive an allowance of 2s. 6d. as tea money in addition to the rates provided in clause 6.

## NOTICE TO WORK OVERTIME.

11. At least 24 hours' notice shall be given when overtime is required to be worked.

## NOTICE OF INTENTION TO RATION.

12. Where an employer, owing to slackness of trade, desires to ration his employees, he shall give at least 24 hours' notice to each employee of his intention to ration such employee.

## ANNUAL HOLIDAY.

13. 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.

(NOTE:—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.)

## SICK LEAVE.

14. (a) Any employee who, having had at least three months' service with the same employer, is absent from duty as a result of personal ill health or accident shall be entitled to sick pay as follows:—

(i) during the first year, 3½ hours' ordinary pay for each complete month of service;

(ii) during any subsequent year of service—40 hours' ordinary pay. Provided that in either case such employee produces or forwards within 48 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.

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

## TIME AND WAGES RECORDS.

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

## PAYMENT OF WAGES, ETC.

16. Payment of all wages, overtime, special rates, and allowances due, shall be made during working hours not later than Thursday each week.

## REFERENCE.

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

## TRANSPORT ALLOWANCE.

18. (a) When an employee, by arrangement with his employer, uses his own car in the service of the employer he shall be paid an allowance of not less than 4d. per mile; provided that the total allowance payable shall not be less than 40s. per week and shall not exceed 20s. for any one day or £3 for any one week.

(b) When an employee, by arrangement with his employer, uses his own motor cycle or motor cycle and side-car in the service of the employer he shall be paid an allowance of not less than 2d. per mile; provided that the total allowance payable shall not be less than 15s. per week and shall not exceed 7s. 6d. for any one day or 30s. for any one week.

(c) Where a bicycle is provided by an employee and is required to be used in connexion with his employer's business, an allowance of 3s. 6d. per week in addition to the ordinary wage shall be paid to such employee.

## POSTING OF DETERMINATION.

19. A copy of this Determination shall be kept posted at or near the entrance to any shop or place to which it applies.

## PERIODICAL ADJUSTMENT OF WAGES.

20. The wages rate for employees receiving in excess of the basic wage set out in clause 2 is 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 by the same amount and at the same time as such basic wage as prescribed by clause 21. The wages of other employees shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 6d., half or less than half of 6d. to be disregarded.

*Basic Wage.*

Place.	Needs Basic Wage.	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Within the area to which this Determination applies ..	5 19 0	6 0	6 5 0	Melbourne

## ADJUSTMENT OF BASIC WAGE.

21. (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, 1949, the amounts of the Basic Wage shall be as prescribed in clause 20.

(c) During each future successive period beginning with the first pay period to commence in 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.

A. V. BARNES, J.P., Chairman

J. W. RYAN, Secretary.

Melbourne, 9th June, 1949.





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[1949

Factories and Shops Acts.

## DETERMINATION OF THE MUSICIANS 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 employed as a player of any musical instrument" has made the following Determination namely:—

1. That as from the beginning of the first pay period to commence on or after the 8th May, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

### WAGES.

#### (A) GRAND OPERA, GRAND BALLET, CONCERTS, OR RELIGIOUS PERFORMANCES.

##### *Weekly Employees.*

2. (A1) For the purpose of this sub-clause (A) a week's work shall be deemed to consist of seven performances, namely, six at night and one matinee, or, at the option of the employer, of any performances and/or rehearsals to the aggregate number of seven, in either case all such seven to be held within seven consecutive days and none on Sunday.

£ s. d.

#### (A2) Leaders—

(i) Week's work .. .. . 13 15 0  
(ii) Each performance additional to the week's work .. .. . 2 0 4

#### (A3) Principals—

(i) Week's work .. .. . 11 15 0  
(ii) Each performance additional to the week's work .. .. . 1 14 7

#### (A4) Week's work for other performers .. .. . 10 3 0

(A5) Each performance additional to week's work .. .. . 1 10 0

(A6) Pianist playing alone .. .. . 11 15 0

(A7) Each performance additional to week's work .. .. . 1 14 7

(A8) Pianist playing alone for voice trials or similar work (not being a member of the orchestra), 15s. 3d. per hour with a minimum payment as for two consecutive hours.

##### *Casual Employees.*

£ s. d.

(A9) Leaders—each performance .. .. . 2 9 5

(A10) Principals—each performance .. .. . 2 1 1

(A11) Other performers—each performance .. .. . 1 15 7

(A12) Pianist playing alone—each performance .. .. . 2 1 1

(B) GENERAL THEATRICAL ENTERTAINMENT, INCLUSIVE OF PANTOMIME, VARIETY SHOW, VAUDEVILLE, REVUE, COMIC OPERA, MUSICAL COMEDY, DRAMA, BURLESQUE, MINSTREL SHOW, CIRCUSES, AND ALL FORMS OF EMPLOYMENT WHETHER SIMILAR TO ANY OF THE FOREGOING OR OTHERWISE, NOT ELSEWHERE PROVIDED FOR IN THIS DETERMINATION.

##### *Weekly Employees.*

(B1) For the purpose of this sub-clause B—

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

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

	£	s.	d.
(B2) Week's work of six performances .. .. .	8	7	6
(B3) Each performance additional to week's work .. .. .	1	8	9
(B4) Week's work of twelve performances .. .. .	12	2	6
(B5) For the first additional performance .. .. .	1	4	11
For the second additional performance .. .. .	1	9	10
For the third and each succeeding additional performance .. .. .	1	19	7
(B6) Pianist playing alone—six performances .. .. .	9	18	6
(B7) Each performance additional to week's work .. .. .	1	13	11
(B8) Pianist playing alone—twelve performances .. .. .	13	13	6
(B9) For the first additional performance .. .. .	1	8	2
For the second additional performance .. .. .	1	13	8
For the third and each succeeding additional performance .. .. .	2	5	1

(B10) Pianist or other instrumentalist being a member of the orchestra employed additionally for voice trials or similar work—8s. 1d. per hour with a minimum payment as for one hour if the call is immediately before or after a regular call, and a minimum payment as for two hours in all other cases.

(B11) Pianist or other instrumentalist not being a member of an orchestra employed for voice trials or similar work—10s. 10d. per hour with a minimum payment as for two hours.

*Casual Employees.*

(B12) Each performance other than by pianist playing alone .. .. .	1	14	1
(B13) Each performance by pianist playing alone .. .. .	2	0	3

(C) **PICTURE SHOWS.**

*Weekly Employees.*

- (C1) For the purpose of this sub-clause C—
- (i) A week's work of six performances shall be deemed to consist of six night performances or, at the option of the employer, of any performances and/or rehearsals at the aggregate number of six, all such six performances and/or rehearsals in either case to be held within seven consecutive days and none on Sunday.
- (ii) A week's work of twelve performances shall be deemed to consist of two performances on each of six calendar days or, at the option of the employer, of any performances and/or rehearsals to the aggregate number of two on each of such days, all such twelve performances and/or rehearsals in either case to be held within seven consecutive days and none on Sunday.

	£	s.	d.
(C2) Week's work of six performances .. .. .	7	13	0
(C3) Each performance additional to week's work .. .. .	1	6	4
(C4) Week's work of twelve performances .. .. .	10	16	6
(C5) For the first additional performance .. .. .	1	2	3
For the second additional performance .. .. .	1	6	7
For the third and each succeeding additional performance .. .. .	1	15	3
(C6) Pianist playing alone for six performances .. .. .	9	4	0
(C7) Each performance additional to week's work .. .. .	1	11	6
(C8) Pianist playing alone for twelve performances .. .. .	12	7	6
(C9) For the first additional performance .. .. .	1	5	7
For the second additional performance .. .. .	1	10	7
For the third and each succeeding additional performance .. .. .	2	0	11

(C10) Pianist or other instrumentalist being a member of the orchestra, employed additionally or voice trials or similar work—7s. 6d. per hour with a minimum payment as for one hour if the call is immediately before or after a regular call, and a minimum payment as for two hours in all other cases.

(C11) Pianist or other instrumentalist not being a member of the orchestra, employed on voice trials or similar work—9s. 10d. per hour with a minimum payment as for two consecutive hours.

*Casual Employees.*

(C12) Each performance .. .. .	1	11	2
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(D) **STAGE BANDS.**

*Weekly Employees.*

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

	£	s.	d.
(D2) Week's work of six performances not to exceed 18 hours .. .. .	6	8	0
(D3) Each performance additional to week's work .. .. .	1	2	2
(D4) Week's work of six performances not to exceed 12 hours .. .. .	4	6	7
(D5) Each performance additional to week's work .. .. .	0	14	3

*Casual Employees.*

(D6) Each performance of three hours .. .. .	1	6	2
(D7) Each performance of two hours .. .. .	0	16	11

(E) **BRASS AND REED BANDS.**

*Casual Employees.*

	£	s.	d.
(E1) Each performance not to exceed three consecutive hours .. .. .	1	2	2



(F) CAFES, HOTELS, RESTAURANTS, AND SIMILAR PLACES.

