VICTORIA

GOVERNMENT GAZETTE.

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No. 555] THURSDAY, JULY 17. [1952

Factories and Shops Acts.

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

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

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

(a) A Butcher's shop, a Bookseller's and Newsagent's shop, a Confectionery and Pastry shop, a Cooked Meat Dealer's shop, a Fish and Oyster shop, a Fruit and Vegetable shop, a Hairdresser's shop, a Tobacconist's shop;

(b) A Boot Dealer's shop, a Boot Repair shop, a Bread shop, a Chemist's shop, a Dairy Produce Dealer's shop, a Draper's shop, a Dyer's and Clothes Cleaner's shop, a Fuel and Fodder Dealer's shop, a Furniture Dealer's shop, a Grocer's shop, a Haberdasher's shop, a Hardware shop, a Hatter's shop, a Men's Clothing shop, a Mercer's shop, a Milliner's shop, an Underclothing shop, a shop for the sale of petrol, benzine, or other motor spirit, motor oils, or motor car or motor cycle accessories, a shop for the sale of electrical goods or for the sale of wireless (radio) sets, parts, or accessories;

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 18th June, 1952, the last previous Determinaton of this Board shall be revoked and replaced by this Determination.

2. (a) APPRENTICES AND IMPROVERS.

Wages per Week of 40 Hours.

Males.	Percentage of Basic Wage.	—	Females.	Percentage of Female Basic Wage.	—
		s. d.			s. d.
15 years of age or under	31	65 6	15 years of age or under	37	59 0
16 years of age	44	93 6	16 years of age	43	68 6
17 years of age	60	127 0	17 years of age	56	89 0
18 years of age	78	165 6	18 years of age	70	111 6
19 years of age	97	205 6	19 years of age	83	132 0
20 years of age	100 plus 15s.	227 0	20 years of age	97	154 0

PROPORTION (IN ANY SHOP).

Apprentices.

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

Improvers.

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

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

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

No. 555.—6059/52.—PRICE 6D.

(b) OTHER EMPLOYEES.

	Wages per week of 40 hours.	
	Males.	Females.
Employed in the business of a curio dealer, a feather dealer, a furrier, a jeweller, a pawnbroker, a seller of clocks, watches, perfumery and toilet requisites, optical goods, photographic materials, sports materials, typewriters, business systems, surgical instruments, pianos, organs, piano-players, push cycles, motor cycles and motor cars, and accessories for push cycles, a bird or dog dealer, a stamp dealer, a herbalist, a saddler, a ship chandler, a seller of cork goods, crockery, fancy goods, toys, grindery, leather goods, music, musical instruments (other than pianos, organs, or piano-players), pictures, picture frames, perambulators, paper patterns, rubber goods which are not motor cycle or motor car accessories, florists' goods, seeds, seedlings, tents, flags, umbrellas, or wicker goods, paints, colours, wall-papers, or employed in any business, other than those specially mentioned, to which this Determination applies :—	s. d.	s. d.
Branch manager (i.e., a person entrusted with the control or superintendence of a branch shop, notwithstanding he or she may be under the orders of a superior who does not devote his or her whole time to the management of the said branch shop)	264 0	247 0
Departmental manager or manageress (i.e., a person in control of three or more persons 21 years of age or over, notwithstanding he or she may be under the orders of a superior who does not devote his or her whole time to the management of such department)—		
Male	255 0	..
Female—		
Where one or more adult males are under her control	..	238 0
In other cases		187 0
Other employees	249 0	174 6

(c) Any person required to act as "Father Christmas" (i.e. a person required to wear the traditional clothes and act as such a person) shall receive the rate prescribed for his or her ordinary classification in sub-clause (a) or (b) hereof, plus an additional 5s. for each day or part thereof on which he or she is so required to act.

TIMES OF BEGINNING AND ENDING WORK.

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

	Time of Beginning. (not earlier than)	Time of Ending. (not later than)
On the usual half-holiday	8 a.m.	noon
On all the other working days of the week	8 a.m.	5.30 p.m.
(b) Employees in any other place—		
On the usual half holiday	9.5 a.m.	noon
On all the other working days of the week	9.5 a.m.	5.30 p.m.

OVERTIME.

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

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

(i) Within the times fixed for beginning and ending work—

In excess of 3 hours 55 minutes on the usual half-holiday.

In excess of 8 hours 10 minutes on all other working days of the week.

Or in excess of 40 hours in any week.

(ii) Outside the times of beginning and ending work.

(b) Other shops and departments of shops—

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

(ii) Outside the times of beginning and ending work.

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

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

DAY'S WORK TO BE CONTINUOUS.

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

TERMS OF EMPLOYMENT.

6. (a) *Weekly Employment.*—Except as hereinafter provided employment shall be by the week and a weekly employee who is ready, willing, and available to work the number of hours prescribed herein as a week's work shall be paid the full weekly wage fixed herein irrespective of the number of hours worked not exceeding 40; provided however, that such an employee not attending for duty except as provided by clause 7 (Sick Leave) hereof shall lose his or her pay for the actual time of such non-attendance.

An employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided that any such time lost shall be counted as time worked in computing annual holidays and sick leave under this Determination.

(b) *Part Time.*—A weekly employee not ready, willing, and available to work the full number of hours normally worked by employees of similar classification with the same employer, but who is ready, willing, and available to work a specified lesser number of hours at his or her own request shall be paid *pro rata* the wages prescribed herein for 40 hours' work according to the number of hours worked: provided that the number of part time employees in any shop shall not exceed one for each three or fraction of three engaged as weekly employees.

(c) *Casual Employment.*—Where a person is ready, willing, and available to work the number of hours required by an employer, such being less than the number of hours prescribed herein as a week's work, he or she shall be paid as follows :—

For time worked up to the first 20 hours—

(i) In any week in which two or more Public Holidays occur—at the ordinary wages rate with an addition of 50 per centum;

(ii) In any other week—at the ordinary wages rate with an addition of 33⅓ per centum;

with a minimum payment as for two hours fifty-five minutes' work on a Saturday and for fours hours' work on any other day and for time worked beyond the 20 hours aforesaid—the ordinary wages rate; provided that the total amount payable, excluding any overtime, shall not exceed the wage prescribed for a week's work.

(d) Provided always that any employee who is required to work less than 25 hours per week, but who is required to work for any period during a Friday or a Saturday shall be deemed a casual employee and any employee who is required to work less than 20 hours per week or in any week shall be deemed a casual employee and paid accordingly.

Sick Leave.

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

(i) During the first year-3¼ hours' ordinary pay for each complete month of service;

(ii) During any subsequent year of service-40 hours' ordinary pay. Provided that in either case such employee produces or forwards within 48 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill health or accident necessitating such absence.

(*b*) If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall, provided an employee remains in the service of the one employer, or any successor of such employer, be cumulative from year to year. For the purposes of this sub-clause service prior to the 1st August, 1948, shall be disregarded.

Meal Allowance.

8. For each day upon which more than one hour's overtime is worked, each person who works such overtime shall be paid 5s. meal money in addition to the prescribed overtime rate.

Meal Intervals.

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

Rest Period.

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

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

Clothing Allowance.

11. Where any employee is required by his employer to wear any special uniform, dress or clothing, it shall be supplied, paid for, and, if necessary, laundered by the employer. Any such garment shall remain the property of the employer.

Notice of Intention to Ration.

12. Where an employer owing to slackness of trade desires to ration his employees, he shall give seven day's notice to each employee of his intention to ration such employee.

Annual Holiday.

13. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops* (*Annual Holidays*) *Act* 1946 (No. 5111), and any amendments which may be made thereto from time to time.

(In his or her own interests each employer of labour should obtain a copy of the above Act which may be purchased from the Government Printer, Melbourne, at a cost of 1s., plus postage.)

Termination of Employment.

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

Special Rates for Sundays and Holidays.

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

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

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

Payment of Wages.

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

Reference.

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

Determination to be Available.

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

First-aid Outfit

19. In each shop where employees are regularly employed, the employer shall provide and continuously maintain, at a place or places reasonably accessible to all employees an adequate first-aid outfit.

Periodical Adjustment of Wages.

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

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Within the area to which this Determination applies	10 12 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

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

(*b*) Until the beginning of the first pay period to commence in August, 1952, the amount of the basic wage shall be as prescribed in clause 19.

(*c*) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, the amount of the 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*) The wages rates for adult females are based on a basic wage being 75 per cent. of the basic wage for adult males calculated to the nearest 6d., half or less than half of 6d. to be disregarded. The wages rates for adult females shall be adjusted by increasing or decreasing such rates by the amount of the difference from time to time in the said basic wage for females.

(*e*) The wages of apprentices and improvers shall be the appropriate percentages as set out in Clause 2, such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

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

J. W. RYAN, Secretary.

Melbourne, 3rd June, 1952.

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No. 556] **THURSDAY, JULY 17.** **[1952**

Factories and Shops Acts.

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

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

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

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

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

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

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

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 25th June, 1952, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2. WAGES PER WEEK OF 40 HOURS.

Apprentices and Improvers.

MALES.	Percentage of Basic Wage.	s.	d.
Under 16 years of age	27	57	0
16 years of age	36	76	6
17 "	46	97	6
18 "	64	135	6
19 "	81	171	6
20 "	99	210	0
FEMALES.	**Percentage of Female Basic Wage.**		
Under 16 years of age	36	57	0
16 years of age	45	71	6
17 "	51	81	0
18 "	59	94	0
19 "	67	106	6
20 "	76	121	0

PROPORTION (WITHIN ANY SHOP).

Apprentices.

MALES.

One male apprentice to every three or fraction of three workers receiving not less than 245s. per week.

FEMALES.

One female apprentice to every three or fraction of three workers receiving not less than 192s. 6d. per week.

Improvers.

MALES.

One male improver to every two or fraction of two workers receiving not less than 245s. per week.

FEMALES.

One female improver to every two or fraction of two workers receiving not less than 192s. 6d. per week.

Other Employees.

	Within the Metropolitan District. s. d.	Outside the Metropolitan District wherever this Determination applies. s. d.
MALES.		
(*a*) Person in charge of a shop *Or,* (*b*) Manager in charge of one or more persons in an electrical and/or radio department of a departmental store, the business of which is not confined to the sale of radio or electrical goods	264 6	260 6
(*c*) Canvassers, travellers, collectors, installers, and all others who are in any way connected with the sale of goods on a merchant's premises, but excluding those selling off such premises if they are paid exclusively by commission and have the right to sell goods for more than one merchant ..	249 0	245 0
FEMALES.		
Females	196 6	192 6

PAYMENT WHERE LESS THAN A FULL WEEK IS WORKED.

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

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

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

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

Provided that an employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided further that any such time lost shall be counted as time worked in computing annual holidays and sick leave under this Determination.

4. TIMES OF BEGINNING AND ENDING WORK.

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

MEAL INTERVAL.

5. No employer shall require any employee to take a longer interval than one hour for a meal, and such meal interva shall be taken between the hours of 11.30 a.m., and 2.30 p.m.

OVERTIME.

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

SUNDAYS AND HOLIDAYS.

