



# VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 382]

THURSDAY, APRIL 12.

[1951

Factories and Shops Acts.

## DETERMINATION OF THE ENTERTAINMENT EMPLOYEES (PERFORMERS) BOARD.

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

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than persons subject to the jurisdiction of any Wages Board heretofore appointed) engaged as performers in radio or other entertainments conducted for private gain has made the following Determination, namely:—

1. That as from the 1st March, 1951, the last previous Determination of this Board shall be revoked and replaced by this Determination.

### PART I.—Theatrical or Other Entertainments.

(OTHER THAN RADIO ENTERTAINMENTS.)

#### RATES OF PAY.

2. The minimum rates of pay to be paid by an employer to an employee for work, inclusive of work in or incidental to either performances or rehearsals or both, shall be as set out hereunder:—

#### A—CLASS "A" PRODUCTIONS.

Engaged by the Week—	(Per Week)	
	£	s. d.
(i) Actor (18 years of age and over) .. .. .	9	11 0
(ii) Actress (18 years of age and over) .. .. .	9	0 0
(iii) Male engaged in the chorus or ballet (18 years of age and over) .. .. .	8	1 0
(iv) Female engaged in the chorus or ballet (18 years of age and over) .. .. .	7	1 0
(v) Supernumeraries engaged by the week shall be paid 5s. for each rehearsal and 6s. for each performance with a minimum payment per week of £2 10s. Supernumeraries on tour shall be paid the applicable chorus or ballet rates of pay together with "on tour allowances" as hereinafter prescribed.		
(vi) Walking understudy and/or supernumerary understudying one of the other roles in the production and speaking not more than 80 words in the production		
(a) Male (not on tour) .. .. .	8	11 0
(on tour) .. .. .	9	11 0
(b) Female (not on tour) .. .. .	7	17 0
(on tour) .. .. .	9	0 0
(vii) A member of the chorus or ballet speaking not less than seven lines containing in the aggregate not less than 30 words shall be paid an additional sum of not less than 10s. per week.		
(viii) Juveniles—		
(a) Male		
Under 14 years of age and not under sub-clause (c) hereof .. .. .	2	15 0
14 years of age and under 16 years of age .. .. .	3	10 0
16 years of age and under 18 years of age (not on tour) .. .. .	4	10 0
(on tour) .. .. .	6	10 0
(b) Female		
Under 14 years of age and not under sub-clause (c) hereof .. .. .	2	15 0
14 years of age and under 16 years of age .. .. .	3	10 0
16 years of age and under 18 years of age (not on tour) .. .. .	4	10 0
(on tour) .. .. .	5	10 0
(c) Children under fourteen years of age who are engaged in pantomime who do not appear in night performances shall be paid £1 per week for 6 performances or £1 12s. 6d., for 12 performances and shall perform one rehearsal on the stage before commencement of production without payment. The material for the wardrobe for these children shall be supplied by the employers; if the employer makes the costume it shall remain the employers' property but otherwise it shall be the property of the child.		

- (ix) When "on tour" the following "on tour allowances" shall be added to the rates hereinbefore specified:—
- |   | (Per Week)<br>£ s. d. |
|---|-----------------------|
| (a) Playing in Melbourne .. .. .              | 1 1 0                 |
| (b) Playing in other cities and towns .. .. . | 1 11 0                |
- (x) A member of the ballet or chorus who acts as deputy ballet or chorus master or mistress or who, under the instructions and supervision of the producer or stage manager supervises the numbers or acts to be performed by the ballet or chorus during a performance shall be paid not less than 16s. per week in addition to the per week rate.
- (xi) If an employee is required by his or her employer to act as understudy he or she shall be paid an additional five (5) shillings per week for each part understudied as required except that in cases where the part or one of the parts understudied is that of the leading actor or comedian or leading actress or comedienne ten shillings per week shall be paid for that part instead of or in addition to the five shillings as the case may be.

**B—CLASS "B" PRODUCTIONS.**

NOTE.—In the case of any theatrical performance conducted in a temporary structure in the city of Melbourne, such performance shall be classified as a B Class production only if such performance is conducted at a distance which is not less than two miles from the Town Hall in the City of Melbourne, and provided also, that maximum admission charge to such performance is not more than five shillings exclusive of any entertainment tax.

- |   | (Per Week)<br>£ s. d. |
|---|-----------------------|
| (i) Actor or Actress (17 years of age and over) .. .. .   | 9 6 0                 |
| (ii) Male engaged in the chorus or ballet (17 years of age and over) .. .. .  | 8 1 0                 |
| (iii) Female engaged in the chorus or ballet (17 years of age and over) .. .. .   | 6 17 0                |
| (iv) Juveniles (i.e. those employees who are not more than 16 years of age): The appropriate rates provided in sub-clause A hereof. |                       |
| (v) When "on tour" the sum of £1 5s. "on tour allowance" shall be added to the rates hereinbefore specified.                        |                       |

**C—AGGREGATE PAYMENTS.**

Notwithstanding any contract or arrangement no employee engaged by the week shall be paid or receive from his employer in respect of the whole period of his employment an aggregate of payments and allowances less than the aggregate of the minimum payments and allowances for ordinary work, overtime work, extra performances, and travelling fares and expenses payable to or receivable by an employee under this Determination in respect of similar employment in the absence of any such contract or arrangement.