*Weekly Employees.*

	£	s.	d.
(F1) For a week's work of six performances each not exceeding two consecutive hours and terminating before 7.30 p.m.	5	1	7
(F2) Each performance additional to week's work	0	16	9
(F3) For week's work of twelve performances each not exceeding two consecutive hours and terminating before 8 p.m.	7	13	0
(F4) Each performance additional to week's work	0	13	0
(F5) For a week's work of six performances not exceeding three consecutive hours terminating at or before 7.30 p.m.	7	8	0
(F6) Each performance additional to week's work	1	5	6
(F7) Work commencing after 7.30 p.m. shall be paid for at the rates for general theatrical entertainment or for dancing, as the case may be.			
(F8) If any floor show or any entertainment is provided or dancing is indulged in during any of the above performances each employee shall be paid at the rates for general theatrical entertainment or for dancing, as the case may be, in lieu of the above rates.			
(F9) Pianist or other instrumentalist playing alone shall be paid the appropriate rate in accordance with the foregoing sub-clauses (F1) to (F5) inclusive, together with an additional 18 per cent.			

*Casual Employees.*

(F10) An employee employed under (F1) not exceeding two hours shall be paid	0	19	11
(F11) An employee employed for two performances each day under (F3) not exceeding two hours shall be paid	1	11	2
(F12) An employee employed under (F5) not exceeding three hours shall be paid	1	10	2

(G) PUBLIC BALLROOMS, CABARETS, BALLS, DANCING, AND DANCING CLASSES.

*Weekly Employees.*

(G1) For the purpose of this sub-clause G—  
A week's work of six performances shall be deemed to consist of one performance not to exceed three consecutive hours on each of six calendar days, all to be given within seven consecutive days, and none on Sunday: Provided that such three hours may, without payment for overtime, be between 8 p.m. and 11.15 p.m.

	£	s.	d.
(G2) Week's work other than by pianist playing alone	8	0	0
(G3) Each performance additional to week's work	1	7	6
(G4) Week's work—pianist or other instrumentalist playing alone	9	2	0
(G5) Each performance additional to week's work	1	11	2

*Casual Employees.*

(G6) Each performance	1	12	7
(G7) Each performance—pianist or other instrumentalist playing alone	1	17	0

(H) CABARETS AND BALLROOMS.

*Weekly Employees.*

(H1) Week's work of six performances done between 9 p.m. and 2 a.m.	15	0	0
(H2) Week's work of six performances done between 9 p.m. and 1 a.m.	11	10	6

*Casual Employees.*

(H3) Each performance not to exceed five hours	3	2	1
(H4) Each performance not to exceed four hours	2	8	2
(H5) All work performed before 9 p.m. under item (H1) hereof shall be paid for at the rate of 3s. 0d. for each fifteen minutes or portion thereof.			
(H6) All work performed before 9 p.m. under item (H2) hereof shall be paid for at the rate of 2s. 11d. for each fifteen minutes or portion thereof.			

(I) COFFEE LOUNGES.

*Weekly Employees.*

(I1) Week's work of seven performances done on Monday to Friday between 9.30 p.m. and 12 midnight, Saturday between 9.30 p.m. and 1 a.m., Sunday between 8.30 p.m. and 11.30 p.m.	10	12	6
(I2) Week's work of six performances done on Monday to Friday between 9.30 p.m. and 12 midnight, Saturday between 9.30 p.m. and 1 a.m., Sunday between 8.30 p.m. and 11.30 p.m., where the coffee lounge is closed on one regular night, which shall not be changed without reasonable notice, between Monday and Friday	10	7	2

*Casual Employees.*

(I3) Each performance not to exceed three hours	2	1	11
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(J) SKATING RINKS.

*Weekly Employees.*

(J1) For the purpose of this sub-clause J—			
(i) A week's work of six performances shall be deemed to consist of one on each of six days, each performance not to exceed three consecutive hours in duration, all to be held within seven consecutive days, and none on Sunday.			
(ii) A week's work of twelve long performances shall be deemed to consist of two performances on each of six calendar days, each performance not to exceed three consecutive hours in duration, all twelve to be held within seven consecutive days, and none on a Sunday.			
(iii) A week's work of twelve short performances shall be deemed to consist of two performances on each of six calendar days, each performance not to exceed two consecutive hours in duration, all twelve to be held within seven consecutive days, and none on a Sunday.			
(J2) Week's work of six performances	7	13	0
(J3) Each performance additional to week's work and not to exceed three consecutive hours	1	6	4
(J4) Week's work of twelve long performances	10	16	6
(J5) For the first additional performance	1	2	3
For the second additional performance	1	6	7
For the third and each succeeding additional performance	1	15	3
(J6) Week's work of twelve short performances to be held between 2.45 p.m. and 5 p.m., and between 8 p.m. and 10.45 p.m.	8	13	0
(J7) Each performance additional to week's work and not to exceed two consecutive hours	0	14	8

*Casual Employees.*

(J8) Each performance	1	11	2
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## (K) CASUAL EMPLOYEES GENERALLY.

(i) Casual rates shall be ascertained by dividing the weekly rate by six or seven as the case may be, but not by more than seven where the number of performances exceeds seven, with the additional loading of 20 per cent.

(ii) Casual rates shall be adjustable.

## (L) ORGANISTS.

(i) Organists shall be paid the rate for a member of the orchestra in the type of entertainment in which he is employed, with the addition of 20 per cent.

(ii) In picture theatres an organist shall be restricted to three hours' actual playing time each day, worked within a daily spread of 10½ hours, and shall be released after the commencement of the second feature of the afternoon performance, and shall not be called upon to resume duty until the finish of the intermediate session.

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

(M1) If any extra instrument supplied by employee, each performance during week of employment—

	£	s.	d.
(i) If three performances or less .. .. .	extra	0	5 2
(ii) If four .. .. .	extra	0	4 6
(iii) If five .. .. .	extra	0	3 11
(iv) If six or more .. .. .	extra	0	3 3
(v) If six or more—picture shows .. .. .	extra	0	3 0

(M2) If no extra instrument supplied by employee, each performance during week of employment—

	£	s.	d.
(i) If three performances or less .. .. .	extra	0	3 2
(ii) If four .. .. .	extra	0	2 9
(iii) If five .. .. .	extra	0	2 5
(iv) If six or more .. .. .	extra	0	2 0
(v) If six or more—picture shows .. .. .	extra	0	1 9

(M3) If a percussionist is required to double on tympani, xylophone or vibraphone, each performance during week of employment—

	£	s.	d.
(i) If three performances or less .. .. .	extra	0	3 6
(ii) If four .. .. .	extra	0	3 0
(iii) If five .. .. .	extra	0	2 6
(iv) If six or more .. .. .	extra	0	2 0

(M4) The flute and piccolo are not extra to each other, nor are other instruments extra to each other which the Union, by its authorized representative, and the employer agree are not to be considered extra, or which the Wages Board, subject to clause 17, determines not to be extra.

## (N) ADDITION TO PRESCRIBED RATES FOR PERFORMING, OUTSIDE ORCHESTRA PIT OR WELL, SOLOS IN ORCHESTRA.

(N1) Where orchestra is required to perform on the stage in view of the audience—

	£	s.	d.
(i) For each musician, per performance .. .. .	extra	0	3 3
(ii) Picture shows—for each musician per performance .. .. .	extra	0	2 6

(N2) Where a musician, other than in picture shows, is required to play in view of the audience either solo or as one of a duet, trio or otherwise than in the ordinary way as part of a complete orchestra—

	£	s.	d.
(i) For such musician, per performance .. .. .	extra	0	3 11
(ii) Picture shows—for such musician, per performance .. .. .	extra	0	3 0

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

(All weekly or casual employees intended to be employed in a performance for which the rehearsal is held, including conductor-leaders, leaders and principals.)

(O1) In Grand Opera and other work comprised in sub-clause A of this clause—

	£	s.	d.
(i) Commencing before 3 p.m., not to exceed two hours .. .. .	0	13	11
(ii) Commencing before 3 p.m., not to exceed three hours .. .. .	1	0	5
(iii) Commencing at or after 3 p.m., not to exceed two hours .. .. .	0	17	2
(iv) Commencing at or after 3 p.m., not to exceed three hours .. .. .	1	6	6

(O2) In any other work—

(i) Commencing before 3 p.m., not to exceed two hours .. .. .	0	10	8
(ii) Commencing before 3 p.m., not to exceed three hours .. .. .	0	13	11
(iii) Commencing at or after 3 p.m., not to exceed two hours .. .. .	0	13	11
(iv) Commencing at or after 3 p.m., not to exceed three hours .. .. .	1	0	5

(O3) In the case of weekly employees the foregoing rates prescribed in this sub-clause are in addition to the rates prescribed for a week's work.