7. Double time shall be the rate for all work done on Sundays, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Saturday, Easter Monday, Queen's Birthday, after 12 noon on Melbourne Show Day (Metropolitan District only), Melbourne Cup Day (Metropolitan District only), Christmas Day, and Boxing Day. If any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, this rate shall be payable for work done only on the day so substituted.

All employees, provided their services are not required, shall be entitled to the above-named holidays without deduction of pay.

TERMINATION OF EMPLOYMENT.

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

GARMENT ALLOWANCE.

9. Any employee who is required to wear, when at work, a washable outer garment, dust coat, or overall shall be paid 4s. per week in addition to the ordinary wage, unless the garment is both provided and laundered by the employer.

TEA MONEY.

10. Any employee, who is required to work overtime in excess of two hours on any one day, shall receive an allowance of 5s. as tea money in addition to the rates provided in clause 6.

NOTICE TO WORK OVERTIME.

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

NOTICE OF INTENTION TO RATION.

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

ANNUAL LEAVE.

13. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act* 1946 (No. 5111), and any amendments which may be made thereto from time to time.

(NOTE:—In his or her own interests each employer of labour should obtain a copy of the above Act which may be purchased from the Government Printer, Melbourne, at a cost of 1s., plus postage.)

SICK LEAVE.

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

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

(ii) During any subsequent year of service—40 hours' ordinary pay. Provided that in either case such employee produces or forwards within 48 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill health or accident necessitating such absence.

(b) If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall, provided an employee remains in the service of the one employer, or any successor of such employer, be cumulative from year to year. For the purposes of this sub-clause service prior to the 1st August, 1948, shall be disregarded.

TIME AND WAGES RECORDS.

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

PAYMENT OF WAGES, ETC.

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

REFERENCE.

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

TRANSPORT ALLOWANCE.

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

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

(*c*) Where a bicycle is provided by an employee and is required to be used in connexion with his employer's business, an allowance of 1s. per day in addition to the ordinary wage shall be paid to such employee.

POSTING OF DETERMINATION.

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

FIRST-AID OUTFIT.

20. In each shop where employees are regularly employed, the employer shall provide and continuously maintain, at a place or places reasonably accessible to all employees, an adequate first-aid outfit.

PERIODICAL ADJUSTMENT OF WAGES.

21. The wages rates for adult males set out in clause 2 are based upon the following basic wage, 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 22.

Basic Wage.

Place.	Basic Wage. (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Within the area to which this Determination applies	10 12 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

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

(*b*) Until the beginning of the first pay period to commence in August, 1952, the amounts of the basic wage shall be as prescribed in clause 21.

(*c*) During each future successive period beginning with the first pay period to commence in an August a November a February, or a May, the amount of the 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*) The wages rates for adult females are based on a basic wage being 75 per cent. of the basic wage for adult males calculated to the nearest 6d., half or less than half of 6d. to be disregarded. The wages rates for adult females shall be adjusted by increasing or decreasing such rates by the amount of the difference from time to time in the said basic wage for females.

(*e*) The wages of apprentices or improvers shall be the appropriate percentages as set out in clause 2, such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

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

J. W. RYAN, Secretary.

Melbourne, 10th June, 1952.

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No. 557] THURSDAY, JULY 17. [1952

Factories and Shops Act 1928 (No. 3677).

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

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

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

IN accordance with the provisions of the *Factories and Shops Act* 1928 (No. 3677) the Wages Board appointed to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the trade of a seller by retail of petrol, benzine, or other motor spirit, motor oils, or motor car or motor cycle accessories, has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 26th June, 1952, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

APPRENTICES OR IMPROVERS.

WAGES PER WEEK OF 40 HOURS.			PROPORTION (in any Shop).
Male or Female.			
	Percentage of Basic Wage.	s. d.	
15 years of age or under	28	59 6	*Apprentices.* One apprentices to every three or fraction of three persons receiving not less than the minimum wage.
16 years of age	38	80 6	
17 years of age	52	110 0	
18 years of age	66	140 0	*Improvers.* Two improvers to every worker receiving not less than the minimum wage.
19 years of age	86	182 6	
20 years of age	100+ 5s.	217 0	

ALL OTHER EMPLOYEES.	Wages per Week of 40 Hours. Males.	Females.
	s. d.	s. d.
Manager of a shop, branch shop, or department (i.e., the principal employee in any shop, branch shop, or department, notwithstanding he may be under the orders of another person who does not devote his whole time to the supervision of such shop, branch shop, or department)	249 0	232 0
Employee solely engaged in the sale of lubricating oil, petrol, benzine, or other motor spirit	229 0	197 0
Other salesman or saleswoman	249 0	232 0

No. 557.—6061/52.—PRICE 6D.

HOURS OF WORK.

3. The hours of work shall be 40 per week, to be worked between 7 a.m., and 6 p.m. on Monday to Friday (inclusive), and 7 a.m., and 1 p.m. on Saturday.

OVERTIME.

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

(*b*) When an employee is required to work more than one hour's overtime after the usual time of ceasing work for the day, he shall be paid 5s. meal money in addition to the prescribed overtime rate; but such payment need not be made to an employee living within one mile of his place of employment who can reasonably return home for a meal.

(*c*) A 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.

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

SUNDAYS AND HOLIDAYS.

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

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

All employees shall be entitled to the above-named holidays without deduction of pay.

TERMINATION OF EMPLOYMENT.

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

ANNUAL LEAVE.

7. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops* (*Annual Holidays*) *Act* 1946, No. 5111, and any amendments which may be made thereto from time to time.

SICK PAY.

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

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

(ii) during any subsequent year of service—40 hours' ordinary pay. Provided that in either case such employee produces or forwards within 48 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill health or accident necessitating such absence.

(*b*) If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall, provided an employee remains in the service of the employer, or any successor of such employer, be cumulative from year to year. For the purposes of this sub-clause service prior to the 11th October, 1948, shall be disregarded. No employer shall terminate the services of an employee during a period of sick leave with the object of avoiding his obligations under this sub-clause.

MEAL INTERVAL.

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

REST PERIOD.

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

BICYCLE ALLOWANCE.

11. Where an employer directs an employee to use his bicycle in the performance of his duties, such employee shall be paid an allowance of 1s. for each day or part thereof upon which he is so required to use such bicycle.

CLOTHING ALLOWANCE.

12. (*a*) Any employee who is required to wear, when at work, a washable outer garment, the laundering and purchase of which is not paid for by the employer, shall be paid 7s. 6d. per week in addition to the ordinary wage.

(*b*) Where the employer provides or loans the garment and the employee is responsible for the laundering of it he shall be paid 3s. 6d. per week in addition to the ordinary wage.

STANDING DOWN EMPLOYEE.

13. An employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided further that any such time lost shall be counted as time worked in computing annual holidays and sick leave under this Determination

FIRST-AID OUTFIT.

14. In each shop where employees are regularly employed, the employer shall provide and continuously maintain, at a place or places reasonably accessible to all employees, an adequate first-aid outfit.

PERIODICAL ADJUSTMENT OF WAGES.

15. The wages of adult males set out in clause 2 are based upon the following basic wage, 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 16.

BASIC WAGE.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Within the area to which this Determination applies	10 12 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

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

(*b*) Until the beginning of the first pay period to commence in August, 1952, the amount of the basic wage shall be as prescribed in clause 15.

(*c*) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, the amount of the 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*) The wages rates for adult females are based on a basic wage being 75 per cent. of the basic wage for adult males calculated to the nearset 6d., half or less than half of 6d. to be disregarded. The wages rates for adult females shall be adjusted by increasing or decreasing such rates by the amount of the difference from time to time in the said basic wage for females.

(*e*) The wages of apprentices or improvers shall be the appropriate percentages as set out in Clause 2, such wages shall be calculated to the nearest 6d. half or less than half of 6d. to be disregarded.

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

J. W. RYAN, Secretary.

Melbourne, 11th June, 1952.

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No. 558] THURSDAY, JULY 17. [1952

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 16 (HARDWARE).

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

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to "determine the lowest prices or rates which may be paid to any persons employed in the business of a seller of hardware—wholesale or retail"—but not including:—

(*a*) persons employed in assembling ordered goods kept in a bulk store or iron yard;

(*b*) persons employed as storemen, packers, or sorters—

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 18th June, 1952, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers. (The Masculine to include the Feminine.)

WAGES.

	Percentage of Basic Wage.	Per week of 40 hours. s. d.
Under 16 years of age	25	53 0
16 years of age . .	33	70 0
17	42	89 0
18	56	118 6
19	72	152 6
20 ..	94	199 6

PROPORTION (in any shop or place).

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

One improver to one worker ..
Two improvers to two, three or four workers .. .. ..
Three improvers to five, six or seven workers .. .. ..
Four improvers to eight workers ..
Five improvers to nine or ten workers and thereafter one improver to every two or fraction of two workers. .. .. ..

} Receiving not less than the rates fixed for assemblers of ordered goods.

Other Employees. (The Masculine to include the Feminine.)

WAGES.

	Metropolitan District. Per week of 40 hours. £ s. d.	Outside Metropolitan District where Determination Applies. Per week of 40 hours. £ s. d.
Departmental managers, or branch managers having under their control— 3 or more salesmen, 21 years of age or over	14 7 0	14 4 0
Other Branch Managers	13 9 0	13 6 0
Outside salesmen	12 12 6	12 9 6
Salesmen or Buyers	12 9 0	12 6 0
Assemblers of Ordered Goods	12 2 0	12 2 0

NOTE.—See Clause 20 *re* Definitions.

3. TIMES OF BEGINNING AND ENDING WORK.

	Time of Beginning.	Time of Ending.
On the usual Half Holiday	8 a.m.	noon.
On all the other working days of the week	8 a.m.	5.30 p.m.

4. * OVERTIME.

Within the times fixed for beginning and ending work in excess of 40 hours ..
Outside the times of beginning and ending work .. ..
} Time and a half, with a minimum payment of 1s. per hour.

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

No. 558.—6062/52.—PRICE 6D.

MEAL MONEY.

5. Where overtime, as in the preceding clause, is performed on any day in the week, an allowance of 5s. shall be made for meal money, and shall be paid on the day when such work is performed.

SUNDAYS AND HOLIDAYS.

6. Treble time shall be the rate for all work done on Easter Saturday, and double time shall be the rate for all work done on Sundays, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Queen's Birthday, Christmas Day and Boxing Day, and within the Metropolitan District Melbourne Cup Day and after 12 noon on Melbourne Show Day. If any other day be by Act of Parliament or Proclamation substituted for for any of the abovenamed holidays the rate shall be payable for work done only on the day so substituted. All employees shall be entitled to the abovenamed holidays without deduction of pay.

TIME RATE.

7. Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall for each hour worked up to 20 hours be paid—

(a) In any week in which two or more Public Holidays occur .. At the ordinary wages rate with an addition of fifty per centum.

(b) In any other week .. .. At the ordinary wages rate with an addition of thirty-three and one-third per centum.

and for each hour worked beyond the 20 hours aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

Provided that an employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided further that any such time lost shall be counted as time worked in computing sick leave under this Determination.