**REHEARSALS.**

3. A person who attends rehearsals at the direction of an employer for a future production and who is not at that time employed in any current production by that employer shall for the period between the first date upon which such person is directed to attend for rehearsal and the commencement of the production be paid as follows:—

- |  | Per Week<br>£ s. d. |
|--|---------------------|
| (a) Actors and Actresses—Musical Productions and Variety—  |                     |
| Up to 24 hours' rehearsal per week .. .. .   | 3 0 0               |
| More than 24 and not more than 36 hours' rehearsal per week .. .. .  | 4 10 0              |
| More than 36 and not more than 48 hours' rehearsal per week .. .. .  | 6 0 0               |
| All work in excess of 48 hours per week shall be paid for at overtime rate.  |                     |
| (b) Actors and Actresses—Legitimate Productions.   |                     |
| Up to 30 hours' rehearsals per week .. .. .  | 3 0 0               |
| All work in excess of 30 hours per week shall be paid for at rates to be arranged between the employer and the Union.  |                     |
| (c) Ballet, Chorus, Showgirls, &c.   |                     |
| Up to 24 hours' rehearsals per week—one half of the appropriate per week rate prescribed in clause 2 hereof.   |                     |
| More than 24 and not more than 36 hours' rehearsals per week—three quarters of the appropriate per week rate prescribed in clause 2 hereof.  |                     |
| More than 36 and not more than 48 hours' rehearsals per week—the appropriate per week rate prescribed in clause 2 hereof.  |                     |
| All work in excess of 48 hours per week shall be paid for at overtime rate.  |                     |
| (d) Rehearsal hours shall (subject to clause 15 hereof) be at the discretion of the employer.  |                     |
| (e) No rehearsal shall be called on Christmas Day, Good Friday or on a Sunday except in an emergency and in that case the employee shall be paid one-third of the prescribed per week rate for any work carried out on that day. |                     |
| (f) Rehearsals for supernumeraries may be called at any time mutually agreed on between the employer and the Union. Such rehearsals shall not exceed two and a half hours in length.   |                     |

**CASUAL ENGAGEMENTS.**

4. (a) Casual employees (other than supernumeraries) shall for each performance be paid one-sixth, plus 15 per cent, thereof, of the appropriate per week rate. The maximum length of such a performance shall be three hours (exclusive of making up and taking off &c.).

(b) In the case of actors, actresses, and dance band vocalists the foregoing casual rate shall include one rehearsal of not more than 2 hours' duration and which shall be held not more than 48 hours before the time of the performance.

(c) In the case of vaudeville, variety acts, specialty artists, specialists, singers, dancers, chorus and ballet, the foregoing casual rate shall include one rehearsal of not more than one hour's duration and which shall be held not more than 48 hours before the time of the performance.

(d) Any rehearsal required by the employer additional to the foregoing shall be paid for at the rate of 7s. 6d. for two hours (minimum) and over and above two hours at the rate of 2s. per half hour or part thereof, provided, however, that if the employee desires to leave the rehearsal before the completion of two hours, payment shall be at the rate of 2s. per half hour or part thereof for the time actually worked.

(e) Casual supernumeraries shall for each day of employment be paid as follows:—

	Per Day s. d.
For attending a rehearsal and performance in one day .. .. .	16 0
For attending two performances in one day .. .. .	15 0
For attending a performance only in one day .. .. .	7 0
For attending a rehearsal only in one day .. .. .	8 0

**TRAVELLING.**

5. (a) An employee who lives in and is under casual engagement to perform any work at any place outside the Metropolitan area shall have first class rail or other transport provided by the employer and if required to travel at night shall be provided with a sleeping compartment in the case of rail travel. Should the employer not provide such sleeping compartment the employer shall pay to the employee the sum usually charged to the employer by the Railway Authorities therefor.

(b) The employer shall provide reasonable accommodation at a hotel or boarding house for any such casual employee who is obliged to remain and lodge overnight at any place other than his usual place of abode and in default thereof shall pay such employee the sum of 12s. 6d. for each night that the employee is obliged to remain and lodge overnight at any place other than his usual place of abode, and shall also provide the employee with suitable meals or in lieu of each such meal the employer shall pay the employee the sum of 2s. 6d. per meal.

(c) Should the total time of an employee's absence from the Metropolitan area plus the time occupied in the outward and return journey of a casual employee travelling to and from employment outside such Metropolitan area exceed twenty-four hours, such employee shall be paid in addition to the applicable rate one half of the casual rates hereinbefore provided for each period of twelve hours or part thereof of such excess, in addition to the provision of lodging.

(d) An employee engaged by the week, when travelling on duty, shall be provided by his employer with first class accommodation by rail.

(e) A weekly employee, when travelling on duty at night by train, shall be provided with sleeping accommodation, and if such sleeping accommodation is not available the employee shall be paid the sum which would be charged to the employer by the railway department for such sleeping accommodation if it were available.