*Other Employees.*

(O4) Pianists employed only for rehearsals with company or artists in grand opera or any other work comprised in sub-clause (A) hereof—

(i) Weekly employee, for 30 hours in a week, excluding Sunday .. .. .	11	15	0
(ii) Weekly employee, for each hour over 30 in the week .. .. .	0	7	10
(iii) Casual employee, for each hour on a week day, with a minimum payment as for three hours .. .. .	0	9	4

(O5) Pianist employed only for rehearsals with company or artists in any general theatrical or other work comprised in sub-clause (B) hereof—

(i) Weekly employee, for 30 hours in a week, excluding Sunday .. .. .	9	18	6
(ii) Weekly employee, for each hour over 30 in the week .. .. .	0	6	8
(iii) Casual employee, for each hour on a week day, with a minimum payment as for three hours .. .. .	0	7	10

## (P) ADDITION TO PRESCRIBED RATES WHERE EMPLOYEE SUPPLIES MUSIC.

*Weekly Employees.*

(P1) Employee required to supply music .. .. . extra 0 15 0

*Casual Employees.*

(P2) Employee so required—per performance .. .. . extra 0 5 0

## (Q) RELAYING.

Where musicians are engaged in any performance in a place of entertainment and such performance or any part thereof is relayed within the State or to other States, each such musician shall be paid additional rates as follows :—

*Broadcasts from a Place of Entertainment.*

	£	s.	d.
(i) Broadcast in one State only-per performance .. ..	extra	0	5 0
(ii) Relayed to one other State per-performance .. ..	extra	0	9 5
(iii) Relayed to two other States per-performance .. ..	extra	0	13 4
(iv) Relayed to three other States-per performance .. ..	extra	0	16 6
(v) Relayed to four other States-per performance .. ..	extra	0	19 2
(vi) Relayed to five other States-per performance .. ..	extra	1	1 3

## (R) CONDUCTOR-LEADERS.

A conductor-leader shall be paid the appropriate rate for a member of the orchestra with an addition of 35 per cent. of such rate.

## (S) LEADERS.

Where there is a conductor in an orchestra (not being an orchestra to which sub-clause (A) of this Determination applies) the leader in such orchestra shall be paid the appropriate rate for a member of the orchestra with the addition of 20 per cent. of such rate.

## (T) HIGHER DUTIES.

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

(For the purpose of this sub-clause, conducting or leading in the playing of the National Anthem, and playing out the audience, shall not be regarded as higher duties.)

## (U) LOWER RATES MAY BE AGREED TO.

Where the Federal Council or Federal Executive of the Musicians Union of Australia agrees with any employer that for special reasons rates and/or conditions different from those prescribed herein should be accepted by an employee, lower rates or altered conditions may be agreed upon between the said Union and Employer.

A written copy of any such agreement, signed by the Secretary of the Union and the Employer concerned, shall be lodged with the Wages Board Branch.

## PAYMENT OF WAGES.

3. (a) In theatres and similar places all moneys payable under this Determination to a weekly employee shall be paid not later than the first interval on a Friday in each week.

(b) In all other cases, all monies payable under this Determination to weekly employees shall be paid on Friday each week.

(c) If a weekly employee's engagement be terminated, all moneys due to him under this Determination shall be paid within 48 hours of the termination of such engagement.

(d) All moneys due under this Determination to a casual employee shall be paid on the completion of the work on which he is engaged, and not less frequently than once a week.

## NO DEDUCTION FOR MEALS SUPPLIED.

4. No deduction from any of the payments herein prescribed shall be made for meals supplied by an employer to an employee.

## ARRANGING BAND PARTS, ETC.

5. The payments prescribed by this Determination do not include any sums to be paid to a conductor leader, leader, or any other employee for arranging band parts, or doing any orchestration.

## TERMS OF ENGAGEMENT.

6. (a) Where an employee is not expressly engaged as a weekly employee, he shall be deemed to be engaged as a casual employee.

(b) A casual employee may at any time enter into an agreement with his employer to become a weekly employee, but such agreement shall not affect any casual rates payable by the employer to the employee before such agreement is entered into unless it is entered into within three days of the beginning of his employment as a casual employee, in which case he shall be deemed to have been a weekly employee from the beginning.

(c) Where an employee is required by an employer to go on tour he shall be deemed to be in the employment of the employer for at least from the time at which he begins to travel on the tour and to remain in such employment at least until he finishes travelling on his return from the tour, unless in the meantime the employment has been determined legally for neglect of duty, or misconduct.

(d) The weekly wage prescribed by this Determination shall be paid to each weekly employee who is ready and willing to perform the work provided for by the Determination during any week whether he is required to perform such work or not, and this provision is to apply to all engagements whether for open-air performances or otherwise.

(e) A weekly employee shall be engaged and paid as for at least one week.

(f) The employment of a weekly employee is to be terminated on either side only by a week's notice, either given in writing or plainly posted up on the call board or other place seen by the employees in the ordinary course of their employment, which notice may be given at any time during the week at or before the beginning of work on a day, to expire at the end of the sixth calendar day succeeding such day, or if the sixth day be a Sunday, of the fifth day, and the employee shall only be entitled to payment *pro rata* for the time up to the expiration of the notice.

(g) Where an employee is engaged as a weekly employee for any fixed number of performances per week, the engagement shall not be altered to a weekly engagement for which a less sum is prescribed, except on a week's notice to the employee.

(h) Where the period of employment of a weekly employee includes in addition to one or more complete weeks, a part of a week, the weekly employee shall be paid for each whole or fraction of a calendar day included in the part of a week one-sixth of his prescribed weekly wage.

(i) Nothing in this Determination shall affect any legal right to dismiss without notice an employee whether on tour or not for malingering, inefficiency, neglect of duty or misconduct, and in the case of such dismissal wages and other moneys or allowances due under this Determination shall be payable for the employment up to but not after the time of dismissal.

(j) Notwithstanding anything contained in this Determination, an employer may in the case of any weekly employee deduct payment of wages on any day on which an employee cannot be usefully employed because of—

(i) Any strike; or

(ii) Any breakdown of machinery; or

(iii) Any stoppage of work unavoidable by the employer.

(k) At least 48 hours' notice shall be given of cancellation of casual engagement failing which full payment shall be made.

## DURATION OF PERFORMANCES.

7. (a) Except as otherwise provided in this Determination, the duration of performances (with intervals included), so far as covered by the rates of pay prescribed in clause 2, shall not exceed the following times respectively:—

(i) Picture shows—three hours fifteen minutes.

(ii) In general theatrical entertainments and all other types of entertainment not specifically covered by smaller number of hours—three hours.

Provided that if during a performance in picture shows the employees are not required to perform for more than two hours in the aggregate, they may be required to work over a spread of three and one-quarter hours.

(b) Where a performance extends in duration to two hours without finishing, an interval of at least ten minutes shall be then allowed, unless it has been previously allowed during the performance, and in either case such interval shall be regarded as time worked.

(c) A performance shall be deemed to have started at the time notified by the employer to the employees as the starting time, or if no such time be notified to have started at the time advertised for starting the performance, but in either case if all the members of the orchestra are not present and ready to start at such time, the performance shall be deemed to start only when the orchestra actually starts playing.

(d) The provisions of this clause apply to all employees whether casual or not unless the contrary intention appears.

## DURATION OF REHEARSALS.

8. (a) The duration of rehearsals shall not exceed two hours where the engagement is for a rehearsal not to exceed two hours nor more than three hours in other cases.

(b) Except as otherwise provided herein the said hours shall be consecutive.

(c) If a rehearsal having been begun before 1 p.m. will not be completed by that time, and a majority of musicians engaged therein have previously asked or do then ask that it be adjourned for some specified time not exceeding one hour for luncheon, it shall be adjourned for not less than the specified time and not longer than one hour, but the time of such adjournment shall not for any purpose be counted as time worked by the musicians, and the work done after the adjournment shall for the purpose of payment be treated as if done continuously with that done before the adjournment.

(d) If the actors engaged in a rehearsal with musicians refuse to proceed therewith without an adjournment for luncheon and such adjournment be granted, the time of such adjournment not exceeding one hour to be between noon and 2 p.m., shall not for any purpose be counted as time worked by the musicians, and the work done after the adjournment shall be treated for the purpose of payment as if done continuously with that done before the adjournment.

(e) A rehearsal shall be deemed to have started at the time notified by the employer as the starting time, but if all the members of the orchestra are not present and ready to start at such time, the rehearsal shall be deemed to start only when the orchestra actually starts playing.

(f) The ordinary range of hours within which rehearsals are to be held shall be as follows:—

(i) from 10 a.m. to 4 p.m. if held with actors.

(ii) From 9 a.m. to 3 p.m. if held for a continuous picture show or a picture show giving two performances a day.

(iii) From 3 p.m. to 11 p.m. if the engagement be for a rehearsal commencing at or after 3 p.m.

(iv) From 10 a.m. to 3 p.m. except as otherwise provided herein.

(g) Rehearsals beginning at 9 a.m. for continuous picture shows or picture shows giving two performances a day shall be held in the place where the musician is usually employed or in a place within half a mile thereof, and in the latter case the cost of transferring the double bass or drums shall be borne by the employer.

(h) Where a rehearsal extends in duration to two and a quarter hours without finishing, an interval of at least fifteen minutes shall be then allowed unless it has been previously allowed during the rehearsal not sooner than one hour after starting time, and in either case such interval shall be regarded as time worked.