TERMINATION OF EMPLOYMENT.

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

PAY DAY.

9. All wages, overtime, &c., shall be paid not later than Thursday of each week.

NOTICE TO WORK OVERTIME.

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

NOTICE OF INTENTION TO RATION.

11. Where an employer owing to slackness of trade desires to ration his employees, he shall give seven days' notice to each employee of his intention to ration such employee.

ANNUAL LEAVE.

12. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act* 1946 (No. 5111), and any amendments which may be made thereto from time to time.

(In his or her own interests each employer of labour should obtain a copy of the above Act, which may be purchased from the Government Printer, Melbourne, at a cost of 1s., plus postage.)

SICK LEAVE.

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

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

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

Provided that, in either case such employee produces or forwards within 48 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill health or accident necessitating such absence.

(b) If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall, provided an employee remains in the service of the one employer, or any successor of such employer, be cumulative from year to year. For the purposes of this sub-clause service prior to the 1st October, 1947, shall be disregarded.

MEAL INTERVALS.

14. One hour shall be given for a meal, between the hours of noon and 3 p.m.

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

BICYCLE ALLOWANCE.

15. Where a bicycle is provided by an employee and is required to be used in connexion with his employer's business, an allowance of 1s. per day or part thereof for each day on which he is so required to use such bicycle, shall be paid by the employer.

GARMENT ALLOWANCE.

16. Any employee who is required to wear, when at work, a washable outer garment, dust coat, or overall, shall be paid 4s. per week in addition to the ordinary wage, unless the garment is both provided and laundered by the employer.

REFERENCE.

17. On an employee being dismissed or leaving his employment he shall be entitled to a reference showing his period of service and qualifications.

TIME AND WAGES RECORDS.

18. Time and wages records showing the name of each employee, the hours worked each week by, and the wages and overtime paid to, each employee, shall be kept by his employer and completed weekly. Such records shall be open for inspection by a duly accredited representative of the Shop Assistants and Warehouse Employees' Federation of Australia.

Provided that an inspection shall not be demanded unless the Secretary or other paid official of the Union suspects a breach of the Determination has been committed.

REST PERIOD.

19. A rest period of ten minutes each morning and afternoon shall be granted each employee, such periods are to be counted as time worked.

DEFINITIONS.

20. "Departmental manager" shall mean a person having the control of one or more salesmen, 21 years of age or over, notwithstanding he may be under the orders of a general manager.

"Branch manager" shall mean and include a person for the time being entrusted with the control or superintendence of a shop or of a branch shop (the proprietor of which is trading under his own or a different name), notwithstanding such manager may be under the orders of a superior who does not devote the whole of his time to the management of the said shop or branch shop.

"Outside salesman" shall mean an employee who for at least half the working hours in any week solicits or receives orders for goods while absent from the shop where he is employed, whether such goods are kept in stock or have to be procured in order to fulfil such orders.

"Assembler" shall mean an employee 21 years of age or over who is engaged in assembling goods for order and despatch from salesmen's and/or travellers' lists or invoices.

FIRST-AID OUTFIT.

21. In each shop where employees are regularly employed, the employer shall provide and continuously maintain, at a place or places reasonably accessible to all employees an adequate first-aid outfit.

PERIODICAL ADJUSTMENT OF WAGES.

22. The wages rates for adults set out in clause 2 are based upon the following basic wage, 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.

Basic Wage.

Place.	Basic Wage. (Adjustable)	Index Number Set Assigned.
	£ s. d.	
Within the area to which this Determination applies	10 12 0	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 August, 1952, the amount 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 an August, a November, a February, or a May, 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*) The wages of apprentices or improvers shall be the appropriate percentages as set out in Clause 2, such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

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

J. W. RYAN, Secretary.

Melbourne, 3rd June, 1952.

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No. 559] **THURSDAY, JULY 17.** **[1952**

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 14 (FURNITURE DEALERS).

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

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the business of a seller of furniture or floor coverings," has made the following Determination, namely :—

1. That as from the beginning of the first pay period to commence on or after the 25th June, 1952, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2. WAGES PER WEEK OF 40 HOURS.

Apprentices and Improvers.

	Percentage of Basic Wage.	s.	d.
Under 15 years of age	33	70	0
15 years of age	37	78	6
16 years of age	48	102	0
17 years of age	58	123	0
18 years of age	78	165	6
19 years of age	97	205	6
20 years of age	100 + 11/-	223	0

PROPORTION (within any shop).

APPRENTICES.

One apprentice to every three or fraction of three workers receiving not less than 249s. per week.

IMPROVERS.

One improver to every two or fraction of two workers receiving not less than 249s. per week.

Other Employees.

—	Within the Metropolitan District. s.	d.	Outside the Metropolitan District wherever this Determination applies. s.	d.
Person in charge of a shop (including a branch shop)	263	0	260	0
Canvassers, travellers, window dressers, ticket writers, collectors (who, in addition to their duties of canvassing, travelling, or collecting, are in any way connected with the sale of goods), salesmen, or saleswomen	252	0	249	0
Storeman or packer (i.e. an adult either working singly or supervising other storemen or packers, who is in charge of a store or floor where goods are received or despatched)	243	6	240	6
Other storemen or packers	239	0	236	0
All others	235	0	232	0

TIME WAGES.

3. Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall for each hour worked up to one half the number of hours fixed for an ordinary week's work be paid—

(*a*) in any week in which two or more public holidays occur At the ordinary wages rate, with an addition of fifty per centum.

(*b*) in any other week .. .. At the ordinary wages rate, with an addition of thirty-three and one-third per centum

and thereafter the ordinary wage rate up to but not exceeding ordinary wages rates for an ordinary week's work.

Provided that an employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided further that any such time lost shall be counted as time worked in computing annual holidays and sick leave under this Determination.

No. 559.—6067/52.—PRICE 6D.

4. TIMES OF BEGINNING AND ENDING WORK.

—	Time of Beginning.	Time of Ending.
Saturday	8 a.m.	noon
On the other working days of the week	8 a.m.	5.30 p.m.

MEAL INTERVAL.

5. Each employee shall be entitled to have one hour for a meal interval which must be taken between the hours of noon and 2.15 p.m. In no case shall an employee be required to work more than five hours without an interval for a meal.

OVERTIME.

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

PUBLIC HOLIDAYS.

7. Treble time shall be the special rate within the Metropolitan District, and double time elsewhere, for all work done on Easter Saturday, and double time for all work done on New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Queen's Birthday, Christmas Day, and Boxing Day, and within the Metropolitan District on Melbourne Cup Day and after 12 noon on Melbourne Show Day. If any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays the special rate shall be payable for work done only on the day so substituted.

All employees shall be entitled to the above-named holidays without deduction of pay.

SUNDAYS.

8. Treble time shall be paid for all work done on Sundays.

TERMINATION OF EMPLOYMENT.

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

MEAL MONEY.

10. Any employee who is required to work overtime in excess of two hours on any day shall receive an allowance of 5s. as meal money in addition to the rates provided in clause 6.

RATIONING OF EMPLOYEES.

11. Where it is claimed by the employer that the exigencies of trade necessitate the rationing of employees, then such employer shall give at least seven days' notice of such rationing to the employee concerned.

ANNUAL LEAVE.

12. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act* 1946 (No. 5111), and any amendments which may be made thereto from time to time.

NOTE.—In his or her own interests each employer of labour should obtain a copy of the above Act which may be purchased from the Government Printer, Melbourne, at a cost of 1s., plus postage.

PROVISION OF BICYCLE OR OTHER MECHANICAL CONVEYANCE.

13. Where an employer directs an employee to provide himself with a bicycle or some other mechanical means of transport in order to carry out his duties, such an employee shall be entitled to an allowance (in addition to any other amount to which he may be entitled under this Determination) as follows :—

For a provision of a bicycle .. .. 1s. per day or part thereof
For provision of a motor cycle .. .. 10s. per week.
For provision of a motor car .. at the rate of 4d. per mile up to a maximum allowance of £3 per week.

SICK LEAVE.

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

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

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

Provided that in either case such employee produces or forwards within 48 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill health or accident necessitating such absence.

(*b*) If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall, provided an employee remains in the service of the one employer, or any successor of such employer, be cumulative from year to year. For the purposes of this sub-clause service prior to the 1st August, 1948, shall be disregarded.

PAYMENT OF FARES.

15. Where an employee is temporarily transferred from one branch of an employer's business to another, and such transfer necessitates the employee paying a higher fare in proceeding to and from his home, such excess amount shall be paid by the employer.

PAYMENT OF RENT.

16. A shopkeeper shall not charge any employee who is required to reside on the premises in connexion with the shop in which the business of such shopkeeper is carried on a greater sum as rent for such premises than 10s. per week.

REFERENCE.

17. An employee on severing his connexion with an employer shall be entitled to and shall receive a reference stating length of employment, character, and qualifications whilst in such employment.

REST PERIODS.

18. All employees shall be allowed two rest periods of not less than five minutes each on each day, the first between the time of commencing work and the mid-day meal interval, and the second between the mid-day meal interval and the ending of work.

CLOTHING ALLOWANCE.

19. Where any employee is required to wear, whilst at work, a washable outer garment (such as overalls, dust coat, &c.) such outer garment shall be provided and laundered by the employer.

PAYMENT OF WAGES.

20. Payment of wages (including overtime, allowances, fares, &c.) shall be made not later than Thursday in each week.

TIME AND WAGES RECORDS.

21. An employer shall keep time and wages records showing the name of each employee, the hours worked each week by, and the wages and overtime paid to each employee. Such record shall be open for inspection by a duly accredited representative of the Shop Assistants and Warehouse Employees' Federation of Australia. Provided that an inspection shall not be demanded unless the Secretary or other paid official of the union suspects that a breach of the Determination has been committed.

FIRST-AID OUTFIT.

22. In each shop where employees are regularly employed, the employer shall provide and continuously maintain, at a place or places reasonably accessible to all employees an adequate first-aid outfit.

PERIODICAL ADJUSTMENT OF WAGES.

23. The wages rates set out in clause 2 are based upon the following basic wage, 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 24.

Basic Wage.

Place.	Basic Wage. (Adjustable)	Index Number Set Assigned.
	£ s. d.	
Within the area to which this Determination applies	10 12 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

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

(*b*) Until the beginning of the first pay period to commence in August, 1952, the amount of the basic wage shall be as prescribed in clause 23.

(*c*) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, the amount of the 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*) The wages of apprentices and improvers shall be the appropriate percentages as set out in Clause 2, such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

A. V. BARNS, Chairman.

J. W. RYAN, Secretary.

Melbourne, 10th June, 1952.

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No. 560] **THURSDAY, JULY 17.** **[1952**

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 19 (CONFECTIONERY, PASTRY, FRUIT AND VEGETABLE).

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

(*b*) **On the 21st December, 1922, the Board was deprived of the power to determine the lowest prices or rates which may be paid to any persons employed whole or part time selling confectionery or pastry in any place in which the business of a restaurant is carried on, and such power was conferred exclusively on the Restaurant Board.**

(*c*) **On the 4th December, 1929, the power to determine the lowest prices or rates which may be paid to any persons employed in any bread shop was taken from the Shops Board No. 18 (Miscellaneous Shops) and conferred exclusively on the Shops Board No. 19 (Confectionery, Pastry, Fruit and Vegetable).**

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 persons employed in confectionery and pastry shops or fruit and vegetable shops," has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 26th June, 1952, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices and Improvers.

