VICTORIA

GOVERNMENT GAZETTE.

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Factories and Shops Acts.

DETERMINATION OF THE JEWELLERS BOARD.

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

(ii) On the 7th March, 1950, the powers of the Jewellers Board and of the Non-ferrous Metals Board were adjusted by depriving the said Non-ferrous Metals Board of the power to determine the lowest prices or rates which may be paid to any person employed in the process, trade, or business of a manufacturing jeweller at producing rods, bars, sections, angles, sheets, strips, ingots, tubes, or wire from brass, copper, or other non-ferrous metals, and conferring such power exclusively on the said Jewellers Board.

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 process, trade or business of a manufacturing jeweller", has made the following Determination, namely :—

1. That as from the beginning of the first pay period to commence in March, 1951, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2. WAGES PER WEEK OF 40 HOURS.

(*a*) *Males.*

Classification.	£	s.	d.
Precious gem mounter	11	15	0
Setter of precious gems	11	15	0
Mounter—1st Class	11	2	0
Mounter—2nd Class	10	7	0
Drop hammer operator who sets dies and makes force	10	17	6
Drop hammer operator, other	9	14	0
Setter	10	12	6
Melter and alloyer	10	12	6
Lapper	10	12	6
Polisher	10	0	0
Assembler and solderer	10	0	0
Solderer, other	9	14	0
Die setter	9	16	0
Engine turner	9	12	0
Press operator	9	12	0
Process worker (as defined)	9	12	0
Carder	9	3	0
Pinner up	8	3	0
Other employees with not less than three months' experience in this industry	8	19	0
All others	8	13	0

LEADING HANDS.

Leading hands in charge of not less than three and not more than ten employees, 9s. per week extra; more than ten and not more than twenty employees, 18s. per week extra; more than twenty employees, 27s. per week extra.

(*b*) *Females.*

	£	s.	d.
Under one month's experience	6	7	6
All others	7	3	6

No. 487.—3469/51 —PRICE 6D.

APPRENTICESHIP.

Contract of Apprenticeship.

3. (*a*) Every contract of apprenticeship hereinafter made shall contain—

(i) the names of the parties;
(ii) the date of birth of the apprentice;
(iii) a statement of the trade or trades to which the apprentice is to be bound and which he is to be taught during the course and for the purpose of the apprenticeship;
(iv) a covenant by the master to teach and instruct or cause the apprentice to be taught or instructed in the trade to which the apprentice is bound;
(v) the date at which the apprenticeship is to commence or from which it is to be calculated;
(vi) all other conditions of apprenticeship.

Cancellation or Suspension of Indenture.

(*b*) Subject to the approval of the Secretary for Labour, but not otherwise, an indenture of apprenticeship may be suspended or cancelled—

(i) by mutual consent;
(ii) if through lack of orders or financial difficulties an employer is unable to find suitable employment for an apprentice and a transfer to another employer cannot be arranged;
(iii) if, in the opinion of the Secretary for Labour, circumstances exist which render such suspension or cancellation necessary or desirable.

Any covenant in an indenture inconsistent with the provision of this clause shall be null and void and of no force or effect while this Determination remains in force and applies to the parties to the indenture.

Proportion.

(*c*) The proportion of apprentices who may be taken by an employer shall not exceed one apprentice to every three or fraction of three tradesmen.

For the purpose of ascertaining the number of apprentices, the number of tradesmen shall be deemed to be the average number working during the immediately preceding six months, and in ascertaining such proportion an employer actually working in any workshop shall be deemed to be a tradesman.

A person who is, for a term not exceeding two years taking practical training in a workshop in continuance of a course of training for professional work shall not be taken into account in calculating the proportion of apprentices to journeymen.

An employer may with the consent of the Wages Board and upon satisfying that authority that he has the plant, equipment and staff necessary for the proper tuition of each apprentice concerned take apprentices in excess of the proportion herein prescribed. Until further order apprentices so taken shall not be counted in future calculations of the proportion of apprentices to journeymen authorized by the Determination.

Period of Apprenticeship.

(*d*) If the apprentice, when indentured, is under the age of seventeen years—five years; if over the age of seventeen—four or five years, at the option of the contracting parties.

Adult Apprentices.

(*e*) Any apprentice who cannot complete his full term of apprenticeship before reaching his 22nd birthday may, by agreement with his master, serve as an apprentice until he reaches the age of 23 years.

Probationary Period.

(*f*) Minors may be taken on probation for three months, and if apprenticed such three months shall count as part of their period of apprenticeship. An employer shall within fourteen days of employing a probationer notify the appropriate apprenticeship authorities of the employment of such probationer to any of the trades mentioned herein.

Wages.