(i) The provisions of this clause apply to all employees whether casual or not unless the contrary intention appears.

## ABSENCE FROM DUTY.

9. (a) Any weekly employee absent from duty shall lose pay proportionate to the time of such absence unless he produces or forwards to his employer within 24 hours of the commencement of such absence evidence satisfactory to the employer that the absence was reasonable because of either—

(i) any illness of himself due neither to his own fault nor to accident arising otherwise than out of and in the course of his employment;

(ii) any bodily injury to himself caused by accident arising out of and in the course of his employment.

(b) The deduction of pay for absence from a night performance or from a performance, period of work, or rehearsal made part of the week's work for which a rate for the week is prescribed shall be proportionate to that rate and the deduction for absence from a performance or a rehearsal not part of a week's work, shall be proportionate to the rate prescribed for that performance or rehearsal.

(c) This clause shall not affect any right of the employer to determine the employment in accordance with clause 6 of this Determination.

## OVERTIME PAY AND ALLOWANCES.

10. (a) Except as otherwise provided in this Determination, any time worked over or outside the prescribed time limit or range of any performance, period of work, rehearsal, or other work or after a break in working time prescribed to be worked consecutively or continuously shall be paid for at the rate of 1s. 11½d. for each fifteen minutes or portion thereof up to midnight and of 3s. 5½d. for each fifteen minutes or portion thereof after midnight.

Provided that in the case of rehearsals commencing before 3 p.m. not to exceed two hours, the payment for any time up to one hour worked over the said two hours shall be paid at the rate of 1s. 8½d. instead of the rate of 1s. 11½d.

(b) Where the time limit of any performance, period of work, or rehearsal is exceeded by less than five minutes, such excess shall not be counted as overtime worked, but if it is exceeded by five minutes or more sub-clause (a) shall apply in respect of the whole of such excess.

(c) No overtime shall be payable in respect of the first performance of a production which is within sub-clause (B) of clause 2, and which continues to be produced at the same theatre for at least six nights, but an alteration in items of a production shall not be regarded as making the first performance of such alteration a first night within this sub-clause.

(d) All time to be paid for under this clause or as overtime under any other part of this Determination shall be computed weekly in the aggregate.

(e) The provisions of this clause apply to all employees whether casual or not unless the contrary intention appears.

## SUNDAYS AND PUBLIC HOLIDAYS.

11. (a) For any work done on a Sunday payment shall be made at least as follows:—

(i) To weekly employees in addition to their prescribed pay for the rest of the week—

(a) For performing otherwise than at a rehearsal, 16s. per hour, with a minimum payment as for two and three quarter hours in picture theatres and three hours elsewhere.

Provided that this provision for a minimum payment does not apply to work continued from Saturday over midnight into Sunday and that work continued from Sunday over midnight into Monday shall for the purpose of this sub-clause be deemed all to be done on the Sunday.

(b) For each rehearsal, double the appropriate rates prescribed for work on ordinary days.

(ii) To casual employees double the appropriate rates prescribed for work on ordinary days.

- (b) (i) All work done by weekly employees on Christmas Day, Good Friday, and Labour Day shall be paid for at double rates.
- (ii) To casual employees—double the appropriate rates prescribed for work on ordinary days shall be paid.
- (c) For any work done on other holidays, payment shall be made at least as follows:—
- (i) To weekly employees—in addition to their appropriate rates prescribed elsewhere herein, if the work be included in the week's work or be covered by the prescribed weekly rate, one-twelfth of the appropriate weekly rate prescribed in clause 2 of this Determination; and if the work be any performance not so included, time and one-half of the ordinary rate prescribed in clause 2 of this Determination for a performance not so included.
- (ii) To casual employees—one and one-half times the appropriate rate prescribed for work on ordinary days.
- (d) The other holidays above referred to are the days observed in the State where the employment occurs on New Year's Day, Australia Day, Easter Monday, Anzac Day, King's Birthday, Boxing Day, and all other days regarded and observed as holidays throughout the States of the Commonwealth.
- (e) Where any of the days specified as holidays in sub-clauses (b) and (c) hereof falls on a Sunday, and in consequence a holiday is generally observed on an ordinary week day which would not otherwise be kept as a holiday, work done on such ordinary week day shall be deemed to be done on one of the days to which the sub-clause (c) hereof applies, and shall be paid for accordingly.
- (f) In the case of weekly employees, if by reason of any of the aforesaid holidays being a holiday, no work is done thereon, the prescribed weekly wage shall nevertheless be paid, and such holiday shall be treated for the purpose of sub-clause (A) of clause 2 as if one of the seven performances provided for in that sub-clause has occurred thereon, and for the purpose of the rest of the clause, where six or twelve performances are provided for, shall be treated as if one-sixth of the number of the performances so provided for had occurred thereon, and where no number of performances is provided for, shall be treated as if one-sixth of the ordinary amount of work provided for as covered by the weekly wage had been done thereon.
- (g) If an employee is required by his employer to travel on a Sunday he shall, unless he is paid in pursuance of this clause for working on the said Sunday, be paid 10s. therefor.

#### TRAVELLING.

12. (a) For all work by an employee to be done outside a 30-mile radius of the city or town where the engagement with him is made, he shall be provided with first class return air, boat, or train accommodation.
- (b) Employees when travelling by train at night shall be provided with sleeping accommodation, or if such sleeping accommodation is not provided, shall be paid the sum which is usually charged to the employer by the Railway Department for such sleeping accommodation.
- (c) If an employee is required to travel intrastate or interstate on his employer's business and is unable to return to his home each night he shall, in addition to the rates of pay prescribed by this Determination be paid a living allowance of £5 5s. per week or, if the period is less than one week, at the rate of £1 1s. per day of twenty-four hours. Provided that where meals are supplied when travelling by boat, train or air, the rate shall be £2 12s. 6d. per week and 10s. 6d. per day of 24 hours.
- (d) Where an employee not engaged with a view to his working on tour has been continuously employed by an employer in any one city or town for at least twelve continuous months, this clause 12 shall not apply to him in respect of his return to the place of engagement.
- (e) The employer shall transport or pay the reasonable costs of transporting the double bass or drums or other bulky instruments when they are to be used for the purpose of the employment.
- (f) Where a suggestion is made by or for an employer or proposed employer to a person that the latter will be employed by the former in a certain place if he presents himself there, and such person does so present himself and is employed there, such employee shall receive from the employer all provisions, allowances and payments which would be due under this clause 12 to an employee who is situated in the place where such person is when the suggestion is made and who is definitely engaged by the employer to go from that place and work in the place where such person so presents himself and is employed.
- (g) Where a casual employee is engaged and the ordinary fare for return transit from the post office of the city or town where he is engaged to the place of employment is more than 6d. the employer shall pay the reasonable cost of such return transit.

#### SUPPLY OF UNIFORMS.

13. Where an employee is required to wear special uniform other than evening dress, such uniform shall be supplied by the employer and must be clean and in good order, and the cost of renovation and similar cost must be paid by the employer.

#### BAND ROOM ACCOMMODATION, ETC.

14. (a) Where practicable, a band room with adequate seating accommodation, air conditioned where an air-conditioning plant is provided for the theatre, together with suitable locker and lavatory accommodation shall be provided by the employer where musicians are regularly employed. Provided that any dispute in relation to this clause shall be referred to the Wages Board.
- (b) There shall be a proper entrance and exit to the orchestra pit or well.

#### TIME-BOOKS TO BE KEPT, ETC.

15. (a) The employer shall keep a time-book or time-sheet, properly posted in ink, showing the names of and times worked by, each employee, and the wages paid to each employee from week to week.
- (b) The time-book or time-sheet, with all the entries therein shall, on demand be produced by the employer for inspection at the place where it is kept, at any time between the hours of 10 a.m. and 1 p.m. during any day except pay day, to an official of the Musicians Union of Australia, who has been authorized in writing to inspect the same by the general secretary or secretary of the State branch of the said Union.
- (c) One clear day's notice shall be given to the employer of any intended inspection.
- (d) No authority to inspect shall be given by the said Union unless the general secretary or State branch secretary has good reason to suspect that a breach of the Determination has been committed by the employer, whose time-book or time-sheet is to be inspected.
- (e) For the purpose of interviewing employees on legitimate Union business, not more than two duly accredited representatives shall at the one time have the right to enter the employer's premises, wherein members of such Union or persons in the same calling as such members are engaged, during any non-playing period.

#### SUB-CONTRACT, ETC.

16. If work of any of the kinds covered by this Determination is done by an employee or arranged to be so done in the interest in any way of an employer, this Determination shall apply to such work, employee or employer, notwithstanding that the employer causes or permits such work to be done for, or through or by means of a contractor or other person, and the employer and employee shall have the same rights and obligations to each other as if they were in respect of such work directly employer and employee.

#### MIDNIGHT PERFORMANCES.

17. Double time shall be paid for any performance commencing at 11 p.m. or afterwards, except as otherwise provided.

REFRESHMENTS.