Males. —	Percentage of Basic Wage.	Weekly Wage. s.	d.	Females. —	Percentage of Female Basic Wage.	Weekly Wage. s.	d.
15 years of age or under ..	30	63	6	15 years of age or under ..	37	59	0
16 years of age	39	82	6	16 years of age	43	68	6
17 years of age	48	102	0	17 years of age	53	84	6
18 years of age	60	127	0	18 years of age	63	100	0
19 years of age	73	155	0	19 years of age	74	117	6
20 years of age	87	184	6	20 years of age	85	135	0

PROPORTION (in any Shop or Place).
One apprentice and one improver to every three or fraction of three workers receiving not less than the minimum wage.

Other Employees.

Wages per Week of 40 Hours.

	s.	d.
(*a*) Manager or Departmental Manager	250	6
(*b*) Manageress or Departmental Manageress ..	183	9
(*c*) Shop Assistants—		
(i) Males	240	3
(ii) Females	170	6

No. 560.—6069/52.—PRICE 6D.

DEFINITIONS.

3. "Manager" or "Manageress" means the principal employee in any shop except a shop in which an owner or partner is working manager or working manageress.

"Departmental Manager" or "Departmental Manageress" means the principal employee in a department of a shop wherein employees' wages are not subject solely to this Determination, and where two or more persons are employed in such department.

OVERTIME.

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

SPREAD OF HOURS.

5. The period between the time of commencing work and the time of finishing work on any day shall not exceed ten hours, except on one day per week, when the period concerned shall not exceed twelve hours.

TERMS OF EMPLOYMENT.

6. (*a*) *Weekly Employment.*—Except as hereinafter provided employment shall be by the week and a weekly employee who is ready, willing, and available to work the number of hours prescribed herein as a week's work shall be paid the full weekly wage fixed herein irrespective of the number of hours worked not exceeding 40; provided however, that such an employee not attending for duty except as provided by clause 10 (Sick Leave) hereof shall lose his or her pay for the actual time of such non-attendance.

An employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided that any such time lost shall be counted as time worked in computing annual holidays and sick leave under this Determination.

(*b*) *Part Time.*—A weekly employee not ready, willing, and available to work the full number of hours normally worked by employees of similar classification with the same employer, but who is ready, willing, and available to work a specified lesser number of hours at his or her own request shall be paid *pro rata* the wages prescribed herein for 40 hours' work according to the number of hours worked.

(*c*) *Casual Employment.*—Where a person is ready, willing, and available to work the number of hours required by an employer, such being less than the number of hours prescribed herein as a week's work, he or she shall be paid as follows:—

For time worked up to the first 20 hours—

(i) In any week in which two or more Public Holidays occur—at the ordinary wages rate with an addition of 50 per centum;

(ii) In any other week—at the ordinary wages rate with an addition of 33⅓ per centum;

and for time worked beyond the 20 hours aforesaid—the ordinary wages rate; provided that the total amount payable, excluding any overtime, shall not exceed the wage prescribed for a week's work.

REFERENCES.

7. Every employee, on the termination of his or her engagement, shall be given by the employer, if the employee so desires, a certificate setting out the employee's length of service and qualifications.

SUNDAYS AND HOLIDAYS.

8. Double time shall be the rate for all work done on Sundays, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, Queen's Birthday, Christmas Day, Boxing Day, and within the Metropolitan District, Melbourne Show Day and Melbourne Cup Day. If any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays the rate shall be payable for work done only on the day so substituted.

All employees, provided their services are not required, shall be entitled to the above-named holidays without deduction of pay.

PICNIC DAY (Confectionery Shops).

9. No person shall be employed at the work of selling confectionery within the Metropolitan District as defined in the Factories and Shops Acts on the day proclaimed as a trade holiday for the Manufacturing Confectionery trade. Any person absent from work on such day in accordance with this provision shall not suffer any loss of wages on account of such absence.

SICK LEAVE.

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

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

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

Provided that in either case such employee produces or forwards within 48 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill health or accident necessitating such absence.

(*b*) If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall, provided an employee remains in the service of the one employer, or any successor of such employer, be cumulative from year to year. For the purposes of this sub-clause service prior to the 1st August, 1948, shall be disregarded.

No employer shall terminate the services of an employee during the currency of any period of sick leave with the object of avoiding his obligations under this sub-clause.

ANNUAL LEAVE.

11. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act* 1946, No. 5111, and any amendments which may be made thereto from time to time.

(In his or her own interests each employer of labour should obtain a copy of the above Act which may be purchased from the Government Printer, Melbourne, at a cost of 1s., plus postage.)

PAYMENT OF WAGES, ETC.

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

BICYCLE ALLOWANCE.

13. Where any person uses his or her own bicycle in the delivery or collection of goods for the employer, or in connexion with the employer's business, such person shall receive the sum of 1s per day for each day or part thereof on which he or she is so required to use such bicycle in addition to any rate prescribed otherwise by this Determination.

CLOTHING.

14. Where any employee is required by his employer to wear any special uniform, dress or clothing, it shall be supplied, paid for, and if necessary, laundered by the employer, any such garment shall remain the property of the employer.

TIME AND WAGES RECORD.

15. The employer shall keep a time and wages record in the English language showing the name, age, and sex of each worker, the number of hours worked each week, and the wages and overtime paid each week.

Such record shall be open for inspection by a duly accredited representative of any of the following bodies, viz.:—The Shop Assistants and Warehouse Employees' Federation of Australia, The Federated Retail Confecticnery, Refreshment and Mixed Business Association of Australia (Victorian Branch), the Melbourne and Metropolitan Retail Fruiterers and Greengrocers' Association, and the Victorian Master Pastrycooks' Association.

REST PERIODS.

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

MEAL INTERVALS.

17. Every person shall be allowed and shall receive the following meal intervals, with permission to leave the shop during the whole of such intervals, viz.:—

On each day when work is done—1 hour for lunch, to be taken between noon and 3 p.m.

On each day when work is done after 7.30 p.m.—An additional interval of three-quarters of an hour, to be taken between 5 p.m. and 7.15 p.m.

MEAL MONEY.

18. Any employee who is required to work overtime in excess of one hour on any day shall receive an allowance of 5/- as meal money in addition to the rate provided in clause 4.

TERMINATION OF EMPLOYMENT.

19. Except in a case of misconduct by either an employer or an employee seven days' notice of termination of employment shall be given by either employer or employee, or a week's wages paid or forfeited, as the case may be, in lieu thereof.

POSTING OF DETERMINATION.

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

FIRST-AID OUTFIT.

21. In each shop where employees are regularly employed the employer shall provide and continuously maintain, at a place or places reasonably accessible to all employees an adequate first-aid outfit.

PERIODICAL ADJUSTMENT OF WAGES.

22. The wages rates for adult males set out in clause 2 are based upon the following basic wage, 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.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Within the area to which this Determination applies	10 12 0	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 August, 1952, the amount 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 an August, a November, a February, or a May, 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) The wages rates for adult females are based on a basic wage being 75 per cent. of the basic wage for adult males calculated to the nearest 6d., half or less than half of 6d. to be disregarded. The wages rates for adult females shall be adjusted by increasing or decreasing such rates by the amount of the difference from time to time in the said basic wage for females.

(e) The wages of apprentices and improvers shall be the appropriate percentages as set out in clause 2, such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

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

J. W. RYAN, Secretary.

Melbourne, 11th June, 1952.

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

VICTORIA

GOVERNMENT GAZETTE.

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No. 561] THURSDAY, JULY 17. [1952

Factories and Shops Acts.

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

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

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

(a) in booksellers' or newsagents' shops,

(b) in the trade of a wholesale bookseller or newsagent,

(c) in a lending library conducted for profit,"

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 27th June, 1952, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers.

Wages.	Per Week of 40 Hours. Percentage of Basic Wage.	Males.	Percentage of Female Basic Wage.	Females.
		s. d.		s. d.
15 years of age or under	31	65 6	36	57 0
16 years of age ..	38	80 6	46	73 0
17 years of age ..	48	102 0	56	89 0
18 years of age ..	62	131 6	65	103 6
19 years of age ..	76	161 0	75	119 0
20 years of age ..	91	193 0	84	133 6

PROPORTIONS (*by* any employer).

Apprentices.

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

An indenture of apprenticeship has been prescribed by the Board.

Improvers.

Two improvers to each adult worker receiving not less than 236s. 6d. per week of 40 hours in the case of a male adult and 159s. per week of 40 hours in the case of a female adult.

Other Employees.

Wages.	Per Week of 40 Hours. Within the Metropolitan District. Males.	Females.	All other parts of Victoria where this Determination applies. Males.	Females.
	s. d.	s. d.	s. d.	s. d.
DEPARTMENTAL MANAGER, i.e., a person in control of two or more persons (not including bookstall employees) receiving not less than the minimum wage—				
Where two such persons are under his or her control	262 6	200 0	262 6	200 0
Where three or more such persons are under his or her control ..	273 0	214 0	273 0	214 0
All Others.				
(a) Employed in connexion with the sale or distribution of newspapers	239 6	159 6	236 6	159 0
(b) Employed at any other work ..	247 0	163 6	244 0	159 0

OVERTIME.

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

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

TIME WAGES.

4. (*a*) (This clause shall not apply to an employee at a Railway Bookstall sub-let to a newsagent.) Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall for each hour worked up to 20 hours be paid at the ordinary wage rate with an addition of 33⅓ per cent. and thereafter the ordinary wage rate up to but not exceeding ordinary wages rates for an ordinary week's work.

Provided that an employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided further that any such time lost shall be counted as time worked in computing annual holidays and sick leave under this Determination.

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

HOLIDAYS.

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

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

MEAL MONEY.

6. Any employee who is required to work overtime in excess of one hour on any day shall receive an allowance of 5s. as meal money in addition to the rates provided in clause 3.

ANNUAL HOLIDAY.

7. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops* (*Annual Holidays*) *Act* 1946 (No. 5111) and any amendments which may be made thereto from time to time.

(In his or her own interests each employer of labour should obtain a copy of the above Act, which may be purchased from the Government Printer, Melbourne, at a cost of 1/-, plus postage.)

SICK LEAVE.

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

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

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

Provided that in either case such employee produces or forwards within 48 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill health or accident necessitating such absence.

(*b*) If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall, provided an employee remains in the service of the one employer, or any successor of such employer, be cumulative from year to year. For the purposes of this sub-clause service prior to the 1st August, 1948, shall be disregarded.

MEAL INTERVALS.

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

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

TERMINATION OF EMPLOYMENT.

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

PAY DAY.

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

REST PERIOD.

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

BICYCLE ALLOWANCE.

13. If an employee is required to use his own bicycle in the business of his or her employer, an allowance of 1s. per day or part thereof shall be made for such use.