(*g*) The minimum weekly rates of wage for apprentices shall be the under-mentioned percentages of the basic wage, and in addition thereto the war loadings specified, and in all contracts of apprenticeship hereafter made the employer shall covenant to pay wages of not less than such rates.

The total wages of apprentices and improvers shall be calculated to the nearest sixpence, any broken part of sixpence in the result not exceeding threepence to be disregarded.

(*h*) *Wages per Week of 40 Hours.*

—	Percentage of Basic Wage.	War Loading.	Total Wage Payable.
	Per Week.	Per Week.	
		s. d.	£ *s. d.*
Four and five-year terms—			
1st year	28	0 9	2 8 6
2nd year	39	1 0	3 7 6
3rd year	52	1 6	4 10 0
4th year	82	2 3	7 1 6
5th year	100 + 3s.	3 0	8 16 0
Four-year terms—Apprentice commencing after the age of 17 years—			
1st year	32	0 9	2 15 0
2nd year	52	1 6	4 10 0
3rd year	82	2 3	7 1 6
4th year	100 + 3s.	3 0	8 16 0

An employee who is under 21 years of age on the expiration of his apprenticeship and thereafter works as a minor in the occupation to which he has been apprenticed shall be paid at not less than the adult rate prescribed for that classification.

Hours.

(*i*) The ordinary hours of employment of apprentices shall not in each workshop exceed those of the journeymen.

Overtime and Shift Work.

(*j*) No apprentice under the age of 18 years shall be required to work overtime or shift work unless he so desires.

Payment by Results.

(*k*) An apprentice shall not work under any system of payment by results.

Lost Time.

(*l*) The apprentice at the end of the calendar period of any year in which he has actually given service to the master upon less than the ordinary working days prescribed in this Determination, or in which he has unlawfully absented himself without the master's consent, shall, for every day short of the said number of working days, and for every day of such absence, serve one day, and the calendar period of the succeeding year of his service shall not be deemed to begin until the said additional day or days shall have been served. Provided that in calculating the extra time to be so served the apprentice shall be credited with time which he has worked during the relevant year in excess of his ordinary hours.

Prohibition of Premiums.

(*m*) An employer shall not, either directly or indirectly, or by any pretence or device receive from any person or require or permit any person to pay or give any consideration in the nature of a premium or bonus for the taking or binding of any probationer or apprentice.

Annual and Sick Leave.

(*n*) Apprentices shall be entitled to sick and annual leave in accordance with the provisions of clauses 13 and 14 hereof respectively.

FEMALES AND UNAPPRENTICED MALE JUNIORS.

4. (*a*) The minimum rates of wage for adult and junior females and for unapprenticed male juniors shall be as follows :—

Wages per Week of 40 Hours.

—	* Percentage of Basic Wage.	Additional Amount.	Total Wage Payable.
	Per Week.	Per Week. s. d.	£ s. d.
I.—Junior Females.			
17 years of age and under	52	3 6	3 10 0
18 years of age	62	4 0	4 3 0
19 years of age	72	4 6	4 16 6
20 years of age	82	5 0	5 9 6
II.—Junior Males.			
Under 16 years of age	24	2 0	2 3 0
16 years of age	34	3 0	3 1 0
17 years of age	46	4 0	4 2 0
18 years of age	58	5 0	5 3 6
19 years of age	73	6 0	6 10 0
20 years of age	88	7 0	7 16 6

* The percentages for junior females relate to the female Basic Wage, and for junior males to the male Basic Wage.

Provided that the rate payable to any employee shall not excluding the constant loading be less than 20s.

The total wage shall be calculated to the nearest sixpence, any broken part of sixpence in the result not exceeding threepence to be disregarded.

(*b*) The minimum rate payable to a junior female of any age or a junior male of eighteen years or more each with less than six months' experience under this Determination shall, until he or she has had six months' experience, be 10 per cent. less than the amount represented by the percentage of the basic wage hereby prescribed for a junior employee of his or her age and in addition thereto the additional amount prescribed for such an employee.

Prohibited Occupations.

(*c*) Junior employees shall not be employed :—

(i) if under the age of 16 years—
on oil or gas burners or fires used for heating of small articles;

(ii) if under 18 years of age—
die setting on power presses.

HOURS OF WORK.

Day Workers.

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

In localities where the recognized half-holiday is on a day other than Saturday the day so recognized may be substituted for Saturday for all the purposes of this Determination.

Provided that the spread of hours or the daily hours herein prescribed may be altered as to all or a section of the employees by mutual agreement between an employer and the representative of the union in that shop.

Five-Days Week.

(*b*) In any case in which the ordinary week's work of 40 hours can be performed in five days as aforesaid without—

(i) detriment to the public interest;
(ii) loss in the value of goods handled or to be handled;
(iii) reducing the efficiency of production; or
(iv) reducing the efficacy of the necessary service,

the employer shall allow those employees who so desire to do so to work their ordinary hours in five days as aforesaid.