18. (a) Where any engagement extends to four hours or more and meals are served to the patrons on the premises or at the place where the engagement is being carried out, meals of the type served to such patrons shall be provided for the musicians free of charge or, in lieu thereof, the musician shall be entitled to the sum of 4s. for each such performance in addition to his ordinary rate of pay.

(b) Where a casual employee is employed for a performance exceeding four hours, such employee shall, unless meals are provided be paid not less than 4s. for refreshment expenses in addition to the payments prescribed by this Determination.

ANNUAL HOLIDAY.

19. 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.

TRANSPORTATION.

20. If an employee is detained at the place of employment by the employer or his representative after 11.30 p.m. and if so detained until too late to travel by the last train, tram, or vehicle to his or her home, the employer shall provide proper conveyance for the employee so detained, if a female to her home, or if a male to his home if such home is more than a mile distant from the place of employment.

SUPPLY AND UPKEEP OF HARP.

21. Where a second harp is required, the harp shall be supplied by the employer. Where the harp is supplied by the employee he shall be paid an allowance of £1 per week for upkeep of such harp. For casual engagements, where the employee supplies the harp, there shall be a proportionate payment for the upkeep of such harp.

DEFINITIONS.

22. "Weekly employee" means an employee engaged by the week for at least six performances and/or rehearsals weekly.

"Casual employee" means an employee engaged otherwise than as a weekly employee.

"Orchestra" means a combination of two or more players.

"Band" except as otherwise provided shall have the same meaning as orchestra.

"Conductor. Leader" means the member of an orchestra who plays and directs the orchestra.

"Leader" is the first or principal violin in an orchestra where there is a conductor.

"Principal or principal instrument or principal instrumentalist". In relation to orchestras performing for grand opera, symphony concerts, grand ballet or religious performances shall mean and include repetitor violin (that is a violin sitting with the leader), principal second violin, principal viola, principal cello, principal bass, principal flute, principal piccolo, principal oboe, principal clarinet, principal bassoon, principal and third horn, principal cornet, principal trumpet, principal and bass trombone, euphonium, tuba, tympani, principal percussion, addition to tympani, principal harp, piano, organ, contra bassoon, bass clarinet and the first of any one or more musical instruments other than in the foregoing.

PERIODICAL ADJUSTMENT OF WAGES.

23. (a) The wages rates set out in clause 2 are based upon the following basic wage rates, and pursuant to the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically adjusted as prescribed by clause 24, provided that rates under £5 (other than rates specifically shown as extra) when the existing index number division was 110.5-111.4, shall be adjusted according to the table prescribed in sub-clause (b) hereof.

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 19 0	6 0	6 5 0	Six Capital Cities (Weighted average)

TABLE "A"—OTHER THAN HOURLY RATES.

(b) Original index number division—110.5-111.4.

Index Number Divisions.		Scales of Rates and of Additions or Deductions.				
For Additions.	For Deductions.	£5 and over.	£4 and under £5.	£2 and under £3.	£1 and under £2.	Under £1.
		s. d.	s. d.	s. d.	s. d.	s. d.
110.5-111.4 .. .. .	110.5-111.4 .. .. .	nil	nil	nil	nil	nil
111.5-112.4 .. .. .	109.5-110.4 .. .. .	1 0	0 10	0 6	0 3	0 1
112.5-113.4 .. .. .	108.5-109.4 .. .. .	2 0	1 8	0 11	0 7	0 3
113.5-114.4 .. .. .	107.5-108.4 .. .. .	3 0	2 6	1 5	0 10	0 4
114.5-115.4 .. .. .	106.5-107.4 .. .. .	4 0	3 3	1 10	1 1	0 6
115.5-116.4 .. .. .	105.5-106.4 .. .. .	5 0	4 1	2 4	1 5	0 7
116.5-117.4 .. .. .	104.5-105.4 .. .. .	6 0	4 11	2 9	1 8	0 8
117.5-118.4 .. .. .	103.5-104.4 .. .. .	7 0	5 9	3 3	1 11	0 10
118.5-119.4 .. .. .	102.5-103.4 .. .. .	8 0	6 7	3 8	2 2	0 11
119.5-120.4 .. .. .	101.5-102.4 .. .. .	9 0	7 4	4 2	2 6	1 0
120.5-121.4 .. .. .	100.5-101.4 .. .. .	10 0	8 3	4 7	2 9	1 2
121.5-122.4 .. .. .	99.5-100.4 .. .. .	11 0	9 1	5 1	3 0	1 3
122.5-123.4 .. .. .	98.5-99.4 .. .. .	12 0	9 10	5 6	3 4	1 5
123.5-124.4 .. .. .	97.5-98.4 .. .. .	13 0	10 8	6 0	3 7	1 6
124.5-125.4 .. .. .	96.5-97.4 .. .. .	14 0	11 6	6 5	3 10	1 7
125.5-126.4 .. .. .	95.5-96.4 .. .. .	15 0	12 4	6 11	4 2	1 9
126.5-127.4 .. .. .	94.5-95.4 .. .. .	16 0	13 2	7 4	4 5	1 10
127.5-128.4 .. .. .	93.5-94.4 .. .. .	17 0	14 0	7 10	4 8	1 11
128.5-129.4 .. .. .	92.5-93.4 .. .. .	18 0	14 8	8 3	4 11	2 1
129.5-130.4 .. .. .	91.5-92.4 .. .. .	19 0	15 7	8 9	5 3	2 2
130.5-131.4 .. .. .	90.5-91.4 .. .. .	20 0	16 5	9 2	5 6	2 4

TABLE "B"—HOURLY RATES.  
Original index number division—118·5-119·4.

For additions.				Scale of rates for additions.	For deductions.				Scale of rates for deductions.
				<i>s. d.</i>					<i>s. d.</i>
118·5-119·4	..	..	..	nil	118·5-119·4	..	..	..	nil
119·5-120·4	..	..	..	nil	117·5-118·4	..	..	..	0 1
120·5-121·4	..	..	..	0 1	116·5-117·4	..	..	..	0 1
121·5-122·4	..	..	..	0 1	115·5-116·4	..	..	..	0 2
122·5-123·4	..	..	..	0 2	114·5-115·4	..	..	..	0 3
123·5-124·4	..	..	..	0 2	113·5-114·4	..	..	..	0 3
124·5-125·4	..	..	..	0 3					
125·5-126·4	..	..	..	0 4					
126·5-127·4	..	..	..	0 4					
127·5-128·4	..	..	..	0 5					
128·5-129·4	..	..	..	0 5					
129·5-130·4	..	..	..	0 6					
130·5-131·4	..	..	..	0 6					
131·5-132·4	..	..	..	0 7					
132·5-133·4	..	..	..	0 7					
133·5-134·4	..	..	..	0 8					

## ADJUSTMENT OF BASIC WAGE.

24. (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 period pay to commence in August, 1949, the amounts of the Basic Wage shall be as prescribed in clause 23.

(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.

A. V. BARNS, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 2nd June, 1949.







VICTORIA  
GOVERNMENT GAZETTE.

Published by Authority.

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

No. 594]

FRIDAY, JULY 15.

[1949

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 18 (MISCELLANEOUS SHOPS).

NOTE.—This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts and the Orders in Council thereunder, the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board, which has the power to determine the lowest prices or rates which may be paid to any person (including an outside salesman) employed in or in connexion with any shop other than shops of the following classes, that is to say:—

- (a) A Butcher's shop, a Bookseller's and Newsagent's shop, a Confectionery and Pastry shop, a Cooked Meat Dealer's shop, a Fish and Oyster shop, a Fruit and Vegetable shop, a Hairdresser's shop, a Tobacconist's shop;
- (b) A Boot Dealer's shop, a Boot Repair shop, a Bread shop, a Chemist's shop, a Dairy Produce Dealer's shop, a Draper's shop, a Dyer's and Clothes Cleaner's shop, a Fuel and Fodder Dealer's shop, a Furniture Dealer's shop, a Grocer's shop, a Haberdasher's shop, a Hardware shop, a Hatter's shop, a Men's Clothing shop, a Mercer's shop, a Milliner's shop, an Underclothing shop, a shop for the sale of petrol, benzine, or other motor spirit, motor oils, or motor car or motor cycle accessories, a shop for the sale of electrical goods or for the sale of wireless (radio) sets, parts, or accessories;

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 30th June, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

APPRENTICES OR IMPROVERS.

Wages per week of 40 Hours.

Males—	s.	d.	Females—	s.	d.
15 years of age or under .. .. .	38	6	15 years of age or under .. .. .	34	6
16 years of age .. .. .	54	6	16 years of age .. .. .	40	6
17 years of age .. .. .	74	6	17 years of age .. .. .	52	6
18 years of age .. .. .	96	6	18 years of age .. .. .	65	6
19 years of age .. .. .	120	6	19 years of age .. .. .	77	6
20 years of age .. .. .	140	0	20 years of age .. .. .	90	6

PROPORTION (IN ANY SHOP).

*Apprentices.*

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

*Improvers.*

One male improver to every male worker receiving not less than the minimum wage.

Two female improvers to every female worker receiving not less than the minimum wage.