TIME AND WAGES RECORD.

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

REFERENCE.

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

CLOTHING.

16. Where any employee is required by his employer to wear any special uniform, dress or clothing, it shall be supplied, paid for, and, if necessary, laundered by the employer. Any such garment shall remain the property of the employer.

FIRST-AID OUTFIT.

17. In each shop where employees are regularly employed, the employer shall provide and continuously maintain, at a place or places reasonably accessible to all employees an adequate first-aid outfit.

PERIODICAL ADJUSTMENT OF WAGES.

18. The wages rates for adult males set out in clause 2 are based upon the following basic wage, and, pursuant to the provisions of section 21 of the *Factories and Shops Act* 1934, the Board hereby determines that such rates shall be automatically adjusted as prescribed by clause 19.

Basic Wage.

Place.	Basic Wage. (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Within the area to which this Determination applies	10 12 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

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

(*b*) Until the beginning of the first pay period to commence in August, 1952, the amount of the Basic Wage shall be as prescribed in clause 18.

(*c*) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, the amount of the 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*) The wages rates for adult females are based on a basic wage being 75 per cent. of the basic wage for adult males calculated to the nearest 6d., half or less than half of 6d. to be disregarded. The wages rates for adult females shall be adjusted by increasing or decreasing such rates by the amount of the difference from time to time in the said basic wage for females.

(*e*) The wages of apprentices or improvers shall be the appropriate percentages as set out in Clause 2, such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

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

J. W. RYAN, Secretary.

Melbourne, 12th June, 1952.

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No. 562] THURSDAY, JULY 17. [1952

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 15 (GROCERS).

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

IN accordance with the provisions of the Factories and Shops Acts the Wages Board appointed to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in the business of a grocer, including a seller of tea," has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 17th June, 1952, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers.			Other Employees.	Wages per Week of 40 Hours.*	
				Within the Metropolitan District.	Outside the Metropolitan District Wherever this Determination Applies.
WAGES.	Percentage of Basic Wage.	Per Week of 40 Hours.		s. d.	s. d.
		s. d.			
Under 15 years of age	27	57 0	(a) Manager, i.e., the principal employee in any shop, except a shop in which an owner or partner is working manager	280 0	277 0
15 years of age..	35	74 0	(b) Head cellarman, i.e., the principal employee engaged in testing, blending, reducing, or fining wines or spirits	260 6	257 6
16 years of age..	48	102 0	(c) Canvasser, i.e., an employee soliciting or collecting orders	245 0	242 0
17 year of age ..	59	125 0	(d) Driver of motor vehicle with a carrying capacity of not more than 25 cwt.	239 9	236 9
18 years of age..	73	155 0	(e) Driver of motor vehicle with a carrying capacity of over 25 cwt.	242 6	239 6
19 years of age..	92	195 0	(f) Driver of three or more horses ..	245 0	242 0
20 years of age..	100+1/6	213 6	(g) Driver of two horses	242 6	239 6
Provided that any apprentice or improver without previous experience entering the trade at 16, 17, or 18 years of age may be paid for his first and second years' service 20 per cent. less than the rates fixed above.			(h) Driver of one horse	239 9	236 9
The Board has prescribed a form of indenture which must be used.			(i) Stableman	237 0	234 0
PROPORTION (in any shop or place).			(j) All others	245 0	242 0
Apprentices. One apprentice to every three or fraction of three workers receiving not less than 242s. per week of 40 hours.					
Improvers. One improver to every three workers receiving not less than 242s. per week of 40 hours.					
"Worker" includes an owner or partner acting as working manager.					

* The ordinary hours of employees classified as (d), (e), (f), (g), and (h) include time occupied in attending to horses or motor vehicles.

Clauses, other than clause 2, of the said Determination shall remain in force.

No. 562—6072/52.—PRICE 6D.

3. TIMES OF BEGINNING AND ENDING WORK.

—	Drivers, Stablemen and Employees not making Direct Sales to the Public.		All Others.	
	Time of Beginning.	Time of Ending.	Time of Beginning.	Time of Ending.
On Saturday	8 a.m.	noon	9.5 a.m.	noon
On the other working days of the week	8 a.m.	5.30 p.m.	9.5 a.m.	5.30 p.m.

OVERTIME.

4. The following rate shall be paid for overtime :—

Outside the hours fixed in clause 3 .. .. } Time and a half.
Within the hours fixed in clause 3 in excess of the number of hours fixed for an ordinary week's work .. ..

ORDINARY WEEK'S WORK.

5. The number of hours which shall constitute an ordinary week's work shall be 40.

TIME WAGES.

6. Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall be paid, for each hour worked up to 20 hours, as follows :—

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

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

For time worked beyond the 20 hours aforesaid, he shall be paid the ordinary wages rate up to but not exceeding the rate prescribed by this Determination for an ordinary week's work, together with any overtime rate which is applicable.

Provided that an employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided further that any such time lost shall be counted as time worked in computing sick leave under this Determination.

ALLOWANCES.

7. (a) Where, in conformity with the custom of the trade, an employee wears, when at work, a washable outer garment, the laundering of which is not paid for by the employer, such employee shall be paid 7s. per week in addition to the ordinary rate.

(b) Where an employer directs an employee to use his bicycle in the performance of his duties, such employee shall be paid an allowance of one shilling for each day or part thereof upon which he is so required to use such bicycle.

TERMINATION OF EMPLOYMENT.

8. Except in a case where an employee has been guilty of misconduct, seven days' notice of termination of employment shall be given by either employer or worker. If such notice be not given, a week's wages shall be paid or forfeited, as the case may be, in lieu thereof.

MEAL INTERVAL.

9. A meal interval of at least one hour shall be allowed between the hours of noon and 2 p.m. daily.

SUNDAYS AND HOLIDAYS.

10. Treble time shall be the special rate payable for all work done on Easter Saturday (i.e., the Saturday immediately succeeding Good Friday), and double time for all work done on Sundays, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Queen's Birthday, Christmas Day, and Boxing Day and within the Metropolitan District, Melbourne Show Day and Melbourne Cup Day, but, if any other day be substituted by Act of Parliament or Proclamation for any of the above-named holidays, the special rate shall be payable for work done only on the day so substituted.

All employees shall be entitled to the above-named holidays without deduction of pay.

MEAL MONEY.

11. For each day upon which more than one hour's overtime is worked, each person who works such overtime shall be paid 5s. meal money in addition to the prescribed overtime rate.

ANNUAL LEAVE.

12. 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.

REFERENCES.

13. Every employee, on the termination of his engagement, shall be given by the employer, if the employee so desires, a certificate setting out the employee's length of service and qualifications.

RENT OF RESIDENCE.

14. The employer shall not charge any manager or assistant who is required to reside on the premises in connexion with the shop in which the business of such employer is carried on, a greater sum as rent for such premises than 10s. per week.

SICK LEAVE.

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

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

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

Provided that in either case such employee produces or forwards within 48 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill health or accident necessitating such absence.

(b) If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall, provided an employee remains in the service of the one employer, or any successor of such employer, be cumulative from year to year. For the purposes of this sub-clause service prior to the 1st August, 1948, shall be disregarded.

PAY DAY.

16. Payment of wages, including overtime, meal money, special rates, and allowances shall be made not later than Thursday of each week.

TIME AND WAGES RECORD.

17. The employer shall keep a time and wages record showing the name of each worker, the number of hours worked each week, and the wages and overtime paid each week. Such record shall be open for inspection by a duly accredited representative of the Shop Assistants and Warehouse Employees' Federation of Australia or of the Grocers' Association of Victoria.

PAYMENT OF FARES.

18. Where an employee is required by his employer to work at a shop or branch other than that at which he is ordinarily employed, he shall be paid the additional fares, if any, incurred by him in so doing. Provided that this clause shall not apply to any employee who is transferred to another store or branch for a period of not less than one week.

REST PERIOD.

19. A rest interval of ten minutes shall be given to all employees during each morning and afternoon (Monday to Friday inclusive), and shall be counted as time worked.

FIRST-AID OUTFIT.

20. In each shop where employees are regularly employed, the employer shall provide and continuously maintain, at a place or places reasonably accessible to all employees an adequate first-aid outfit.

PERIODICAL ADJUSTMENT OF WAGES.

21. The wages rates set out in clause 2 are based upon the following basic wage, 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 22.

Basic Wage.

Place.	Basic Wage, (Adjustable).	Index Number Set Assigned.
	Per Week. £ *s.* *d.*	
Within the area to which this Determination applies	10 12 0	Melbourne.

ADJUSTMENT OF BASIC WAGE.

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

(*b*) Until the beginning of the first pay period to commence in August, 1952, the amount of the Basic Wage shall be as prescribed in clause 21.

(*c*) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, the amount of the 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*) The wages of apprentices or improvers shall be the appropriate percentages as set out in Clause 2, such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

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

J. W. RYAN, Secretary.

Melbourne, 2nd June, 1952.

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

VICTORIA

GOVERNMENT GAZETTE.

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No. 563] THURSDAY, JULY 17. [1952

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 17 (TOBACCONISTS).

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

IN accordance with the provisions of the Factories and Shops Acts the Wages Board appointed to "determine the lowest prices or rates which may be paid to any person employed in a Tobacconist's shop" has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 1st July, 1952, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers.

WAGES.	Per Week of 40 Hours. Males. Percentage of Basic Wage.	Males. s. d.	Females. Percentage of Female Basic Wage.	Females. s. d.
15 years of age or under	33	70 0	41	65 0
16 years of age ..	42	89 0	51	81 0
17 years of age ..	60	127 0	69	109 6
18 years of age ..	74	157 0	81	129 0
19 years of age ..	90	191 0	100 plus 1/6	160 6
20 years of age ..	100 plus 6/6	218 6	100 plus 25/6	184 6

Provided that any apprentice or improver without previous experience entering the trade at 17, 18, 19, or 20 years of age may be paid for his first and second year's service 20 per cent. less than the rates fixed above.

PROPORTION (IN ANY PLACE).

Apprentices.

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

Improvers.

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

Other Employees.

WAGES.	Per Week of 40 Hours. s. d.
Departmental Manager or Manageress, i.e., the principal employee in charge of a tobacco Department in any store, notwithstanding he or she may be under the orders of another person who does not devote his or her whole time to the management of such Department ..	264 0
First assistant, male or female, 25 years of age. where two or more persons over the age of 19 years are employed ..	259 0
*All others Male	249 0
*All others Female	186 6

* Provided that any employee in charge of a kiosk, or stall, notwithstanding he or she may be under the orders of another person who does not devote his or her whole time to the management of such kiosk, or stall, shall be paid the rates herein provided with an addition of 10 per cent.

No. 563.—6145/52.—PRICE 6D.

3. TIME OF BEGINNING AND ENDING WORK.

Time of Beginning.	Time of Ending.
8.30 a.m.	5.30 p.m. on Monday to Friday inclusiv
8.30 a.m.	noon on Saturday

OVERTIME.

4. Within the hours fixed in clause 3 in excess of 40 hours in any week .. .. .. } Time and a half.
Outside the hours fixed in clause 3 .. .. }

TIME WAGES.