This sub-clause shall not apply to employees engaged on the maintenance and servicing of plant.

It is a condition of the allowing of a five-days week hereunder that if required employees shall comply with the reasonable and lawful orders of the employer as to working overtime, including the working of overtime on Saturday.

SHIFT WORK.

Definitions.

6. (*a*) For the purposes of this clause—

"Afternoon shift" means any shift finishing after 6 p.m. and at or before midnight.

"Continuous work" means work carried on with consecutive shifts of men throughout the 24 hours of each of at least six consecutive days without interruption except during breakdowns or meal breaks or due to unavoidable causes beyond the control of the employer.

"Night shift" means any shift finishing subsequent to midnight, and at or before 8 a.m.

"Rostered shift" means a shift of which the employee concerned has had at least 48 hours' notice,

Hours—Continuous Work Shifts.

(*b*) This sub-clause shall apply to shift workers on continuous work as hereinbefore defined.

The ordinary hours of such shift workers shall not exceed—

(i) 8 in any one day; or
(ii) 48 in any one week; or
(iii) 88 in 14 consecutive days; or
(iv) 160 in 28 consecutive days.

Subject to the following conditions, such shift workers shall work at such times as the employer may require:—

(i) A shift shall consist of not more than eight hours—inclusive of crib time.
(ii) Except at the regular change-over of shifts, an employee shall not be required to work more than one shift in each 24 hours.
(iii) Twenty minutes shall be allowed to shift workers each shift for crib, which shall be counted as time worked.

Hours—Other than Continuous Work.

(*c*) This sub-clause shall apply to shift workers not upon continuous work as hereinbefore defined. The ordinary hours of such shift workers shall not exceed—

(i) 40 in any week, to be worked in five shifts of 8 hours on Monday to Friday inclusive, or five shifts of not more than eight hours and one shift (Saturday) of not more than four hours; or
(ii) 80 in 14 consecutive days, in which case an employee shall not, without payment for overtime be required to work more than eight consecutive hours on any shift or more than six shifts in any week; or
(iii) 120 in 21 consecutive days, in which case an employee shall not—without payment for overtime be required to work more than eight consecutive hours on any shift or more than six shifts in any week.

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

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

Rosters.

(*d*) Shift rosters shall specify the commencing and finishing times of ordinary working hours of the respective shifts.

Variation by Agreement.

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

The time of commencing and finishing shifts once having been determined may be varied by agreement between the employer and the accredited representative of the union to suit the circumstances of the establishment, or in the absence of agreement by seven days' notice of alteration given by the employer to the employees.

Afternoon or Night Shift Allowances.

(*f*) Shift workers on continuous work whilst on afternoon or night shifts shall be paid 7½ per cent. more than the ordinary rates for such shifts.

Shift workers on other than continuous work whilst on afternoon or night shifts shall be paid 10 per cent. more than the ordinary rates for such shifts.

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

An employee who—

(i) during a period of engagement on shift works night shift only; or
(ii) remains on night shift for a longer period than four consecutive weeks; or
(iii) works on a night shift which does not rotate or alternate with another shift or with day work so as to give him at least one-third of his working time off night shift in each shift cycle,

shall during such engagement, period or cycle, be paid at the rate of time and a quarter for all time worked during ordinary working hours on such night shifts.

(*fi*) The minimum rate to be paid to any shift worker for work performed between midnight on Friday and midnight on Saturday shall be time and a quarter. Such extra rate to be in substitution for and not cumulative upon the shift premiums prescribed in the first and second paragraphs of sub-clause (*f*) hereof.

Overtime.

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

(i) if employed on continuous work be paid at the rate of double time; or
(ii) if employed on other shift work at the rate of time and a half for the first four hours and double time thereafter,

except in each case when the time is worked—

(iii) by arrangement between the employees themselves;
(iv) for the purpose of effecting the customary rotation of shifts; or
(v) is due to the fact that the relief man does not come on duty at the proper time; or
(vi) on a shift to which an employee is transferred on short notice as an alternative to standing the employee off in circumstances which would entitle the employer to deduct payment for a day in accordance with clause 12 (*b*) hereof.

Provided that when not less than 8 hours' notice has been given to the employer by the relief man that he will be absent from work and the employee whom he should relieve is not relieved the unrelieved employee shall be paid at the rate of time and a half for the first 4 hours on duty after he has finished his ordinary shift and at the rate of double time thereafter except where the employee is required to continue to work on his rostered day off when he shall be paid double time.

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

Sundays and Holidays.

(*h*) Shift workers on continuous work shifts for work done on a rostered shift the major portion of which is performed on a Sunday or holiday shall be paid at the rate of time and a half.