(f) Employees engaged by the week while on tour shall be paid their weekly wages from the time the employees leave the place of engagement until they return to that place at the end of the tour, broken weeks at the beginning of the tour to be paid for *pro rata*, and the days of departure and return other than Sundays to be each counted as one day worked.

(g) Provided that where employees engaged in performances of a B class production, travel by rail on rail lines which are not reasonably considered as main lines, but could be construed as branch lines, it shall be allowable for the employer to provide such employees with second class rail accommodation if the distance to be travelled to the next town of performance is less than 100 miles. Where such employees travel at night on rail lines where sleeping compartments are not provided the employer shall be exempt from sub-clause (e) of this clause if he ensures that not more than four employees travel in each compartment.

(h) Where employees are required to travel by land transport other than rail transport, the employer shall ensure adequate and comfortable and covered conveyances with seating for each employee.

#### AGREEMENT FOR LOWER RATES.

6. Where the Federal or State Executive of the Union agrees with any employer that for special reasons rates lower than those prescribed herein should be accepted by an employee, such lower rates may be agreed upon between the said Union and the employer and paid.

#### SPECIAL ATTENDANCES.

7. If for the purpose of wardrobe, photography, or any other matter connected with an employer's business, he requires an employee to attend at any place before the commencement of his period of employment, he shall pay the employee for the time of such attendance *pro rata* at the minimum rate prescribed for the employee by clause 2 of this Determination with a minimum payment as for three hours.

This time of any such attendance during the period of employment shall be counted as time worked.

#### WAGES WHEN PAID.

8. Wages shall be paid to an employee without any deductions (other than advances on account of wages, fines or tax or other deductions which the employer is bound by law to deduct) not later than 10 p.m. on the Friday of each week, except in the case of a broken week, when payment shall be made not later than the same hour on the night of the last performance: Provided that should any employee be short paid or over paid in any week, in the case of short payment he shall receive the amount short paid on the following pay day or as soon thereafter as possible, and in the case of over payment, the amount overpaid shall be deducted from the employee's wage on the following pay day or as soon thereafter as possible: Provided further that this clause shall not affect sub-clause (f) of clause 9 and clauses 11 and 20 of this Determination.

#### ENGAGEMENT.

9. (a) In the case of employees not engaged for a tour and not paid the rates for those casually engaged, the employment shall 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, and the employee shall only be entitled to payment *pro rata* for the time up to the expiration of the notice.

(b) In the case of an employee engaged for a tour the employment shall continue until the employee is returned to the place of engagement, but may, in the absence of any agreement to the contrary, be then terminated without notice. Should the employee leave the employer's employ during the course of the tour such employee shall be responsible for his own return fare unless such leaving be justified by and directly attributable to a breach of the Determination by the employer with respect to such employee during the employment, in which case the fare shall be payable by the employer.

(c) If any work is done by an employee for the employer after the time of the expiration of the notice under sub-clause (a) hereof or after the termination of a touring engagement under sub-clause (b) hereof otherwise than in pursuance of a separate weekly or touring engagement, it shall be paid for at casual rates.

(d) Employees, to become entitled to be treated as being engaged by the week, must perform such work as the employer shall from time to time require on the days and during the hours usually worked by the class of employees affected.

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

(f) Notwithstanding anything contained in this Determination an employer may deduct payment of wages for any day on which an employee cannot be employed in his usual class of employment because of—

- (i) any strike;
- (ii) any breakdown of machinery;
- (iii) any stoppage of work unavoidable by the employer.

#### TRY-OUTS.

10. The engagement shall not be deemed to have commenced until after a "try-out" if such try-out is desired; and an employee shall not be entitled to any payment until he or she is definitely engaged, except as prescribed herein and for any rehearsals as prescribed in this Determination. Any try-out involving an appearance in public shall be paid for at the prescribed casual rate for the class of employee in question and any try-out not involving public appearance shall not be paid for unless the number thereof exceeds three in any calendar month, in which case there shall be paid for each try-out in excess the casual rate as aforesaid. No try-out shall be held on a Sunday.

#### ABSENCE FROM DUTY.

11. (a) Any employee paid per week absent from duty shall lose pay proportionate to the time of such absence unless he produces or forwards to his employer within twenty-four 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 default nor to accident arising otherwise than out of and in the course of his employment;
- or
- (ii) any bodily injury to himself caused by accident arising out of and in the course of his employment.

(b) If any dispute shall arise as to deduction of pay on the ground that satisfactory evidence has not been produced or forwarded, the question whether the evidence should have been accepted by the employer as satisfactory may be determined by the local secretary or other authorized representative of the Union and the employer or his representative.

(c) This clause shall not affect any right of the employer to determine the employment in accordance with clause 9 of this Determination.

#### HOURS.

12. Hours of duty shall not exceed  $8\frac{1}{2}$  in any one day nor 96 in any one fortnight, including both performances and rehearsals.

#### OVERTIME.

13. (a) For all time worked over  $8\frac{1}{2}$  hours in any one day or 96 hours in any one fortnight, the employee shall be paid at the rate of time and a quarter.

(b) If an employee is detained in the theatre by the employer or his representative until after 11.30 p.m. he or she shall be paid for the time he or she is detained after 11.30 p.m. at the rate of time and a half.