Provided that a female improver may be employed in lieu of a male improver, or a male improver in lieu of a female improver

OTHER EMPLOYEES.

	Wages per week of 40 hours.	
	Males.	Females.
	s. d.	s. d.
<i>Employed in the business of a curio dealer, a feather dealer, a furrier, a jeweller, a pawnbroker, a seller of clocks, watches, perfumery and toilet requisites, optical goods, photographic materials, sports materials, typewriters, business systems, surgical instruments, pianos, organs, piano-players, push cycles, motor cycles and motor cars, and accessories for push cycles, a bird or dog dealer, a stamp dealer, a herbalist, a saddler, a ship chandler, a seller of cork goods, crockery, fancy goods, toys, grindery, leather goods, music, musical instruments (other than pianos, organs, or piano-players), pictures, picture frames, perambulators, paper patterns, rubber goods which are not motor cycle or motor car accessories, florists' goods, seeds, seedlings, tents, flags, umbrellas, or wicker goods, paints, colours, wall-papers, or employed in any business, other than those specially mentioned, to which this Determination applies:—</i>		
Branch manager (i.e., a person entrusted with the control or superintendence of a branch shop, notwithstanding he or she may be under the orders of a superior who does not devote his or her whole time to the management of the said branch shop) .. .. .	177 0	177 0
Departmental manager or manageress (i.e., a person in control of three or more persons 21 years of age or over, notwithstanding he or she may be under the orders of a superior who does not devote his or her whole time to the management of such department)—		
Male .. .. .	168 0	..
Female—		
Where one or more adult males are under her control .. .. .	..	168 0
In other cases .. .. .	..	117 0
Other employees .. .. .	162 0	106 6

TIMES OF BEGINNING AND ENDING WORK.

3. (a) Employees in paint, colour, or wall-paper shops—

	Time of Beginning. (not earlier than)	Time of Ending. (not later than)
On the usual half-holiday .. .. .	8 a.m.	noon
On all the other working days of the week .. .. .	8 a.m.	5.30 p.m.

(b) Employees in any other place—

On the usual half holiday .. .. .	9.5 a.m.	noon
On all the other working days of the week .. .. .	9.5 a.m.	5.30 p.m.

OVERTIME.

\*4. The rate of time and a half shall be paid for all time worked by persons employed in—

(a) Shops and departments of shops where paints, colour, or wall-paper is sold—

- (i) Within the times fixed for beginning and ending work—
  - In excess of 3 hours 55 minutes on the usual half-holiday.
  - In excess of 8 hours 10 minutes on all other working days of the week.
  - Or in excess of 40 hours in any week.
- (ii) Outside the times of beginning and ending work.

(b) Other shops and departments of shops—

- (i) Within the times fixed for beginning and ending work in excess of 40 hours.
- (ii) Outside the times of beginning and ending work.

\* NOTE.—Section 117 (2) Act 3677 provides that:—Any person may, if notice in writing has previously been sent to the chief inspector, be employed in any shop or at any work in connexion with a shop for any time not exceeding three hours in any one day beyond the ordinary working hours, provided that the total number of days in any one year on which in any shop or at any work in connexion with a shop any such person is so employed shall not exceed twenty-five.

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

DAY'S WORK TO BE CONTINUOUS.

5. No employee, except in a case where he has been guilty of misconduct, having commenced work, shall be required to take any time off (exclusive of intervals for meals) until he has completed the full number of hours for that day's work.

TIME RATE.

6. Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall be paid, for time worked up to one-half the number of hours fixed for such ordinary week's work, as follows:—

- (a) In any week in which two or more Public Holidays occur .. .. . At the ordinary wages rate with an addition of fifty per centum.
- (b) In any other week .. .. . At the ordinary wages rate with an addition of thirty-three and one-third per centum.

and for time worked beyond the one-half aforesaid, shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work, together with any overtime rate which is applicable.

SICK LEAVE.

7 (a) Any employee who, having had at least three months' service with the same employer, is absent from duty as a result of personal ill health or accident shall be entitled to sick pay as follows:—

- (i) during the first year—3½ hours' ordinary pay for each complete month of service;
- (ii) during any subsequent year of service—40 hours' ordinary pay. Provided that in either case such employee produces or forwards within 48 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.

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

MEAL ALLOWANCE.

8. For each day upon which more than one hour's overtime is worked, each person who works such overtime shall be paid 2s. 6d. meal money in addition to the prescribed overtime rate.

MEAL INTERVALS.

9. All employees shall be allowed the following meal intervals with permission to leave the shop for the whole of such intervals, viz. :—From Monday to Friday, one hour for lunch between noon and 3 p.m.

REST PERIOD.

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

† NOTE.—Section 117 (3) of the Factories and Shops Act 1928 (No. 3677) provides that no person shall be employed in any shop more than five hours without an interval for a meal.

CLOTHING ALLOWANCE.

11. Where any employee is required by his employer to wear any special uniform, dress or clothing, of some colour other than black or black and white it shall be supplied, paid for, and, if necessary, laundered by the employer. Provided that, subject to the approval in writing of an official representative of the Shop Assistants and Warehouse Employees' Federation of Australia, an employer may substitute some other colour for black, or black and white, for any employee or section of employees, and under such circumstances the employer shall not be required to supply, launder or pay for such special uniform, dress or clothing.

NOTICE OF INTENTION TO RATION.

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

ANNUAL HOLIDAY.]

13. 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.)

TERMINATION OF EMPLOYMENT.]

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

SPECIAL RATES FOR SUNDAYS AND HOLIDAYS.

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

Sunday	..	..	..	..	..	..	..	..	..	} Double time.
New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Melbourne Cup Day (Metropolitan District only) Christmas Day, Boxing Day, and after 12.30 p.m. on Show Day in such localities mentioned in the Sixth Schedule to the <i>Public Service Act 1946</i> , as are within the area to which this Determination applies	..	..	..	..	..	..	..	..	..	
Easter Saturday	..	..	..	..	..	..	..	..	..	Five times the ordinary rate.

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

PAYMENT OF WAGES.

16. Payment of all moneys due shall be made not later than Thursday of each week, and during working hours.]

REFERENCE.

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

DETERMINATION TO BE AVAILABLE.

18. A copy of this Determination shall be kept in a conspicuous place on each floor of a building in which work covered by this Determination is done. Such Determination shall readily be available for inspection at any time. Nothing in this clause shall however, operate where a copy of the Determination is kept posted on the notice board in a staff room in the establishment.

PERIODICAL ADJUSTMENT OF WAGES.

19. The wages rates set out in clause 2 are based upon the following basic wage rates, and, pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically adjusted by the same amount and at the same time as such basic wage as prescribed by clause 20. Provided that the wages of apprentices, improvers, and females shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 6d., half or less than half of 6d. to be disregarded, provided that no amount shall be increased by a greater amount than that of the basic wage increase.

Basic Wage.

Place.	Needs Basic Wage (Adjustable)	Loading (Constant)	Total Basic Wage.	Index Number. Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Within the area to which this Determination applies	5 19 0	6 0	6 5 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

20. (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, 1949, the amounts of the Basic Wage shall be as prescribed in clause 19.

(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.

A. V. BARNES, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 15th June, 1949.





# VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 595]

FRIDAY, JULY 15.

[1949

*Factories and Shops Act 1928 (No. 3677).*

## DETERMINATION OF THE SHOPS BOARD No. 22 (MOTOR REQUISITES).

NOTES.—(a) This Determination applies to the following parts of Victoria, namely:—The Metropolitan District and the Geelong District as defined in the *Factories and Shops Act 1928 (No. 3677)* and the Orders in Council thereunder extending such Metropolitan District; the cities of Ballarat, Bendigo, and Warrnambool, and the boroughs of Eaglehawk and Sebastopol.

(b) On the 9th December, 1930, the Shops Board No. 18 (Miscellaneous Shops) was deprived of the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the trade of a seller by retail of petrol, benzine, or other motor spirit, motor oils, or motor car or motor cycle accessories, and such power was conferred exclusively on the Shops Board No. 22 (Motor Requisites).

IN accordance with the provisions of the *Factories and Shops Act 1928 (No. 3677)* 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 in the trade of a seller by retail of petrol, benzine, or other motor spirit, motor oils, or motor car or motor cycle accessories, has made the following Determination, namely:—

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

2.

### APPRENTICES OR IMPROVERS.

WAGES PER WEEK OF 40 HOURS.				PROPORTION (in any Shop).	
<i>Male or Female.</i>					
				<i>Apprentices.</i>	
15 years of age or under	..	..	..	35	0
16 .. .. .	..	..	..	47	6
17 .. .. .	..	..	..	65	0
18 .. .. .	..	..	..	82	6
19 .. .. .	..	..	..	106	6
20 .. .. .	..	..	..	130	0

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

*Improvers.*  
Two improvers to every worker receiving not less than the minimum wage.