5. Any person employed on time wages for less than the number of hours fixed for an ordinary week's work, shall for each hour worked up to 20 hours be paid—

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

(b) in any other week .. .. At the ordinary wages rate, with an addition of thirty-three and one-third per centum.

and thereafter the ordinary wage rate up to but not exceeding ordinary wages rates for an ordinary week's work.

Provided that an employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided further that any such time lost shall be counted as time worked in computing annual holidays and sick leave under this Determination.

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

TERMINATION OF EMPLOYMENT.

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

SUNDAYS AND HOLIDAYS.

7. Double time shall be the rate for all work done on Sundays, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Saturday, Easter Monday, Queen's Birthday, Christmas Day, and Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, this rate shall be payable for work done only on the day so substituted.

MEAL INTERVAL.

8. All employees shall be allowed the following meal interval, with permission to leave the shop for the whole of such interval, viz. :—From Monday to Friday, one hour for lunch, between the hours of 11.45 a.m. and 2.15 p.m.

MEAL MONEY.

9. Any employee who is required to work overtime in excess of one hour on any day shall receive an allowance of 5s. as meal money in addition to the rate provided in clause 4.

ANNUAL LEAVE.

10. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act* 1946 (No. 5111), and any amendments which may be made thereto from time to time.

(In his or her own interests each employer of labour should obtain a copy of the above Act which may be purchased from the Government Printer, Melbourne, at a cost of 1s. plus postage.)

SICK LEAVE.

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

(i) During the first year—3⅓ hours' ordinary pay for each complete month of service ;

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

Provided that in either case such employee produces or forwards within 48 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill health or accident necessitating such absence.

(b) If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall, provided an employee remains in the service of the one employer, or any successor of such employer, be cumulative from year to year. For the purposes of this sub-clause service prior to the 1st August, 1948, shall be disregarded.

PAYMENT OF WAGES, ETC.

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

REST PERIODS.

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

REFERENCE.

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

POSTING DETERMINATION.

15. A copy of this Determination shall be posted in a conspicuous place at or near the entrance to the shop, kiosk, stall, or department.

TIME AND WAGES RECORD.

16. The employer shall keep a wages record showing the name of each employee, the number of hours worked each week, and the wages and overtime paid for such week. Such record shall be open for inspection by a paid accredited representative of the Shop Assistants and Warehouse Employees' Federation of Australia or of the Retail Tobacco Sellers' Association of Victoria.

CLOTHING.

17. Where any employee is required by his employer to wear any special uniform, dress, or clothing, it shall be supplied, paid for, and if necessary, except as provided hereunder, laundered by the employer. Any such garment shall remain the property of the employer.

Where the employee is required to launder the garment an allowance of 3s. 9d. per week, in addition to the ordinary wage shall be paid.

FIRST-AID OUTFIT.

18. In each shop where employees are regularly employed, the employer shall provide and continuously maintain, at a place or places reasonably accessible to all employees an adequate first-aid outfit.

PERIODICAL ADJUSTMENT OF WAGES.

19. The wages rates for adult males, Departmental Manageress, and First assistant (Female), set out in clause 2 are based upon the following basic wage, and, pursuant to the provisions of Section 21 of the *Factories and Shops Act* 1934, the Board hereby determines that such rates shall be automatically adjusted by the same amount and at the same time as such basic wage as prescribed by clause 20.

Basic Wage.

Place.	Basic Wage. (Adjustable)	Index Number Set Assigned.
	Per week. £ s. d.	
Within the area to which this Determination applies	9 9 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

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

(*b*) Until the beginning of the first pay period to commence in August, 1952, the amounts of the Basic Wage shall be as prescribed in clause 19.

(*c*) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, the amount of the 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*) The wages rates for adult females classified as All Others are based on a basic wage being 75 per cent. of the basic wage for adult males calculated to the nearest 6d., half or less than half of 6d. to be disregarded. The wages rates for adult females shall be adjusted by increasing or decreasing such rates by the amount of the difference from time to time in the said basic wage for females.

(*e*) The wages of apprentices or improvers shall be the appropriate percentages as set out in Clause 2, such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

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

J. W. RYAN, Secretary.

Melbourne, 16th June, 1952.

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

DETERMINATION OF THE PLUMBERS BOARD.

NOTE.

Notices of appeal to the Industrial Appeals Court have been lodged against certain parts of the Determination.

Section 22 (2), Act 4874, provides that, when an appeal is made in accordance with that Act, the parts of the Determination appealed against shall not come into operation until the appeal has been dealt with by the Court.

5521/52.

(b) OTHER EMPLOYEES.

(i) Applying to the employment of persons on the construction renovation repair alteration or demolition of buildings performed on the site thereof.

Person employed—	Wages Per Week. £ s. d.	Wages. Per Hour. s. d.
(a) Where the artificial temperature is—		
Over 130° F.	19 2 2	9 6¾
115° F., but not exceeding 130° F.	18 6 2	9 1¾
50° F. or lower	19 2 2	9 6¾
(b) In connexion with ammonia coils in an artificial temperature of 45° F. or lower	17 3 8	8 7
(c) Lead burning or at lead work connected therewith ..	16 6 10	8 2
(d) On fitting, jointing, or fixing any class of pipes or ducts (except those used for electricial conduit, or for the conveyance of high pressure steam to machinery for power) ..	15 2 7	7 6¾
(e) In fixing any material used instead of metal for pipes, guttering, or roof covering ..	15 2 7	7 6¾
(f) At any other plumbing or gasfitting (but not including the fixing of gas mantles, or gas main or service laying) ..	15 2 7	7 6¾

(ii) Applying to other work, including employment by an employer in any industry where the work performed by the employee is subsidiary or auxiliary to the chief and principal purpose and business of such industry; or employment in workshops.

Person employed—	Wages Per Week. £ s. d.	Wages Per Hour. s. d.
(a) Where the artificial temperature is—		
Over 130° F.	18 15 11	9 4¾
115° F., but not exceeding 130° F.	17 19 1	8 11¾
50° F. or lower ..	18 15 11	9 4¾
(b) In connexion with ammonia coils in an artificial temperature of 45° F. or lower	16 17 5	8 5¼
(c) Lead burning or at lead work connected therewith ..	16 0 7	8 0¼
(d) On fitting, jointing, or fixing any class of pipes or ducts (except those used for electricial conduit, or for the conveyance of high pressure steam to machinery for power) ..	14 16 4	7 5
(e) In fixing any material used instead of metal for pipes, guttering, or roof covering ..	14 16 4	7 5
(f) At any other plumbing or gasfitting (but not including the fixing of gas mantles, or gas main or service laying) ..	14 16 4	7 5

NOTE.—See clause 9 of this Part *re* casual rate, and clause 5 *re* ship works.

Notwithstanding anything contained in clause 1 (b) (ii) hereof any employee, within six months of his first employment in any place whose employment is terminated by the employer for any cause other than misconduct or incompetence, shall on such termination be entitled to be paid for such work performed by him the appropriate rate prescribed in clause 1 (b) (i) hereof.

NOTE.—The wages prescribed above for "other employees" include a loading in lieu of Public Holidays (ten days) and Sick Leave (40 hours of working time).

ALLOWANCES.

2. In addition to the wages rates set out above an allowance at the rate of 5s. per week shall be paid to journeymen (other than on a ship) to compensate for the following classes of work whether or not such work is performed in any week :—

(i) work requiring a swing scaffold, swing seat, or rope, or on a ladder exceeding 25 feet in height;
(ii) clearing stoppages in soil or waste pipes, or sewer drain pipes, also repairing and putting same in proper order;
(iii) work in any confined space;
(iv) work in wet places; or
(v) dirty or offensive work.

ALLOWANCE IN RESPECT OF EXCESS FARES AND TRAVELLING TIME.

2A. (a) Subject to sub-clauses (b) and (c) hereof the following payments shall be made in lieu of fares and travelling time within the radii named using G.P.O., Melbourne (cr. Bourke and Elizabeth streets) or the principal post offices at Ballarat, Bendigo, and Geelong as centres :—

	s. d.
Up to and including 12 miles	4 2 per day
Over 12 miles and including 20 miles	4 10 per day
Over 20 miles and including 30 miles	5 8 per day

(b) In the case of the employment of persons on the construction renovation repair alteration or demolition of buildings performed on the site thereof these allowances shall not be payable if the employer provides or offers to provide transport free of charge, in which case 3s. 1d. per day travelling allowance shall be paid.

(c) In all cases other than provided for in sub-clause (b) hereof if the employer provides or offers to provide transport free of charge, 3s. 1d. per day travelling allowance shall be paid. In the case of an employee who is normally required to report for and finish work at his employer's workshop, and is transported to and from any job by his employer, no allowance shall be paid.

(d) Where fares are necessarily incurred on distant jobs, as defined in clause 3 (a) of this Part, or on work performed outside the radii named in sub-clause (a) hereof the provisions of that sub-clause shall apply except that the local Post Office shall be the centre.

(e) Sub-clauses (a), (c), and (d) of this clause shall not operate when an employee is employed on maintenance work at his recognized centre.

ALLOWANCES IN RESPECT OF DISTANT JOBS.

3. (a) When distance and/or travelling facilities reasonably prevent an employee going from and returning each day to his usual place of residence, reasonable and suitable board and sleeping accommodation including stretcher and mattress for each employee shall be provided. When work is situated away from suitable accommodation, the employer shall supply tents or huts with sleeping accommodation therein including stretcher and mattress for each employee in addition to any allowance provided in this clause; the allowance to be made shall be—

	s. d.
For less than a full week	12 9 per day
For a full working week at the rate of	52 6 per week

Provided that the foregoing allowances shall be increased if the employee satisfies the employer that he reasonably incurred a greater outlay than that prescribed.

(b) In lieu of the payments prescribed in clause 2A (a) of this Part an employee to whom sub-clause (a) applies shall be paid travelling time (not exceeding ordinary working hours per day) at ordinary rates of pay, and, where incurred, second-class return fare, and 5s., or any greater amount incurred, to cover expense of reaching his home railway station and transport of tools if any cost necessary: *Provided that* the return fare shall not be payable if the employee is dismissed for misconduct or is held incompetent within one week of starting work or leaves within one month of engagement. Travelling time shall be calculated as from Spencer-street and Flinders-street Railway Stations or the home Central Railway Station (if residing in the country) to destination by rail or usual travelling facilities.

(c) If an employee elects to return to his home at the week-end after three months of continuous service and thereafter at three-monthly periods, he shall be paid a second-class return fare (Victorian Railways only) on the pay day which immediately follows the date on which he returns to the job.

If the work upon which the employee is engaged will terminate in the ordinary course within a further 28 days after the expiration of three months this sub-clause shall not apply.

(d) Any person who has travelled from a "centre" to a place of work, and is required, in the course of his employment, to travel further on the same day, shall be paid all fares necessarily expended in such further travelling.

Definition.

4. "Centre" shall mean the employer's usual place of business.

Ship Work.

5. (i) All work done on a ship of any class—

(a) whilst it is under way; or

(b) in wet places or confined spaces; or

(c) in a ship which has done one trip or more, in oil fuel tanks, in bilges under engine-room or stokehold or on soil pipes—shall be paid for at the rate of 8d. per hour in addition to the ordinary wage.