Shift workers on other than continuous work for all time worked on a Sunday or holiday shall be paid at the rates prescribed by clause 9 of this Determination. Where shifts commence between 11 p.m. and midnight on a Sunday or holiday the time so worked before midnight shall not entitle the employee to the Sunday or holiday rate; provided that the time worked by an employee on a shift commencing before midnight on the day preceding a Sunday or holiday and extending into a Sunday or holiday shall be regarded as time worked on such Sunday or holiday.

Junior and Female Employees.

(i) Female shift workers, apprentices or juniors whilst on afternoon or night shifts shall be paid not less than the rates hereinbefore prescribed or 1s. per shift whichever is the higher.

EMERGENCY PROVISIONS.

(In force as from 6th April, 1951.)

6A. (*a*) Notwithstanding anything elsewhere contained in this Determination, the following provisions shall apply in the case of an employer who is subject to restriction or rationing in the use of electric energy and/or coal gas and/or the emergency disconnection thereof in accordance with orders or regulations approved by the appropriate lawful authority.

(i) If by reason of such restriction or rationing or emergency disconnection he is unable usefully to employ an employee for the whole or part of any day or shift, he may deduct from the wages of that employee payment for any part of the day or shift such employee cannot be usefully employed provided that—

(1) if an employer requires the employee to attend for work but is not able to employ him usefully the employee shall be entitled to be paid for two hours' work;

(2) where an employee commences work he shall be entitled to be paid for four hours' work;

(3) this sub-clause shall not apply to apprentices.

(ii) He may require any day worker to perform his ordinary hours of work (or any such ordinary hours of work) at any time on any day other than on a Sunday on the basis of 40 hours per week. The following rates of pay shall apply for such work—

(1) for work performed on Mondays to Fridays from 7 a.m. to 5.30 p.m. and on Saturdays from 7 a.m. to noon—ordinary time;

(2) for work performed between noon and midnight on Saturdays—ordinary rates plus 25 per cent;

(3) for work performed at all other times other than on a Sunday—ordinary rates plus 10 per cent.

Provided that when a worker is required to commence work between the hours of 9.30 p.m. and 6 a.m., the amount he shall receive shall not be less than an amount of 5s. more than the amount he would receive if paid at ordinary day rates.

(iii) He may require any shift worker to perform his hours of work at any time other than on a Sunday on the basis of 40 hours per week. The following rates of pay shall apply for such work:—

(1) for day work or day shift work—ordinary time;

(2) for work performed between noon and midnight on Saturdays—ordinary rates plus 25 per cent.

(3) for afternoon and night shifts—ordinary rates plus 10 per cent.

Provided that when a shift worker is required to commence work between the hours of 9.30 p.m. and 6 a.m., the amount he shall receive shall not be less than an amount of 5s. more than the amount he would receive if paid at ordinary rates.

(4) Nothing contained in this sub-clause shall operate so as to reduce the shift premiums payable to employees who were shift workers working on afternoon and night shifts only at the date of such interference as aforesaid and who continue to work on such shifts.

(iv) He may alter the time at which meal breaks are usually taken and/or the duration of them, in order to avoid or mitigate the effects of such interference, without being liable to pay penalty rates for work done during the normal meal breaks; provided that the commencing time of any meal break is not made more than one hour earlier or later than usual and that a meal break of at least twenty minutes is allowed; and provided also that the employer shall, whenever it is practicable, consult with the representative of the Union or Unions before acting under this paragraph.

(*b*) Notwithstanding anything elsewhere contained in this Determination, the provisions of this clause shall also apply (*mutatis mutandis*) in the case of an employer who uses auxiliary power plant for the purposes of providing employment for his employees whilst such restriction or rationing or emergency disconnection is in force and who—

(i) is unable usefully to employ an employee for the whole of any day or shift by reason of a breakdown in such plant through no fault of his own; or

(ii) because of the inability of the auxiliary power plant to meet the normal demands for power—

(1) finds it necessary to require any employee to perform his ordinary hours of work (or any of such ordinary hours of work) outside the hours normally worked by such employee; or

(2) finds it necessary to alter the time at which meal breaks are usually taken and/or the duration of them.

MIXED FUNCTIONS.

7. An employee engaged for more than half of one day or shift on duties carrying a higher rate than his ordinary classification shall be paid the higher rate for such day or shift. If for less than half of one day or shift he shall be paid the higher rate for the time so worked.

OVERTIME.

8. (*a*) For all work done outside ordinary hours the rates of pay shall be time and a half for the first four hours and double time thereafter, such double time to continue until the completion of the overtime work. Provided that in the case of an apprentice or a junior, the rate for overtime shall be not less than the rate herein prescribed or 1s. 6d. per hour whichever is the higher.