(c) If a female employee is detained too late to travel by the last tram or train to her home (temporary or permanent), as the case may be, the employer shall provide for her proper conveyance to her home. This provision shall also apply to a male employee if his home is more than a mile from the theatre.

#### TIMES OF PERFORMANCE AND REHEARSAL.

14. (a) Where a rehearsal is held on the same day as a performance the rehearsal shall not exceed  $4\frac{1}{2}$  hours in duration. Such rehearsal shall not commence before 10 a.m. and shall finish at or before 4 p.m., with an interval of at least one hour, or at the employer's option the rehearsal may commence at 10 a.m. and continue until 1.30 p.m. without any interval. If no performance is held on the same day as a rehearsal, such rehearsal shall not exceed  $8\frac{1}{2}$  hours in duration, with an interval of at least one hour. The employee shall be dressed and ready to begin rehearsal at the time fixed to start. Each of the intervals shall contain at least one continuous hour clear of any dressing, undressing, re-dressing, making-up or other work. The said intervals shall be given during the period between the hours of noon and 2 p.m. and 6 p.m. and 8 p.m. as the case may be. If the aforesaid hours are exceeded or the said continuous clear hour is curtailed, overtime shall be paid for the extra time worked or for the time of the curtailment.

(b) Where in the ordinary course of business not more than eight performances are given in any one week, no call of any kind shall be made on a day where more than one performance is given except in case of emergency.

#### TIME FOR DRESSING.

15. Thirty minutes shall be allowed an employee for preparatory duties incidental to a performance such as undressing, making-up and re-dressing, and fifteen minutes shall be allowed after a performance for undressing, washing off grease paint, and re-dressing; such time shall count as working time.

#### NUMBER OF PERFORMANCES.

16. (a) The wages prescribed in paragraphs (i), (ii), (iii), (iv), (vi), (vii), and (viii) of clause 2 of this Determination as adjusted under clause 51 of this Determination shall be the weekly wage for the purposes of calculating hourly rates, overtime, Sunday and holiday rates, rehearsal rates under clause 3 of this Determination and any other rates of pay based on the weekly wage.

(b) When extra performances exceeding eight, but not exceeding twelve are presented in Christmas week, Easter week or during the pantomime season in December, and January, employees shall be paid a total of one-ninth of their weekly wage extra for such performances.

(c) When an extra performance is presented in any week in which a public holiday occurs, employees shall be paid one-ninth of their weekly wage extra for such performance.

(d) Where employees give more than eight performances in any one week they shall be paid one-eighth of their weekly wage extra for each such additional performance.

(e) In the circumstances set out in sub-clause (b) hereof, employees (being in the chorus or Ballet), shall in addition be entitled to holidays equal to one-twenty-fifth of the period worked for twelve performances per week or alternatively shall be entitled to payment in lieu thereof.

(f) In the case of B class productions (as defined in B of clause 2 of this Determination) when extra performances exceeding 8, but not exceeding 12 are presented during a season of not more than 3 weeks commencing on Boxing Day, and which includes presentation of pantomime, employees shall receive in addition to their usual weekly wage and in addition to any "on tour allowance" for which they may qualify the following additional sums:—

- (i) For each performance in excess of 8 up to and including an eleventh performance in one week—a sum equal to 10 per cent of the employee's total weekly wage and allowance for each such performance.
- (ii) For a twelfth performance in any one week—a sum equal to 5 per cent of the employee's total weekly wage and allowance.
- (iii) For each performance over and above 12 in any such week—a sum equal to one eighth of the employee's total weekly wage and allowance for each such performance.
- (iv) When extra performances exceeding eight are given in any other circumstances in respect of B class productions the employee shall receive in addition to his week's wage a sum equalling one eighth of the employee's weekly wage in addition to such wage and allowance for each performance over and above 8.

#### SUNDAYS AND PUBLIC HOLIDAYS.

17. For any work done on Sundays or public holidays, payment shall be made at least as follows:—

(a) On Sundays—

- (i) If the engagement is by the week, one-third of the weekly wage received by the employee in addition to his wage for the week.
- (ii) If the engagement is not by the week, at least double the prescribed minimum per day rate.

(b) On Good Friday, Christmas Day and Labour Day—

- (i) If the engagement is by the week, one-sixth of the weekly wage received by the employee in addition to his wage for the week or tour.
- (ii) If the engagement is not by the week, double the prescribed minimum per day rate.

(c) On other holidays—

- (i) If the engagement is by the week, one-twelfth of the weekly wage received by the employee in addition to his wage for the week or tour.
- (ii) If the engagement is not by the week, one and a half times the prescribed minimum rate per day.

The said other holidays are the days observed as 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 State, but where any of the holidays named are observed on different days in different parts of the State, employees shall only be entitled to extra payment from the one employer for work on one of such days in each year.

(d) In the case of employees engaged by the week, if by reason of any of the holidays referred to in this clause being a holiday no work is done thereon, the wage for the week or tour shall nevertheless be paid without deduction therefor and such holiday shall, for the purpose of clause 13 of this Determination be treated as if there had occurred thereon one of the eight or two of the twelve performances for which that clause provides.

(e) 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, receive therefor, if engaged by the week one-twelfth, or if not so engaged, one-half of the prescribed minimum per week or per day rate appropriate for him.