(ii) For the purposes of this paragraph—

"Wet Place" means one in which the clothing of the workman necessarily is wetted to an uncomfortable degree, or one in which water accumulates underfoot to a depth exceeding two inches.

"Confined Space" means one of which the dimensions are such that the workman must work in a stooped or cramped position, or without adequate ventilation, or where confinement within a limited space is productive of unusual discomfort to him.

(iii) Should the employer and the workman be unable to agree whether or not any work done by the latter is such as entitles him to the additional wage provided by this paragraph, the question is to be submitted to a Referee, chosen by the parties, whose decision will be binding on both of them. In the event of the parties being unable to agree on a Referee, application is to be made to the Secretary of the Department of Labour of the State of Victoria to appoint an Inspector to determine the matter in dispute, and the decision of such Inspector will be binding on both of them.

Ordinary Week's Work.

6. The ordinary hours for a week's work shall be 40 which shall be worked in five days (Monday to Friday inclusive) of 8 hours each.

A meal break of not less than 42 minutes shall be allowed each day between noon and 2 p.m.

Times of Beginning and Ending Work.

7. The ordinary times of beginning and ending work shall be between the hours of 7.30 a.m. and 5.30 p.m.

Overtime.

8. Overtime shall be paid for as follows—

(a) Outside the hours fixed in clause 7 of this Part—

(i) Before the time of beginning work	Double time.
(ii) After the time of ending work	Time and a half for the first hour and double time thereafter.

(b) Within the hours fixed in clause 7 of this Part in excess of 40 hours in any week—

First hour	Time and a half.
Thereafter	Double time.

NOTE.—Work done on a Saturday shall be deemed to be outside the times of beginning and ending work, and be paid for as prescribed in sub-clause (a) (ii) hereof.

Provided that all work performed on a Saturday, Sunday, or Public Holiday, and for which prior notice has not been given, shall be deemed to be a recall to work in accordance with the provisions of sub-clause (d) of this clause.

(c) An employee, other than a casual employee, after the completion of overtime work performed after his usual ceasing time, and commenced prior to midnight shall be entitled to be absent until he has eight consecutive hours off duty, without deduction of pay for ordinary time of duty occurring during such absence.

If, on the instructions of his employer, any employee resumes work without having had such eight hours off duty, he shall be paid at double rates until he is relieved from duty to take such rest period and he shall then be entitled to be absent until he has eight consecutive hours off duty without deduction of pay for ordinary time of duty occurring during such absence.

(d) An employee recalled to work overtime after leaving his employer's business premises shall be paid at the appropriate rate for such work with a minimum of four and a half hours' pay at the ordinary rate for each time he is so recalled.

(e) An employee shall not be compelled to work for more than six hours without a break for a meal.

(f) An employee required to work overtime for more than two hours without being notified the day before that he will be so required to work, shall either be supplied with a meal by the employer or paid 5s. and 5s. for each subsequent meal, but such payment need not be made to employees living in the same locality as their workshop who can reasonably return home for meals.

(g) An employee working overtime after the evening meal break shall be allowed a crib-time of twenty minutes after each four hours of overtime work, if the employee continues work after such crib-time. Such crib-time shall be paid for at the ordinary rate.

Casual Labour.

9. Casual employees (i.e. persons employed during the week for not more than one-half maximum number of hours fixed in this Determination as a week's work) shall be paid at the ordinary rate hourly with an addition of 10 per centum.

Special Rates for Sundays and Public Holidays.

10. Double time shall be the special rate for all work done on Sundays, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day (by persons not subject to *Anzac Day Act* 1928), Queen's Birthday, Melbourne Cup Day, Christmas Day, Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-mentioned holidays, the special rates shall only be payable for the day so substituted.

Employee Attending for Duty.

11. When an employee in accordance with directions given by an employer or his responsible representative, attends for duty at the place so directed, but his services are not required, such employee shall be paid 5s. and an amount equal to the fares to and from such place: Provided that where on any day work is commenced and is stopped before noon owing to wet or inclement weather, the employee shall be paid up to noon and then released from further attendance on that day. Where owing to wet or inclement weather work is stopped after noon, the employee shall be paid up to the time at which work usually ends.

Tools and Appliances.

12. That if any employee is required to provide any or all of the following tools or appliances:—

Caulking-irons, drilling frame and chain, tap key, chain wrenches, files, grips or tongs of over 12 inches in length, hacksaw frame or blades, mandrils, dummies, metal pots, pipe cutters, plumbing irons, rachets, stocks, dies, drills for stone, taps and drills for brass or iron threads, or vyces—

1s. per hour in addition to the ordinary rates fixed by this Part shall be paid by the employer.

Damage to Clothing and Tools.

13. 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 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.

Day for Payment of Wages.

14. Wages, allowances, and other monies due, shall be paid not later than the time of ceasing work on Thursday of each working week. On termination of employment by the employer, all wages, allowances, and other monies shall be paid at the time of dismissal. The employee shall not be deemed to have ceased employment until he has been paid.

Rest Period.

15. There shall be a rest period of ten minutes from the time of ceasing to the time of the resumption of work, between the hours of 9 a.m. and 11 a.m., without deduction of pay.

Supply of Hot Water.

16. The employer shall provide facilities to enable the employee to obtain an adequate supply of hot water at meal times and during the morning rest period.

Annual Holiday.

17. 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.

Additional Annual Leave and Sick Leave.

18. When it is a constant condition of employment that an employee is continuously required to work, or on call for work, on week ends (i.e., Saturdays and Sundays) such employee shall be entitled to:—

(*a*) one week's additional annual leave with pay, and

(*b*) payment for a maximum of forty hours for sickness (duly certified) in any one year, provided that in the event of an employee not claiming payment in whole or in part in any year, the number of days not claimed shall be held to his credit the following year or years, subject to a maximum payment of 120 hours for sickness.

For the purposes of sub-clause (*b*) hereof service prior to the 1st July, 1945, shall be disregarded.

Time off Following Accident.

19. An employee suffering injury through an accident arising out of and in the course of his employment (whether or 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 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.

Termination of Employment.

20. One hour's notice of termination of employment shall be given by either employer or employee, or one hour's pay shall be paid or forfeited in lieu thereof. Such hour shall be allowed the employee to gather, clean, pack, and transport his tools.

Part II.

This Part applies to all persons employed by Gas Companies.

1. Wages.

Nature of Employment.	Wages Per Week of 40 Hours.
	£ s. d.
Persons employed—	
(*a*) Leadburning or at lead work connected therewith	14 19 9
(*b*) On fitting, jointing, or fixing any class of pipes or ducts (except those used for electrical conduit; or for the conveyance of high pressure steam to machinery for power)	13 15 6
(*c*) In fixing any material used instead of metal for pipes, guttering or roof covering	13 15 6
(*d*) An any other plumbing or gas-fitting (but not including the fixing of gas mantles, or gas main or service laying)	13 15 6

Provided— ..

(i) That employees in receipt of an industry allowance of 3s. per week and/or a payment known as "gratuity" shall be paid 6s. per week industry allowance and where such gratuity has been paid such gratuity payments shall cease as from the 31st day of December, 1946.

(ii) That existing conditions as to the supply of sufficient and efficient tools in working order shall continue that where tools are not supplied employees shall be allowed the weekly sum of 4s. as a tool allowance

WAR LOADING.

NOTE.—The wages prescribed in clause 1 hereof include as a war loading the sum of 6s. per week.

2. APPRENTICES AND IMPROVERS.

(a) APPRENTICES.

(i) WAGES.

That the rates for apprentices shall be those rates prescribed from time to time by the Apprenticeship Commission of Victoria.

(ii) PROPORTION (WITHIN ANY FACTORY OR PLACE).

One apprentices to every two or fraction of two workers receiving not less than £13 15s. 6d. per week of 40 hours.

(b) IMPROVERS*.

(i) WAGES. Per Week of 40 Hours.	s. d.	(ii) PROPORTION (within any factory or place.)
1st year	74 9	One improver to four Two improvers to fifteen Three improvers to thirty and thereafter one additional improver to every seven additional workers receiving not less than £13 15s. 6d. per week
2nd year	95 9	
3rd year	127 10	
4th year	189 9	
5th year	245 11	
and thereafter the minimum wage.		

* The employment of any new improver at the trade has been prohibited as from the respective dates of the proclamations made under the *Apprenticeship Act* 1928 for the various parts of the State, as set out in the preamble of this Determination.

The conditions prescribed by the Determination of the Gas Works Board (or any variation of the aforesaid Determination) shall apply to all employees covered by this Part.

PART III.

This Part applies to all persons employed under this Determination.

PERIODICAL ADJUSTMENT OF WAGES.

1. The wages rates set out in clause 1 of Part I., and clause 1 of Part II., are based upon the following basic wage, 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 in clause 2 of this Part. Provided that the method of adjustment as regards clause 1 of Part I. shall be in accordance with the provisions of clause 3 of this Part.

BASIC WAGE.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Throughout the State	10 12 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

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

(b) Until the beginning of the first pay period to commence in August, 1952, the amount of the basic wage shall be as prescribed in clause 1 of this Part.

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

3. (a) The amount of the weekly wages prescribed for employees classified under classifications (i) (f) and (ii) (f) in clause 1 (b) of Part I. have been ascertained by the following method :—

	£ s. d.
Basic wage	10 12 0
Margin for skill	2 12 0
War loading	0 6 0
Tool allowance	0 4 0
Disabilities loading	0 5 6
Total	13 19 6

The amount payable for a year would be £13 19s. 6d. × 52 = £726 14s. Allowing two weeks on account of time lost through public holidays, one week for absence through ill health, and further in respect of classification (i) (f) only one week for following the job; the weekly wage payable in respect of classification (i) (f) was ascertained by dividing the amount payable for a year by 48, and in respect of classification (ii) (f) by dividing such amount by 49.

Future adjustments of the wages mentioned are to be made by a similar method.

Remaining classifications in the said clauses are to retain their existing margins over classifications (i) (f) and (ii) (f) after adjustment.

(b) The hourly rates shall in respect of each classification be 1/40th of the weekly rate.

4. The rates for Apprentices wheresoever appearing shall be amended from time to time in order to conform with rates payable to Apprentices for the trade under the jurisdiction of the Apprenticeship Commission.

5. The rates of remuneration for Improvers shall be amended to preserve the differences between the rates payable for Apprentices, and those payable for Improvers as are shown in the Determination gazetted on March 14th, 1947, and operative as from the beginning of the first pay period to commence on or after the first December, 1946.

The resultant rates for Improvers from time to time shall therefore be—

1st year ..	.. The appropriate rate as amended for Apprentices plus ..	.. 10s. 7d. per week.
2nd year ..	.. The appropriate rate as amended for Apprentices plus ..	.. 9s. 11d. per week.
3rd year ..	.. The appropriate rate as amended for Apprentices plus ..	.. 7s. 4d. per week.
4th year ..	.. The appropriate rate as amended for Apprentices plus ..	.. 18s. 1d. per week.
5th year ..	.. The appropriate rate as amended for Apprentices plus ..	.. 24s. 7d. per week.