Except as provided in this sub-clause or sub-clause (*b*) hereof in computing overtime each day's work shall stand alone.

Rest Period After Overtime.

(*b*) When overtime work is necessary it shall, wherever reasonably practicable, be so arranged that employees have at least eight consecutive hours off duty between the work of successive days.

An employee (other than a casual employee) who works so much overtime between the termination of his ordinary work on one day and the commencement of his ordinary work on the next day that he has not at least eight consecutive hours off duty between those times shall, subject to this sub-clause, be released after completion of such overtime until he has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

If on the instructions of his employer such an employee resumes or continues work without having had such eight consecutive hours off duty he shall be paid at double rates until he is released from duty for such period and he shall then be entitled to be absent until he has had eight consecutive hours off duty without loss of pay for ordinary working time occurring during such absence.

Call Back.

(*c*) An employee recalled to work overtime after leaving his employer's business premises (whether notified before or after leaving the premises) shall be paid for a minimum of three hours' work at the appropriate rate for each time he is so recalled; provided that, except in the case of unforeseen circumstances arising, the employee shall not be required to work the full three hours if the job he was recalled to perform is completed within a shorter period. This sub-clause shall not apply in cases where it is customary for an employee to return to his employer's premises to perform a specific job outside his ordinary working hours, or where the overtime is continuous (subject to a reasonable meal break) with the completion or commencement of ordinary working time.

Overtime worked in the circumstances specified in this sub-clause shall not be regarded as overtime for the purposes of sub-clause (*b*) of this clause where the actual time worked is less than three hours on such recall or on each of such recalls.

Saturday Work—Five-days Week.

(*d*) A day worker on a five-days week required to work overtime on a Saturday shall be afforded at least three hours' work or paid for three hours at the appropriate rate except where such overtime is continuous with overtime commenced on the day previous.

Standing By.

(*e*) Subject to any custom now prevailing under which an employee is required regularly to hold himself in readiness for a call back, an employee required to hold himself in readiness to work after ordinary hours shall until released be paid standing-by time at ordinary rates from the time from which he is so to hold himself in readiness.

Meal Hours—General.

(*f*) For work done during meal hours and thereafter until a meal hour break is allowed time and a half rates shall be paid. An employee shall not be compelled to work for more than six hours without a break for a meal.

Crib Time.

(*g*) An employee working overtime shall be allowed a crib time of twenty minutes without deduction of pay after each four hours of overtime worked if the employee continues work after such crib time.

Provided that where a day worker on a five-days week is required to work overtime on a Saturday the first prescribed crib time shall, if occurring between 10 a.m. and 1 p.m., be paid at ordinary rates.

Unless the period of overtime is less than one and a half hours an employee before starting overtime after working ordinary hours shall be allowed a meal break of twenty minutes which shall be paid for at ordinary rates. An employer and employee may agree to any variation of this provision to meet the circumstances of the work in hand provided that the employer shall not be required to make any payment in respect of any time allowed in excess of twenty minutes.

Tea Money.

(*h*) An employee required to work overtime for more than two hours without being notified on the previous day or earlier that he will be so required to work shall either be supplied with a meal by the employer or paid 2s., and 1s. 3d. for each subsequent meal, but such payment need not be made to employees living in the same locality as their workshops who can reasonably return home for meals.

Unless the employer advises an employee on the previous day or earlier that the amount of overtime to be worked will necessitate the partaking of a second or subsequent meal (as the case may be) the employer shall provide such second and/or subsequent meals or make payment in lieu thereof as above prescribed.

If an employee pursuant to notice has provided a meal or meals and is not required to work overtime or is required to work less than the amount advised he shall be paid as above prescribed for meals which he has provided, but which are surplus.

Transport of Employees.

(*i*) When an employee, after having worked overtime, or a shift for which he has not been regularly rostered, finishes work at a time when reasonable means of transport are not available, the employer shall provide him with a conveyance to his home, or pay him his current wage for the time reasonably occupied in reaching his home.

Compulsory Overtime.

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

HOLIDAYS AND SUNDAY WORK.

9. (*a*) Employees shall be entitled to the following public holidays without loss of pay as regards employees on weekly hiring:—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, King's Birthday, 9th May, 1951, 13th November, 1951, Labour Day, Anzac Day, Christmas Day, and Boxing Day, or such other day as is generally observed in the locality as a substitute for any of the said days respectively.

By agreement between any employer and his employees other days may be substituted for the said days or any of them as to such employer's undertaking.

(*b*) An employee not engaged on continuous work shall be paid at the rate of double time for work done on Sundays and public holidays, such double time to continue until he is relieved from duty.

(*c*) An employee, other than a casual employee, not engaged in continuous work who works on a Sunday or a public holiday and (except for meal breaks) immediately thereafter continues such work shall on being relieved from duty be entitled to be absent until he has had eight consecutive hours off duty without deduction of pay for ordinary time of duty occurring during such absence.