## TRANSPORTATION OF LUGGAGE.

18. All luggage required by the employee in the execution of his duties shall be taken from the wharf or railway station to the theatre and from the theatre to the wharf or railway station, and from theatre to theatre, at the employer's expense. All reasonable care, but no responsibility, shall be taken by the employer.

In the case of canvas theatres (country touring tent shows) if the employer's canvas theatre or other place of performance is over half a mile by the shortest available route from the wharf or railway station and there are no trams or other public transport services readily available at the time of arrival or departure of the employees for the commencement or at the conclusion of the show in the town the employer shall at his expense provide transport for the employees and their luggage to and from the station or wharf and the place of performance.

## WARDROBE AND MAKE-UP.

19. (a) The employer shall provide make-up for supernumeraries when such employees are not receiving at least the prescribed chorus or ballet rates of pay.

(b) Actors and Actresses shall provide their own make-up. When the employer requires the employee to use special body make-up (other than facial or in cases of specialty acts) the employer shall provide such make-up.

(c) The employer shall provide wardrobe "wigs" and appurtenances required by him to be used in performance or rehearsal and they must be clean when so provided.

(d) All laundry made necessary by the work of the employee for the employer shall be done at the employer's expense.

## PENALTY FOR BREACH OF DUTY.

20. An employer may at his discretion inflict a fine of 5s. upon an employee or suspend him for one performance with loss of pay or instantly dismiss him for any unpunctuality or missing of an entrance, or any dereliction of duty during a performance and/or rehearsal: Provided that whenever a penalty as aforesaid has been imposed the employer shall when paying the employee give a written notice to the employee so penalised stating the amount of the fine, and the offence committed and the date thereof, and the employee shall have the right of appeal to a committee of two, one to be nominated by the employee and the other by the employer or his representative.

## TIME BOOKS TO BE KEPT, ETC.

21. (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 shall, after all the time worked previous to the entry by an employee has been entered therein, be produced to such employee, and such entry if correct, shall be vouched by his signature in the time book or time sheet, and the entries of the time so worked may be checked by an accredited representative of the Union if he be available at the place of business and by the employer's representative who shall, if the entries be correct, vouch for them by their signatures in the time book or time sheet.

(c) The time book or time sheet with all the entries therein, and the relevant wages' receipts shall on demand, be produced by the employer for inspection at the place where they are 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 Union who has been authorized in writing to inspect the same by the General Secretary or Secretary of the State Branch or Division of the Union. One clear day's notice, setting out the grounds for desiring such inspection, shall be given to the employer of any intended inspection. No authority to inspect shall be given by the Union unless the General Secretary or State Branch or Divisional Secretary has good reason to suspect that a breach of this Determination has been committed by the employer, whose time book or time sheet or wages' receipts are to be inspected.

## ACCESS FOR UNION REPRESENTATIVE.

22. The President and General Secretary or any other two officers of the Union, duly authorized in writing, shall, not more than three times in any one week, have access to any place of rehearsal and/or performance to interview employees when they are off duty. The Union representatives shall not attempt to interview any employee on or in the precincts of the stage during any actual performance or rehearsal and shall not detain any employee from making an entrance.

## DEFINITIONS.

23. (a) "Union" means the Actors' and Announcers' Equity Association of Australia.

(b) "Engaged by the week" means being engaged for at least a week of employment terminable only in the manner prescribed by clause 9 of this Determination or being engaged for employment to last longer than a week.

(c) "Engaged casually" means being engaged otherwise than by the week.

(d) "Actor or Actress" means a person who takes part in a performance and is required to speak by himself or herself in the aggregate more than 80 words, or to sing by himself or herself more than 40 bars of music, or to dance solo more than 40 bars of music, or to perform any specialty.

(e) "Supernumerary" means a person who takes part in a performance, but is not required therein to speak by himself or herself in the aggregate more than two, or in Shakespearean productions more than five lines, exclusive of shouts, exclamations and utterances marked by authors or stage direction for all (Omnes) the players on the stage to speak at the same time, or required to sing in the aggregate more than sixteen, or in Shakespearean productions more than thirty-two bars of the musical score, if any, and includes anyone appearing as extra lady, show girl or mannequin.

(f) "Time and a quarter", "time and a half" and "double time" used in relation to pay, respectively mean at the rate of one and a quarter, one and a half and twice the actual pay of the employee in question, calculated *pro rata* for the time for which the payment is to be made.

(g) "Playing" means taking part in an actual performance.

(h) "On tour" means being away at the direction of the employer from the actual city, town or other place where the employee was originally engaged by the employer.

(i) "Hometown" means the city or town where the employee was actually engaged by the employer.

(j) "Variety" (performance or production) means a production which contains a number of variety or vaudeville acts and which is not connected by a single or central theme or plot. It may or may not contain a ballet or chorus.

(k) "Run of the show"—"Run of the play"—"Run of the piece" means the period which in any one city commences on the opening night or day of a production and concludes on the last day or night of the presentation of the production in that city.

(l) "Call" means a call or direction to the employee by the employer to attend at a rehearsal at a particular time, or at a particular place and time for the purpose of photography, wardrobe or other legitimate reason.