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

J. W. RYAN, Secretary.

Melbourne, 16th May, 1952.

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

VICTORIA

GOVERNMENT GAZETTE.

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No. 565] THURSDAY, JULY 17. [1952

Factories and Shops Acts.

DETERMINATION OF THE CYCLE TRADE BOARD.

NOTES.—(*a*) This Determination applies to the whole of the State of Victoria.

(*b*) RE APPRENTICES OR IMPROVERS.—*On the 5th March, 1930, the trade of motor cycle mechanic was proclaimed an Apprenticeship Trade under the* Apprenticeship Act 1927, *and, so far as the Metropolitan District is concerned, the provisions of that Act and the Regulations thereunder determine the conditions of employment of apprentices indentured after 5th March, 1930, and of improvers permitted to enter the trade after 20th November, 1929.*

Particulars of such Regulations may be obtained on application to the Secretary, Apprenticeship Commission, Melbourne. Price, 3d.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which, since 15th November, 1937, had had the power "to determine the lowest prices or rates which may be paid to any person or persons or classes of persons wheresoever employed in any process, trade, or business connected with or incidental to—

(*a*) the making or repairing of bicycles, tricycles, or motor cycles; or

(*b*) the making or repairing of any part or parts (other than tyres or engines) of a bicycle, tricycle, or motor cycle,

but not including any process, trade or business subject to the Determination of any Wages Board heretofore appointed," has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence in May, 1952, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

(*a*) *Apprentices.

—	Percentage of Basic Wage.	Weekly Wages. s. d.
1st year	26	55 0
2nd year	32	68 0
3rd year	51	108 0
4th year	75	159 0
5th year	99	210 0

And thereafter, until attaining the age of 21 years, four-fifths of the journeyman's rate.

PROPORTION (IN ANY PLACE).

One apprentice to every three or fraction of three persons receiving not less than 231s. per week.

(*b*) *Improvers.

—	Percentage of Basic Wage.	Weekly Wages. s. d.
1st year	25	53 0
2nd year	31	65 6
3rd year	50	106 0
4th year	72	152 6
5th year	97	205 6

And thereafter four-fifths of the journeyman's rate.

Provided that any improver who commences at the trade after attaining the age of 17 years shall be paid 20 per cent. in addition to the above rates.

PROPORTION (IN ANY PLACE).

One improver to one person receiving not less than 231s. per week; two improvers to two or three such persons, thereafter two additional improvers to every three additional such persons.

* Except those covered by the Apprenticeship Act.

No. 565.—5550/52.—PRICE 6D.

(c) Other Employees.

—	Weekly Wages. Day Shift.
	s. d.
Foremen, where over five adults are employed	269 6
Foremen, where five adults or fewer are employed	265 9
Lathe hands	264 0
Builders and repairers of motor cycle frames and frames other than cycle frames	250 3
Builders or repairers or brazers of cycle frames	249 0
Other repairers of motor cycles (except lathe hands)	250 3
Other repairers (except lathe hands)	249 0
Assemblers of motor cycles	249 0
Other assemblers	241 6
Filers on motor and other cycles	241 6
Wheel-builders on motor and other cycles	241 6
Foremen in rim-making	253 6
All others employed in rim-making	241 6
Persons cleaning off joints by sand-blasting or by shot-blasting	241 6
Handle-bar benders—	
By the mandrel method	237 0
By any other method	241 6
Persons not provided for otherwise	231 0

Ordinary Week's Work.

3. The number of hours which shall constitute an ordinary week's work shall be 40. Provided that, in any place where the principal work carried on is incidental to and directly connected with the employer's retail business not more than two persons may be employed for a maximum of 46 hours per week without payment of overtime rates.

Special Rates.

Dirty Work.

4. (*a*) *Work which a foreman and workman shall agree is of an unusually dirty or offensive nature—4d. per hour extra.*

In case of disagreement between the foreman and workman, the workman or a shop steward on his behalf shall be entitled, within 24 hours, to ask for a decision on the workman's claim by the employer's industrial officer (if there be one), or otherwise by the employer or the executive officer responsible for the management or superintendence of the plant concerned. In such case a decision shall be given on the workman's claim within 48 hours of its being asked for (unless that time expires on a non-working day, in which case it shall be given during the next working day), or else the said allowance shall be paid.

Rate not Subject to Penalty Additions.

(*b*) The special rate herein prescribed shall be paid irrespective of the times at which the work is performed, and shall not be subject to any premium or penalty additions.

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.

Provided that in retail shops the spread of hours shall be between the following times :—

Saturdays	8 a.m. to noon.
Other days	8 a.m. to 5.30 p.m.

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 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.

(Other than in Retail Shops.)

(*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.

EMERGENCY PROVISIONS.

5A. (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 disconnexion thereof in accordance with orders or regulations approved by the appropriate lawful authority.

(i) If by reason of such restriction or rationing or emergency disconnexion 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 continued 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 purpose of providing employment for his employees whilst such restriction or rationing or emergency disconnexion 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.

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 8 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 8 consecutive hours on any shift or more than six shifts in any week.

(iii) 120 in 21 consecutive days, in which case an employee shall not, without payment for overtime, be required to work more than 8 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.

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 9 (*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 four hours on duty after he has finished his ordinary shift and at the rate of double time thereafter except where the employee is required to continue to work on his rostered day off when he shall be paid double time.

Compulsory Overtime

(*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 8 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.

When shifts fall partly on a holiday, that shift the major portion of which falls on a holiday shall be regarded as the holiday shift.

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. 6d. per shift whichever is the higher.

OVERTIME.

7. (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 2s. 3d. 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.

Meal Hours—Maintenance Employees.

(g) Subject to the provisions of the second part of sub-clause (f) of this clause an employee employed as a regular maintenance man shall work during meal breaks at the ordinary rates herein prescribed whenever instructed to do so for the purpose of making good breakdowns of plant or upon routine maintenance of plant which can only be done while such plant is idle.

Crib Time.

(h) 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.

(i) 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 4s. and 2s. 8d. 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.

(j) 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.

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

SPECIAL RATE FOR SUNDAYS AND PUBLIC HOLIDAYS.

8. (*a*) Double time shall be the rate for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Queen's Birthday, Christmas Day, and Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays the special rate shall be payable only for work done on the day so substituted.

Any employer who has given to his employees notice under paragraph (i) of sub-clause (m) of clause 11 of this Determination of his intention to close down his plant or section or sections thereof for the purpose of allowing annual leave may alter the date of such intended closing down by substituting a date no more than two days earlier than the date of which notice was given upon giving at least one week's notice of such alteration.

(*b*) Where an employee is absent from his or her employment on the working day before or the working day after a public holiday without reasonable excuse or without the consent of the employer, the employee shall not be entitled to payment for such a holiday.

CONTRACT OF EMPLOYMENT.

Weekly Employment.

9. (*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 employee without notice for malingering, inefficiency, neglect of duty or misconduct, and in such cases, the wages shall be paid up to the time of dismissal only, or to deduct payment for any day the employee cannot be usefully employed because of any strike or through any breakdown in machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

Where an employee has given or been given notice as aforesaid he shall continue in his employment until the date of the expiration of such notice. Any employee who having given or been given notice as aforesaid, without reasonable cause (proof of which shall lie on him) absents himself from work during such period, shall be deemed to have abandoned his employment and shall not be entitled to payment for work done by him within that period.

Casual Employment.

(*c*) 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.

(*d*) 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 overtime.

SICK LEAVE.

10. (*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*) Notwithstanding the provisions of sub-clause (*a*) hereof 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.

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.

11. 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.

WORK GIVEN OUT.

12. (*a*) For the purposes of this Determination, every person or body of persons who issues, gives out, or authorizes or permits to be issued or given out any material whatsoever for the purpose of being wholly or partly prepared or manufactured by any process or processes subject to the jurisdiction of this Board, notwithstanding the fact that the person to whom the material is issued or given out supplies additional material, shall be deemed to be the employer of the person to whom such material is issued or given out.

(*b*) Every employer within the meaning of this clause shall keep a record book, which shall contain a correct account written in ink as follows:—

(i) The name and full address of the person to whom material is issued or given out;

(ii) The number of articles and description of work issued or given out;

(iii) The time spent in carrying out and the price paid for such work;

(iv) The record book shall be signed each week by each person to whom material is issued or given out, verifying the accuracy of the amount of wages received.

(*c*) The record book mentioned in the preceding sub-clause shall be open for inspection at any time by any authorized officer of the Department of Labour.

SUPPLY OF MILK.

13. Any person engaged for the greater part of his day's work at cleaning off joints by any method other than filing, shall be supplied free of charge by the employer with one pint of milk each day he is so engaged.

MISCELLANEOUS PROVISIONS.

14. (*a*) *Tools.*—The employer shall provide for each employee all necessary tools.

(*b*) *Sanitation, &c.*—The employer shall provide proper washing and sanitary conveniences. In any workshop in which employees, through a shop steward, or committee, ask for the provision of lockers, and an undertaking is given that the lockers will be properly cared for, a locker shall be installed by the employer for each workman.

(*c*) *Protective Apparatus.*—Suitable asbestos sheets and coloured glasses shall be provided by the employer for the protection of electric-arc and oxy-acetylene operators and their assistants, and suitable mica or other goggles for emery-wheel operators.

DEFINITIONS.

15. (*a*) "Afternoon shift" shall mean any shift finishing after 6 p.m., but not later than midnight.

(*b*) "Night shift" shall mean any shift finishing later than midnight, but not later than 8 a.m.

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

PERIODICAL ADJUSTMENT OF WAGES.

16. The wages rates set out in clause 2 (*c*) 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 in clause 17.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Victoria	10 12 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

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

(*b*) Until the beginning of the first pay period to commence in August, 1952, the amount of the basic wage shall be as prescribed in clause 16.

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

ADJUSTMENT OF WAGES FOR APPRENTICES AND IMPROVERS.

18. The wages of apprentices and improvers shall be the appropriate percentages set out in clause 2, such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

MARGINAL RATES.

19. In addition to the basic wage provided in clause 16, the margins set out in this clause shall be the minimum rate payable to employees therein named :—

Classification.	Margin per Week.
	s. d.
Foremen, where over five adults are employed	57 6
Foremen, where five adults or fewer are employed	53 9
Lathe hands	52 0
Builders and repairers of motor cycle frames and frames other than cycle frames	38 3
Builders or repairers or brazers of cycle frames	37 0
Other repairers of motor cycles (except lathe hands)	38 3
Other repairers (except lathe hands)	37 0
Assemblers of motor cycles	37 0
Other assemblers	29 6
Filers on motor and other cycles	29 6
Wheel-builders on motor and other cycles	29 6
Foremen in rim-making	41 6
All others employed in rim-making	29 6
Persons cleaning off joints by sand-blasting or by shot-blasting	29 6
Handle-bar benders—	
By the mandrel method	25 0
By any other method	29 6
Persons not provided for otherwise	19 0

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

J. W. RYAN, Secretary.

Melbourne, 15th May, 1952.

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