(*d*) Employees, other than on shift, required to work on Sundays or public holidays shall be paid for a minimum of three hours' work.

EXTRA RATES NOT CUMULATIVE.

10. Extra rates in this Determination are not cumulative so as to exceed the maximum of double the ordinary rates.

PAYMENT OF WAGES.

11. (*a*) Wages shall be paid weekly or fortnightly.

(*b*) On the first pay day occurring during his employment, an employee shall be paid whatever wages are due to him up to the completion of his work on the previous day: Provided that this sub-clause shall not apply to employees of electric supply undertakings nor to employers who make a practice of allowing advances to employees approximating wages due.

(*c*) Upon termination of the employment wages due to an employee shall be paid to him on the day of such termination, or forwarded to him by post on the next working day.

(*d*) An employee kept waiting for his wages on pay day for more than a quarter of an hour after the usual time for ceasing work, shall be paid at overtime rates after that quarter hour, with a minimum of a quarter of an hour.

(*e*) On or prior to pay day, the employer shall state to each employee in writing the amount of wages to which he is entitled, the amount of deductions made therefrom, and the net amount being paid to him.

CONTRACT OF EMPLOYMENT.

Weekly Employment.

12. (*a*) Except as hereinafter provided employment shall be by the week. Any employee not specifically engaged as a casual employee shall be deemed to be employed by the week.

(*b*) Employment shall be terminated by a week's notice on either side given at any time during the week or by the payment or forfeiture of a week's wages as the case may be. This shall not affect the right of the employer to dismiss any employees without notice for malingering, inefficiency, neglect of duty, or misconduct, and in such cases the wages shall be paid up to the time of dismissal only or to deduct payment for any day the employee cannot be usefully employed because of any strike or through any breakdown in machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

(*c*) An employee not attending for duty shall, except as provided by clause 13 hereof, lose his pay for the actual time of such non-attendance.

Casual Employment.

(*d*) A casual employee is one engaged and paid as such. A casual employee for working ordinary time shall be paid per hour one fortieth of the weekly rate prescribed by this Determination for the work which he or she performs plus 10 per cent.

Late Comers.

(*e*) Notwithstanding anything elsewhere contained in this Determination an employer may select and utilize for time-keeping purposes any fractional or decimal proportion of an hour (not exceeding a quarter of an hour) and may apply such proportion in the calculation of the working time of employees who without reasonable cause promptly communicated to the employer, report for duty after their appointed starting times or cease duty before their appointed finishing times.

An employer who adopts a proportion for the aforesaid purpose shall apply the same proportion for the calculation of overtime.

SICK LEAVE.

13. (*a*) An employee on weekly hiring who is absent from his work on account of personal illness, or on account of injury by accident arising out of and in the course of his employment, shall be entitled to leave of absence, without deduction of pay, subject to the following conditions and limitations :—

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

(ii) He shall within 24 hours of the commencement of such absence, inform the employer of his inability to attend for duty and, as far as practicable, state the nature of the injury or illness and the estimated duration of the absence.

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

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

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

Single Day Absences.

(*b*) In the case of an employee who claims to be allowed paid sick leave in accordance with this clause for an absence of one day only such employee if in the year he has already been allowed paid sick leave on more than one occasion for one day only, shall not be entitled to payment for the day claimed unless he produces to the employer a certificate of a duly-qualified medical practitioner that in his, the medical practitioner's, opinion the employee was unable to attend for duty on account of personal illness or on account of injury by accident. Nothing in this sub-clause shall limit the employer's rights under sub-clause (*a*) (iii) hereof.

Cumulative Sick Leave.

(*c*) Sick leave shall accumulate from year to year so that any balance of the period specified in sub-clause (*a*) (iv) of this clause which has in any year not been allowed to an employee by an employer as paid sick leave may be claimed by the employee and subject to the conditions hereinbefore prescribed shall be allowed by that employer in a subsequent year without diminution of the sick leave prescribed in respect of that year. Provided that sick leave which accumulates pursuant to this sub-clause shall be available to the employee for a period of two years, but for no longer from the end of the year in which it accrues.

For the purpose of this sub-clause, service prior to the 1st June, 1946, shall be disregarded.

(*cc*) Rights accrued under sub-clause (*c*) hereof prior to the 1st day of January, 1948, shall be preserved except that the total number of hours so accrued and not taken prior to the 1st day of January, 1948, shall be reduced by 1/11th of such total the result to be calculated to the nearest hour.

Attendance at Hospital, &c.

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

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.

MISCELLANEOUS.

Accommodation and Conveniences.

Boiling Water.

15. (*a*) (i) Employers shall provide boiling water for employees at meal times.