(m) "Wages" means the rate of wage per week paid to an employee and is exclusive of any overtime or additional payments such as (but not limited to) overtime, holiday remuneration, additional performances, travelling, understudy, ballet or chorus master or mistress rates and the appropriate on tour or travelling allowance.

(n) "Pantomime" is a production with an appeal primarily for children presented during the Christmas holiday period and shall include (in addition to the nursery stories and fairy tales hitherto presented as Pantomime) such productions as "Peter Pan", "Alice in Wonderland", "The Wizard of Oz", "Snow White and the Seven Dwarfs" and the like.

**PART II.—Radio Entertainments.**

**RECORDING.**

*Casual Employees.*

24. (a) These, whether actors, actresses, singers, vaudeville artists, comperes, or other entertainers taking part in recorded transcriptions for use in Commercial Broadcasts, shall be paid as follows:—

	£	s.	d.
<b>Musical presentations—</b>			
Including rehearsal and recording, provided that the time involved does not exceed one and a half (1½) hours—per "side" .. .. .	1	5	0
Beyond one and a half (1½) hours on any one day for each quarter (¼) of an hour or part thereof .. .. .	0	6	6
Recordings of less than fifteen (15) minutes to be paid <i>pro rata</i> with a minimum per call of .. .. .	1	5	0
Preliminary rehearsals in which no recording is done, per hour or part thereof, but with minimum of 10s. 6d.	0	9	0
A fifteen minute recording or part thereof is one side of a record or a recording of such duration on wax, acetate, fibre, copper wire, or by any other means.			
When a singer appears in any recording as a solo performer such singer shall be paid for each solo item after the first in any one programme the sum of .. .. .	0	12	6
Rehearsal time for these additional periods shall be one half (½) the time allowed for the first quarter (¼) hour or "side."			
<b>"Legitimate" or "Straight" presentations—</b>			
Including rehearsal and recording provided that the time involved does not exceed one (1) hour—per "side" .. .. .	1	5	0
Beyond one (1) hour on any one day for each quarter (¼) of an hour or part thereof .. .. .	0	6	6
Recordings of less than fifteen (15) minutes to be paid <i>pro rata</i> with a minimum per call of .. .. .	1	5	0
Preliminary rehearsals in which no recording is done per hour or part thereof .. .. .	0	12	6
A fifteen minute recording or part thereof is one side of a record or a recording of such duration on wax, acetate, fibre, copper wire, or by any other means			
When any performer is engaged in chorus work he shall be paid for each fifteen (15) minutes (but with a minimum of 10s.) at the rate of .. .. .	0	6	0
Provided that should a solo performer be receiving payment as such in any period, he shall not during the same period receive any additional fee as one of the chorus.			
Each performer in rehearsals of chorus work shall be paid at the rate per one hour and a half (1½) hours or part thereof of .. .. .	0	6	0

*Weekly Employees.*

(b) For the purpose of this sub-clause a week's work shall be deemed to consist of not more than eight hours in any one day or not more than six days in any one week, and not more than 40 hours in any one week.

These employees whether actors, actresses, or radio artists, shall for a week's work be paid .. 11 12 0

For all time worked in excess of the foregoing on any one day or in one week payment shall be at the rate of time and a half.

*Provided that—*

Any such employee who in any week takes part in more than twelve (12) recorded "sides of fifteen (15) minutes" shall for each "side" in excess of that number be paid at the rate herein fixed for casual employees.

If any such employee in addition to working on the other six (6) days of any week is required to work on the Sunday he shall be paid at the rate of double pay for such Sunday work.

If the hours of work of any such employee on any one day are "scattered" so as to cover a period exceeding twelve (12) hours he shall be paid at the rate of time and a half for that day.

**COMMERCIAL ANNOUNCEMENTS.**

	£	s.	d.
25. Actors and actresses when used as such or as announcers, comperes or commentators, shall for each hour or part thereof be paid .. .. .	1	5	0
If used in more than one half (½) the aggregate number of announcements in any one hour, an additional amount of .. .. .	0	12	6

**LIVE SHOWS, ACTUAL BROADCASTS, ETC.**

*Casual Employees.*

26. (a) These whether actors, actresses, singers, vaudeville artists, comperes, or other entertainers taking part in broadcast performances for use in Commercial Broadcasts shall be paid as follows:—