	Wages per Week of 40 Hours.	
	Males.	Females.
	<i>s. d.</i>	<i>s. d.</i>
ALL OTHER EMPLOYERS.		
Manager of a shop, branch shop, or department (i.e., the principal employee in any shop, branch shop, or department, notwithstanding he may be under the orders of another person who does not devote his whole time to the supervision of such shop, branch shop, or department)	162 0	162 0
Employee solely engaged in the sale of lubricating oil, petrol, benzine, or other motor spirit	142 0	127 0
Other salesman or saleswoman	162 0	162 0

## NOTICE TO WORK OVERTIME.

3. No employee shall be obliged to work overtime unless he has received at least 24 hours' notice of same.

## OVERTIME.

4. (a) Any person who works for any time in excess of 40 hours in any week shall be paid for such extra time at the rate of time and a half.

(b) When an employee is required to work more than one hour's overtime after the usual time of ceasing work for the day, he shall be paid 2s. 6d. meal money in addition to the prescribed overtime rate; but such payment need not be made to an employee living within one mile of his place of employment who can reasonably return home for a meal.

## SPECIAL RATES.

5. Double time shall be the special rate payable for all work done on Sundays, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, King's Birthday, Christmas Day, Boxing Day, and within the Metropolitan District as defined in the Factories and Shops Acts, after 1 p.m. on Melbourne Cup and Melbourne Show Days.

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

## TERMINATION OF EMPLOYMENT.

6. Seven days' notice of termination of employment shall be given by either employer or employee.

## ANNUAL HOLIDAY.

7. 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 PAY.

8. (a) Any employee who, having had at least three months' service with the same employer, is absent from duty as a result of personal ill health or accident shall be entitled to sick pay as follows:—

(i) during the first year—3½ hours' ordinary pay for each complete month of service;

(ii) during any subsequent year of service—40 hours' ordinary pay. Provided that in either case such employee produces or forwards within 48 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.

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

## MEAL INTERVAL.

9. A meal interval not exceeding one hour shall be allowed between the hours of noon and 2 p.m. (Monday to Friday inclusive).

## REST PERIOD.

10. A rest period of 10 minutes each morning and afternoon (Monday to Friday inclusive) shall be granted to each employee, such time to be counted as time worked.

## PERIODICAL ADJUSTMENT OF WAGES.

11. The wages set out in clause 2 are based upon the following basic wage rates, and, pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically adjusted by the same amount and at the same time as such basic wage as prescribed by clause 12.

Provided that the wages of employees receiving less than the amount of the total basic wage, shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 6d., half or less than half of 6d. to be disregarded.

## BASIC WAGE.

Place.	Needs Basic Wage (Adjustable).	Loading (Constant).	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Within the area to which this Determination applies .. .. .	5 19 0	6 0	6 5 0	Melbourne

## ADJUSTMENT OF BASIC WAGE.

12. (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, 1949, the amounts of the basic wage shall be as prescribed in clause 11.

(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 .037 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings, but should the decimal number reach .5 or more the basic wage shall be taken to the next higher shilling.

A. V. BARNS, J.P., Chairman.

J. W. RYAN, Secretary

Melbourne, 16th June, 1949.



# VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 596]

FRIDAY, JULY 15.

[1949

Factories and Shops Acts.

## DETERMINATION OF THE SHOPS BOARD No. 1 (BOOT DEALERS).

NOTE.—This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts and the Orders in Council thereunder; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

IN accordance with the provisions of the Factories and Shops Acts the Wages Board appointed to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the business of a seller of boots, shoes, or slippers, being a business usually or frequently carried on in a shop," has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 22nd June, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.
- 2.

Apprentices or Improvers.				Other Employees.		
Wages per Week of 40 Hours.				Wages per Week of 40 Hours.		
				Within the Metropolitan District; the Cities of Geelong and Geelong West; and the Town of Newtown and Chilwell.		All other parts of Victoria where this Determination applies.
				MALES.		
				s. d.	s. d.	s. d.
			Males.	Females		
			s. d.	s. d.		
Under 16 years .. .. .			37 0	31 0		
16 years .. .. .			57 6	42 0		
17 .. .. .			78 0	51 0		
18 .. .. .			99 0	60 0		
19 .. .. .			119 6	69 6		
20 .. .. .			138 0	79 0		
<p>Provided that any apprentice or improver without previous experience entering the trade at 17, 18, 19, or 20 years of age may be paid for his or her first year's service 12½ per cent. and for his or her second year's service 10 per cent. less than the rates fixed above.</p>						
<p>PROPORTION (IN ANY SHOP OR PLACE).</p>						
<p>APPRENTICES.</p>						
<p><i>Males.</i></p>						
<p>One male apprentice to every three or fraction of three male persons receiving not less than 159s. per week of 40 hours.</p>						
<p><i>Females.</i></p>						
<p>One female apprentice to every three or fraction of three female persons receiving not less than 102s. per week of 40 hours.</p>						
<p>An indenture of apprenticeship prescribed by the Board was approved on 28th March, 1923.</p>						
<p>IMPROVERS.</p>						
<p><i>Males.</i></p>						
Two male improvers to one			<p>} male persons receiving not less than 159s. per week of 40 hours.</p>			
Four .. .. .	two					
Five .. .. .	three					
Six .. .. .	four					
Seven .. .. .	five					
Eight .. .. .	six					
Nine .. .. .	seven					
Ten .. .. .	eight					
<p>and thereafter one additional male improver to every two or fraction of two additional.</p>						
				<p>Manager of a shop or head salesman, i.e., the principal employee in any shop, branch shop, or boot and/or shoe department in any establishment in which are sold goods other than those sold by boot dealers, notwithstanding he may be under the orders of another person who does not devote his whole time to the supervision of such shop, branch shop, or department—</p>		
				(a) Working singly .. .. .	166 0	163 0
				(b) In charge of 1, 2, 3, or 4 persons .. .. .	171 6	168 6
				(c) In charge of 5 or more persons .. .. .	182 6	179 6
				Salesmen .. .. .	162 0	159 0
				<p>Persons employed in the parcels or country order office, or as packers, porters, or storemen .. .. .</p>		
				162 0	159 0	

Improvers.	Other Employees.		
	Wages per Week of 40 Hours.		
		Within the Metro- politan District the Cities of Geelong and Geelong West; and the Town of Newtown and Chilwell.	All other parts of Victoria where this Determination applies.
	FEMALES.	s. d.	s. d.
<p>PROPORTION (IN ANY SHOP OR PLACE).</p> <p>IMPROVERS.</p> <p>Females.</p> <p>Two female improvers to one Four " " " two Five " " " three Six " " " four Seven " " " five Eight " " " six Nine " " " seven Ten " " " eight</p> <p>and thereafter one additional female improver to every two or fraction of two additional.</p> <p>Provided that one female improver in lieu of one male improver, or one male improver in lieu of one female improver, may be employed.</p>	<p>Managers of a shop or head sales-woman, i.e., the principal employee in any shop, branch shop, or boot and/or shoe department in any establishment in which are sold goods other than those sold by bootdealers, notwithstanding she may be under the orders of another person who does not devote his whole time to the supervision of such shop, branch shop, or department—</p>		
	(a) Working singly ..	166 0	163 0
	(b) In charge of 1, 2, 3, or 4 persons .. ..	171 6	168 6
	(c) In charge of 5 or more persons .. ..	182 6	179 6
	Saleswomen .. ..	106 6	102 0

OVERTIME.

- 3. (a) All time worked in excess of 40 hours in any week shall be paid for at the rate of time and a half for the first three hour and double time thereafter.
- (b) All time worked after noon on Saturday shall be paid for at the rate of double time.

TIME WAGES.

- 4. Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall for each hour worked up to 20 hours be paid—
  - (a) in any week in which two or more public holidays occur .. At the ordinary wages rate, with an addition of fifty per centum.
  - (b) in any other week .. .. . At the ordinary wages rate, with an addition of thirty-three and one-third per centum,
- and for each hour worked beyond the 20 hours aforesaid shall be paid at the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.
- Provided that no such person shall be paid for less than two hours on any one Saturday and not less than three hours on any one day other than a Saturday.

SPECIAL RATES.

5. Double time shall be the rate for all work done on Sunday and time and a half shall be the rate for all work done on New Year's Day, Australia Day, Good Friday, Easter Saturday (except in the area enclosed by and including Flinders-street, Spencer-street, Lonsdale-street, and Spring-street, in the City of Melbourne, where the rate of treble time shall be paid), Easter Monday, Labour Day, King's Birthday, Melbourne Cup Day (Metropolitan District only), Christmas Day, Boxing Day and after 1 p.m. on Show Day (in such localities mentioned in the Sixth Schedule to the Public Service Act 1946, as are within the area to which this Determination applies); 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.

NOTICE OF INTENTION TO WORK OVERTIME.

6. At least four hours' notice of intention to work overtime shall be given to an employee before such employee is required to work beyond the usual time of ceasing duty.

MEAL ALLOWANCE.

7. An employee required to work any overtime in excess of one hour beyond the usual time of ceasing duty shall be paid a meal allowance of 2s. 6d. Such allowance shall be paid on the day upon which the overtime is worked and shall be in addition to any payment due for such overtime.