Drinking Water.

(ii) Employers shall provide for the use of employees in workshops a sufficient supply of wholesome cool drinking water from bubble taps or other suitable drinking fountains.

First-Aid Outfit.

(iii) In each workshop, and at other places where employees are regularly employed, the employer shall provide and continuously maintain, at a place or places reasonably accessible to all employees, an efficient first-aid outfit.

Clause 8 of Chapter 9 of the Regulations under the *Factories and Shops Act* 1928 requires that a first-aid ambulance chest shall be kept in some accessible place upon the premises and that such chest shall be equipped and supplied with the following articles :—

Articles.	Quantities to be kept in Ambulance Chest—
Antiseptic solution	1 bottle
Bandages, cotton and gauze	1 dozen assorted sizes
Castor oil	2 oz.
Iodine, tincture of	2 oz.
Manual, first-aid	1
Petrolatum, carbolized	1 jar
Picric acid solution, made according to the following recipe or prescription :— 1½ teaspoonfuls of powdered picric acid, 3 oz. of absolute alcohol, and 2 pints of distilled water	1 pint
Pins, safety	1 packet
Sal volatile	6 oz.
Scissors	1 pair
Tourniquet	1
Tweezers	1 pair
Cotton, absorbent	An adequate assortment
Gauze, sterilized, plain	An adequate assortment
Lint, absorbent	An adequate assortment
Plaster, adhesive	An adequate assortment

Lockers.

(iv) An employer shall at some reasonably convenient place on his premises provide a suitable locker for each employee in his workshop, or hanging facilities which afford reasonable protection for employees' clothes.

Washing and Sanitary Conveniences.

(v) Employers shall provide proper and sufficient washing and sanitary conveniences.

Clothing, Equipment and Tools.

Damage to Clothing and Tools.

(*b*) (i) Compensation to the extent of the damage sustained shall be made where in the course of the work clothing or tools are damaged or destroyed by fire or molten metal or through the use of corrosive substances. Provided that the employer's liability in respect of tools shall be limited to such tools of trade as are ordinarily required for the performance of the employee's duties.

Goggles.

(ii) Suitable mica or other goggles shall be provided by the employer for each employee using emery wheels or where used by more than one employee such goggles shall be sterilized before being used by another employee. An employee when working on emery wheels shall wear the goggles provided for his protection.

Goggles containing celluloid shall not be considered suitable for the purposes of this provision.

Tools.

(iii) Until further order the employer shall provide for each employee such tools as were customarily provided at the time of the making of this Determination. The employee shall replace or pay for any tools so provided if lost through his negligence.

Females—Rest Period and Seats.

(*c*) Female employees shall be allowed a rest period of not less than ten minutes during each day or shift, to be taken during the first or second half of the day or shift as may be decided by a majority of the female employees in a shop.

When requested by employees and where practicable suitable seats shall be provided by the employer for female employees.

SHOP STEWARDS.

16. An employee appointed shop steward in the shop or department in which he is employed shall, upon notification thereof to his employer, be recognized as the accredited representative of the union to which he belongs, and he shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees whom he represents.

RIGHT OF ENTRY OF UNION OFFICIALS.

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

(i) That he produces his authority to the gatekeeper or such other person as may be appointed by the employer ;

(ii) That he interviews employees only at places where they are taking their meal ;

(iii) That not more than one representative of each of not more than three unions be on the premises at any one time ;

(iv) That no one representative visit the premises more than once in each week ;

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

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

(*b*) For the purpose of investigating complaints concerning the application of this Determination, or the employment of females upon work which is alleged to be unsuitable for females, a duly accredited union representative shall be afforded reasonable facilities for entering an employer's workshop or plant during working hours, subject to the following conditions:—

(i) That he discloses to the employer or his representative the complaint which he desires to investigate ;

(ii) that he makes his investigations in the presence of the employer or his representative (if the employer so desires) ;

(iii) that he does not interfere with work proceeding in the workshop or plant;

(iv) that he conducts himself properly.

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

(Name of organization.)

THIS IS TO CERTIFY THAT is a duly accredited representative of the above-named organization.

(SEAL.) Secretary.

Date—

Specimen signature of holder.

Strictly not transferable.

TIME AND WAGES BOOK.

18. (*a*) Each employer shall keep a record from which can be readily ascertained the name of each employee and his occupation, the hours worked each day, and the wages and allowances paid each week.

(*b*) The time occupied by an employee in filling in any time record or cards or in the making of records shall be treated as time of duty, but this does not apply to checking in or out when entering or leaving the employer's premises.

(*c*) The time and wages record shall be open for inspection to a duly accredited union official during the usual office hours at the employer's office or other convenient place. Provided that an inspection shall not be demanded unless the secretary of the union or the district secretary or organizer of any division suspects that a breach of the Determination has been committed. Provided also that only one demand for such inspection shall be made in one fortnight at the same establishment.