	£	s.	d.
<b>Musical presentations—</b>			
Including rehearsal and broadcasting, provided that the time involved does not exceed one and a half (1½) hours—per fifteen (15) minute broadcast .. .. .	1	5	0
Rehearsal beyond one and a half (1½) hours on any one day, for every quarter (¼) hour or part thereof .. .. .	0	6	6
Broadcasts of less than fifteen (15) minutes to be paid <i>pro rata</i> with a minimum per call of .. .. .	1	5	0
Preliminary rehearsals in which no broadcasting is done, per hour or part thereof (but with a minimum of 10s. 6d.) .. .. .	0	9	0
When a singer appears in any broadcast as a solo performer he shall be paid for each solo item after the first in any one programme the sum of .. .. .	0	12	6
Rehearsal time for these additional periods shall be one half (½) the time allowed for the first quarter (¼) hour broadcast or performance.			
<b>"Legitimate" or "Straight" presentations. Including rehearsal and broadcasting, provided that the time involved does not exceed one (1) hour—per fifteen (15) minute broadcast or performance .. .. .</b>	<b>1</b>	<b>5</b>	<b>0</b>
Beyond one (1) hour on any one day for every quarter (¼) of an hour or part thereof .. .. .	0	6	6
Broadcasts of less than fifteen (15) minutes to be paid <i>pro rata</i> with minimum per call of .. .. .	1	5	0
Preliminary rehearsals in which no broadcasting is done, per hour or part thereof .. .. .	0	12	6
When any performer is engaged in chorus work he shall be paid for each fifteen (15) minutes (but with a minimum of 10s.) at the rate of .. .. .	0	6	0
Provided that should a solo performer be receiving payment as such in any period, he shall not during the same period receive any additional fee as one of the chorus			
Each performer in rehearsals of chorus work shall be paid at the rate per one hour and a half (1½ hrs.) or part thereof .. .. .	0	6	0

*Weekly Employees.*

(b) For the purpose of this sub-clause a week's work shall be deemed to consist of not more than eight hours in any one day or not more than six days in any one week, and not more than 40 hours in any one week—

These employees whether actors, actresses, or radio artists, shall for a week's work be paid .. .. 11 12 0

For all time worked in excess of the foregoing on any one day or in any one week payment shall be at the rate of time and a half.

Provided that—

Any such employee who in any week takes part in more than twelve (12) broadcasts or performances of fifteen (15) minutes shall for each broadcast or performance in excess of that number be paid at the rate herein fixed for casual employees.

If any such employee in addition to working on the other six (6) days of any week is required to work on the Sunday he shall be paid at the rate of double time for such Sunday work.

If the hours of work of any such employee on any one day are "scattered" so as to cover a period exceeding twelve (12) hours he shall be paid at the rate of time and a half for that day.

When in any recording or broadcast a singer appears as a solo performer for a period exceeding fifteen (15) minutes or one "side," such singer shall be paid for each solo item beyond the first in the same programme the sum of .. .. 0 12 0

Rehearsal time for each such solo item beyond the first shall be one half (½) the rehearsal time allowed for the first period of fifteen (15) minutes or one "side."

**AUDITIONS, SAMPLE RECORDINGS, OR TRIAL BROADCASTS.**

27. These according to their specific type as set out in this Determination, and whether broadcast for public or private purposes, or recorded for any reason whatever, shall be paid for in full, but this shall not apply to any voice test in private unless it entails a previous rehearsal.

**REMAKES OF RECORDINGS.**

28. Should a remake be necessary owing to the mistake of any member of the cast, the remake shall be made by the cast without charge provided that no longer interval occurs than is necessary for a replay of the disc, for which time the cast shall remain in attendance.

If the necessity for a remake owing to such mistake is not discovered until later than as aforesaid the cast shall perform the remake at half rates, and if the remake is necessary owing to any technical fault or to any mistake other than that of one of its members, the cast shall be paid as for a new recording.

In the event of a power cut interrupting the work for which the artist has been called, such artist shall be paid at the rate of 12s. 6d. for each hour or part thereof already worked.

**PERFORMANCES BY MEMBERS OF STAFF.**

29. Where a member of the management's staff, other than an actor, or actress, is called upon to perform any duty within the scope of this Determination he shall be paid a sum not less than that payable under this Determination for the particular duty so performed, except where such member receives a staff salary or wages greater than the minimum weekly pay herein prescribed for an actor or actress. Provided that when process discs are being recorded he shall be paid the sum as prescribed in clause 24 in addition to his ordinary salary or wages.

**BROADCASTS OR RECORDING IN THE PRESENCE OF AN AUDIENCE.**

30. Where a broadcast or a recording is made before an audience, members generally of which have paid for admission, each employee taking part in such broadcast or recording shall be paid the additional sum of one quarter (¼) the rate to which he is otherwise entitled, but this shall not apply to community singing advertised and/or announced as such, or to performances of which fifty per cent. at least of the proceeds is donated to charity.

**MAKE-UP.**

31. (a) Make-up in excess of that normally provided by an actor, or actress, shall be provided at the expense of the management and all dress other than that usually and ordinarily worn by the employee (i.e., such dress as would be worn to and from the place of employment) shall be provided by the management in a clean and fresh condition. The employee shall nevertheless, if so required by the management, provide one dinner dress in a reasonably good condition.

(b) Any cleaning or laundering necessary by such make-up or by "Business" occasioned for the management's benefit shall be at its expense, but cleaning or laundering which in the ordinary course of events is necessary is excluded from this rule.

**LATE ARRIVALS.**

32. If an employee is late for a call, the burden shall be borne by the cast. If a producer or any person other than one of the actors, or actresses, delays the rehearsal or recording the burden shall be borne by the management.

**CANCELLED CALLS.**

33. Should a call be cancelled within twelve (12) hours of the time of such call for any reason other than the non-attendance of an employee the call shall be paid for in full.