GARMENT ALLOWANCE.

8. Any employee who is required to wear, when at work, a washable outer-garment, dust-coat, or overall, shall be paid 2s. per week in addition to the ordinary wage, unless the garment is both provided and laundered by the employer.

BICYCLE ALLOWANCE.

9. Where a bicycle is provided by an employee and is required to be used in connexion with his employer's business, an allowance of 3s. per week in addition to the ordinary wage shall be paid to such employee.

PAYMENT OF FARES.

10. Where an employee is required by his or her employer to move temporarily from one branch or shop to another all additional fares so incurred shall be paid by the employer.

REFERENCE.

11. An employee, on severing his or her connexion with an employer, shall be entitled to and shall receive from such employer a reference in writing, stating his or her period of service and qualifications.

MEAL BREAK.

12. A meal break of not less than 60 minutes shall be allowed daily (Monday to Friday) to each employee between the hours of 11.45 a.m. and 2.15 p.m., provided that by mutual agreement between an employer and his employee such meal break may be reduced to not less than a break of 30 minutes.



**SICK LEAVE.**

13. (a) Any employee who, having had at least three months' service with the same employer, is absent from duty as a result of personal ill health or accident shall be entitled to sick pay as follows:—

- (i) during the first year—3½ hours' ordinary pay for each complete month of service;
- (ii) during any subsequent year of service—40 hours' ordinary pay.

Provided that in either case such employee produces or forwards within 48 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.

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

**ANNUAL HOLIDAY.**

14. 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.)

**REST PERIOD.**

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

**TIME AND WAGES RECORDS.**

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

**TERMINATION OF EMPLOYMENT.**

17. Except where the conduct of an employee justifies instant dismissal, seven days' notice of termination of employment shall be given by either employer or employee, or one week's wages shall be paid or forfeited, as the case may be, in lieu thereof. This provision shall only apply in the case of the employee who has been employed continuously for three months or more.

**PAYMENT OF WAGES.**

18. Wages shall be paid not later than Thursday in each week and must be paid during working hours.

**PERIODICAL ADJUSTMENT OF WAGES.**

19. The wages rates set out in clause 2 are based upon the following basic wage rates, and, pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically adjusted by the same amount and at the same time as such Basic Wage as prescribed by clause 20. Provided that the wages of apprentices, improvers, and females shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 6d., half or less than half of 6d. to be disregarded.

*Basic Wage.*

Place.	Needs Basic Wage (Adjustable.)	Loading (Constant).	Total Basic Wage.	Index Number. Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Within the area to which this Determination applies ..	5 19 0	6 0	6 5 0	Melbourne

**ADJUSTMENT OF BASIC WAGE.**

20. (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, 1949, the amounts of the Basic Wage shall be as prescribed in clause 19.

(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.

A. V. BARNES, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 16th June, 1949.





# VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 597]

FRIDAY, JULY 15.

[1949

Factories and Shops Acts.

## DETERMINATION OF THE SHOPS BOARD No. 21 (BOOKSELLERS AND NEWSAGENTS).

NOTE.—This Determination applies to the following parts of Victoria, viz.:—The Metropolitan District as defined in the Factories and Shops Acts and the Orders in Council thereunder; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

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

- (a) in booksellers' or newsagents' shops,
- (b) in the trade of a wholesale bookseller or newsagent,
- (c) in a lending library conducted for profit,"

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 7th July, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers.				Other Employees.			
WAGES.	Per week of 40 hours.		WAGES.	Per week of 40 hours.			
	Males.	Females.		Within the Metropolitan District.		All other parts of Victoria where this Determination applies.	
				Males.	Females.	Males.	Females.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	
15 years of age or under	39 0	34 0	DEPARTMENTAL MANAGER, i.e., a person in control of two or more persons (not including bookstall employees) receiving not less than the minimum wage—				
16 years of age ..	47 0	42 6					
17 years of age ..	60 0	52 0					
18 years of age ..	76 6	60 6					
19 years of age ..	94 6	70 0					
20 years of age ..	113 6	78 6					
PROPORTIONS (by any employer).							
<i>Apprentices.</i>							
One apprentice to every three or fraction of three workers receiving not less than the minimum wage.							
An indenture of apprenticeship has been prescribed by the Board.							
<i>Improvers.</i>							
Two improvers to each adult worker receiving not less than 149s. 6d. per week of 40 hours in the case of a male adult and 88s. 6d. per week of 40 hours in the case of a female adult.							
			Where two such persons are under his or her control ..	175 6	130 0	175 6	130 0
			Where three or more such persons are under his or her control ..	186 0	144 0	186 0	144 0
			<i>All Others.</i>				
			(a) Employed in connexion with the sale or distribution of newspapers—	152 6	93 6	149 6	88 6
			(b) Employed at any other work—	160 0	97 0	157 0	91 6

## OVERTIME.

3. (a) Any employee who in any week works for any time in excess of 40 hours shall be paid for such extra time at the rate of time and a half.

(b) Any employee who is required to work between noon and 4 p.m. on any Saturday shall be paid for such work at the rate of double time.

## TIME WAGES.

4. (a) (This clause shall not apply to an employee at a Railway Bookstall sub-let to a newsagent.) Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall for each hour worked up to 20 hours be paid at the ordinary wage rate with an addition of 33½ per cent. and thereafter the ordinary wage rate up to but not exceeding ordinary wages rates for an ordinary week's work.

(b) An employee at a Railway Bookstall sub-let to a newsagent who works less than 40 hours in any week shall only be entitled to be paid *pro rata* according to the number of hours worked.

## HOLIDAYS.

5. (Nothing in this clause shall apply to any employee who is required to work on any day mentioned therein in connexion with the sale or distribution of newspapers.) Employees shall be entitled to the following holidays without deduction of pay:—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, Labour Day, King's Birthday, Melbourne Cup Day (Metropolitan District only), Christmas Day, and Boxing Day, and after 12.30 p.m. on Show Day in such localities mentioned in the Sixth Schedule to the *Public Service Act 1946*, as are within the area to which this Determination applies; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, this condition shall only apply for the day so substituted.

Any employee who is required to work on any day mentioned in this clause shall receive double time for such work.

## MEAL MONEY.

6. Any employee who is required to work overtime in excess of one hour on any day shall receive an allowance of 2s. 6d. as meal money in addition to the rates provided in clause 3.

## ANNUAL HOLIDAY.

7. 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.)

## SICK LEAVE.

8. (a) Any employee who, having had at least three months' service with the same employer, is absent from duty as a result of personal ill health or accident shall be entitled to sick pay as follows:—

(i) during the first year—3½ hours' ordinary pay for each complete month of service;

(ii) during any subsequent year of service—40 hours' ordinary pay.

Provided that in either case such employee produces or forwards within 48 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.

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

## MEAL INTERVALS.

9. Employees shall be entitled to meal intervals as follows:—

(a) Between the 7th December and the 24th December in each year—three-quarters of an hour	.. .. .	} Between the hours of 11.45 a.m. and 2.45 p.m., and on a late trading night between the hours of 5 p.m. and 7 p.m.
(b) At any other period of the year—one hour	.. .. .	

## TERMINATION OF EMPLOYMENT.

10. Except where the conduct of an employee justifies instant dismissal seven days' notice of termination of employment shall be given by either employer or employee or one week's wages shall be paid or forfeited in lieu thereof.

## PAY DAY.

11. Employees shall be paid weekly on a regular pay day other than a Friday or a Saturday.

## REST PERIOD.

12. A rest interval of ten minutes shall be given to all employees during each morning and afternoon, and shall be counted as time worked.

## BICYCLE ALLOWANCE.

13. If an employee is required to use his own bicycle in the business of his or her employer, an allowance of 6d. per day or part thereof shall be made for such use.

## TIME AND WAGES RECORD.

14. Employers shall keep a Time and Wages Record, showing the name, age, and sex of each employee, the number of hours worked each day and each week, and the wages and overtime payments (if any) to each such employee. Such record shall be open for inspection by a duly accredited representative of the Shop Assistants and Warehouse Employees Federation of Australia (Victorian-Tasmanian Branch).

## REFERENCE.

15. On an employee being dismissed or leaving his or her employment he or she shall be entitled to and shall receive from the employer a reference stating length of service and qualifications. This reference must be given to the worker immediately on the termination of his or her employment.

## PERIODICAL ADJUSTMENT OF WAGES.

16. The wages rates for adult males set out in clause 2 are based upon the following basic wage rates, and, pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically adjusted as prescribed by clause 17.

Provided that the wages of other employees shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 6d., half or less than half of 6d. to be disregarded.

*Basic Wage.*

Place.	Needs Basic Wage (Adjustable).	Loading Constant.	Total Basic Wage.	Index Number set Assigned.
	£ s. d.	s. d.	£ s. d.	
Within the area to which this Determination applies ..	5 19 0	6 0	6 5 0	Melbourne

## ADJUSTMENT OF BASIC WAGE.

17. (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, 1949, the amounts of the Basic Wage shall be as prescribed in clause 16.

(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.

A. V. BARNES, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 22nd June, 1949.

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