(*d*) The official making such inspection shall be entitled to take a copy of entries in a time and wages record relating to the suspected breach of the Determination.

NOTICE BOARD.

19. The employer shall permit a notice board of reasonable dimensions to be erected in a prominent position in his establishment, upon which accredited union representatives shall be permitted to post formal union notices, signed or countersigned by the representative posting same.

Any notice posted on such board not so signed or countersigned may be removed by an accredited Union representative or by the employer.

DEFINITIONS.

20. (*a*) "Assembler and Solderer" means an adult male employee engaged in the assembly, soldering, and simple filing of fabricated work, not covered by the definition of "Solderer";

(*b*) "Mounter—1st Class" means a tradesman required to exercise craft skill in the fashioning and/or repairing of articles from precious metals, and includes a goldsmith or silversmith.

(*c*) "Mounter—2nd Class" means an adult male employee, not being a tradesman, who is required to fabricate articles where fitting and adjustment are required.

(*d*) "Precious Gem Mounter" means a tradesman who is required to exercise craft skill in the fashioning and/or repairing of precious metals of a complete mount to be set with gems.

(*e*) "Process worker" means an employee engaged on—

(i) repetition work on any automatic, semi-automatic or single-purpose machine or any machine fitted with jigs, gauges, or other tools rendering operations mechanical (and in connexion with which he is not responsible for the setting up of the machine, nor for the dimensions of the products other than by checking with gauges which gauges shall be either unadjustable or, if adjustable, shall not be set by the operator); or

(ii) in the assembling of parts of mechanical appliances or other articles so made, in which no fitting or adjustment requiring skill is required; or

(iii) in specialized processes—not requiring use of hand tools except hammers, pliers, screw-drivers, spanners, and files, and such tools as are necessary for deburring or removing rags or edging.

( ) "Setter of Precious Gems" means a tradesman who is required to exercise craft skill in the setting of precious gems.

(*g*) "Setter" means an adult male employee who sets stones in mounts which mounts, are not made by a machine.

(*h*) "Solderer" means an adult male employee who is required to do simple soldering, or the soldering of work held in jigs.

(*i*) "Year" means the period between the 1st day of June in each year and the next 31st day of May.

ALL WORK DONE TO BE ON EMPLOYER'S PREMISES.

21. It shall be a breach of this Determination if:—

(*a*) An employer requires an employee to take home any material for the purpose of doing any work within the scope of this Determination.

(*b*) An employee takes home any material for the purpose mentioned in sub-clause (*a*) hereof.

PERIODICAL ADJUSTMENT OF WAGES.

22. 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 23.

The basic wage for adult females shall be 75 per centum of the male basic wage calculated to the nearest 6d. half or less than half of 6d. in a result to be disregarded.

The wages of junior females, and male juniors shall be the percentages of the basic wage, and in addition thereto the additional amounts specified in clause 4 of this Determination.

Basic Wage.

Place.	Basic Wage (Adjustable).		Index Number Set Assigned.
	Male.	Female.	
	£ s. d.	£ s. d.	
Throughout the State	8 10 0	6 7 6	Melbourne

ADJUSTMENT OF BASIC WAGE.

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

(*b*) Until the beginning of the first pay period to commence in May, 1951, the amounts of the basic wage shall be as prescribed in clause 22.

(*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.

(*d*) In addition to the basic wage prescribed in clause 22, the margins and loadings set out hereunder shall constitute the minimum rates payable for the classes of work named therein:—

(i) *Males.*

Classification.	Margin.	Loading.
	s. d.	s. d.
Precious gem mounter	55 0	10 0
Setter of Precious gems	55 0	10 0
Mounter—1st Class	46 0	6 0
Mounter—2nd Class	33 0	4 0
Drop hammer operator who sets dies and makes force	41 6	6 0
Drop hammer operator, other	21 0	3 0
Setter	38 6	4 0
Melter and alloyer	38 6	4 0
Lapper	38 6	4 0
Polisher	27 0	3 0
Assembler and Solderer	27 0	3 0
Solderer, other	21 0	3 0
Die setter	23 0	3 0
Engine turner	19 0	3 0
Press operator	19 0	3 0
Process Worker (as defined)	19 0	3 0
Carder	10 0	3 0
Pinner up	10 0	3 0
Other employees with not less than three months' experience in this industry ..	6 0	3 0
All others	Nil.	3 0

(ii) *Females.*

Classification.	Margin.
	s. d.
Under one month's experience	Nil
All others	16 0

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

J. W. RYAN, Secretary.

Melbourne, 28th February, 1951.

By Authority: J. J. Gourley, Government Printer, Melbourne.