**MEAL BREAKS.**

34. One hour shall be allowed for lunch between 12 o'clock noon and 2 p.m. and one hour for dinner between 5 p.m. and 7 p.m. or at a time to be agreed upon. Should the cast require a "break" for morning or afternoon tea, the time thus occupied shall not be counted as in the time of employment.

**PHOTOGRAPH CALLS.**

35. All photograph and publicity calls shall be paid for at rehearsal rates.

**TIME SHEETS.**

36. Every employee shall sign a time sheet provided by the management whereon shall be shown the time occupied, number of records, and footage of films. A copy of this time sheet, together with pay sheets, shall be open for inspection by Actors' Equity representatives if required for checking purposes.

**NOTICE BOARD.**

37. The management shall provide and place in a position a suitable and easy of access notice board for the display of announcements and notices, and on which the Actors' Equity shall have the right to place relevant notices.

**ACCESS.**

38. Actors' Equity officials, provided they are duly authorized in writing, shall have access to broadcasting or recording premises for the purpose of interviewing members, when off duty, on union matters, the place of the interview to be arranged between the Actors' Equity and the management, and to be reasonably suitable for the purpose.

**ACTORS' EQUITY MEMBERSHIP.**

39. No objection shall be taken to nor shall any discrimination be exercised against any employer because of Equity membership or activity.

ONE EMPLOYEE—ONE PART.

40. A broadcast or recording shall be taken as the performance by an employee of one part or character only. In the event of an employee being required to perform more than one part or character he shall be paid an additional sum of one quarter ( $\frac{1}{4}$ ) the prescribed amount, but only if and when the additional part or parts consists of more than 25 words in the aggregate.

SOUND EFFECTS.

41. Should an actor be required to produce sound effects not incidental to his particular part in the broadcasting or recording he shall be paid an additional sum of one quarter ( $\frac{1}{4}$ ) the prescribed amount.

TRAVELLING.

42. First class return fares and reserved seats, wherever obtainable, shall be provided by the management for all employees who may be required to travel in the management's interests. When such travel involves any employee spending the night in the train he shall be provided with a sleeping berth at the expense of the management wherever such berth is procurable, and where not procurable the employee shall be paid the sum usually charged to the public by the Railway Commissioners.

PRODUCERS AND ASSISTANT PRODUCERS.

43. These shall be paid at not less than actors' rates.

STAR ARTISTS.

44. Where an artist is announced as "starred" in any broadcast or recording he shall be paid an additional sum of not less than one quarter ( $\frac{1}{4}$ ) the prescribed rate.

PAYMENT OF WAGES.

45. Casual employees shall be paid within 24 hours after the termination of their work. Weekly employees shall be paid weekly and not later than Friday of each week.

RATES FOR CHILDREN.

46. Children shall be paid at one half ( $\frac{1}{2}$ ) the rates specified in clauses 24 to 26 inclusive.

DETENTION.

47. If a female employee is detained by the employer beyond the hour of 11.30 p.m. the employer shall provide for her proper conveyance to her home whether temporary or permanent. This provision shall apply also to a male employee who is so detained after the hour of midnight.

BROADCAST OF RELIGIOUS SERVICES.

48. Nothing in this Determination shall apply to the broadcasting of religious services.

DEFINITIONS.

49. "Actor" or "Actress" means a person who, having previously so appeared three times within any period of twelve months, appears in any broadcast or recording in which he is required to speak in the aggregate more than five words, or to sing by himself during any such broadcast or recording, or to perform any specialty.

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

"Child" or "Children" means a person or persons under the age of sixteen years.

"Legitimate" or "Straight Presentation" means tragedy, drama, comedy drama, farce comedy, cavalcade of events presented in play form, presentation of events past, present, and future (actual or fictional), presented in play form in which the instrumental music used is only incidental to the presentation for theme, bridge, or link, or to heighten the dramatic value or create atmosphere, and any other presentation other than musical presentation.

"Musical Presentation" means grand opera, opera bouffe, light opera, musical comedy, musical farce, vaudeville, revue, minstrel show, pantomime, or any other presentation in which the dialogue is interspersed with either vocal solos, duets, trios, quartettes, quintettes, octettes, or chorus.

"Time and a half" used in relation to pay means at the rate of one and a half ( $1\frac{1}{2}$ ) times the actual pay of the employee in question, and calculated *pro rata* for the time for which the payment is to be made.

"Weekly Employee" means an employee engaged on a weekly basis, and for a minimum period of eight consecutive weeks.

ANNUAL HOLIDAY.

50. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1948*, No. 5111, and any amendments which may be made thereto from time to time.

PART III.

This Part applies to all persons covered by the Determination.

PERIODICAL ADJUSTMENT OF WAGES.

51. The wages rates for weekly employees in clauses 24 and 26 are based upon the following basic wage, and pursuant to and in accordance with 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 in clause 52.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
Throughout the State .. .. .	£ s. d. 8 10 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

52. (a) For the purposes of this Determination, the expression "Commonwealth Statisticians 'all items' retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician.

(b) Until the beginning of the first pay period to commence in May, 1951, the amounts of the Basic Wage shall be as prescribed in clause 51.

(c) During each future successive period beginning with the first pay period to commence in a May, an August, a November, or a February, the amount of the 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 .103 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, 28th February, 1951.