



# VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 574]

MONDAY, JULY 28.

[1952

Factories and Shops Acts.

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

NOTE.—This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts and the Orders in Council thereunder; the cities of Ballarat, Bendigo, Geelong, Geelong West, 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 seller of boots, shoes, or slippers, being a business usually or frequently carried on in a shop," has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 1st July, 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.					Wages per Week of 40 Hours.		
	Males.		Females.			Within the Metropolitan District; the Cities of Geelong and Geelong West; and the Town of Newtown and Chilwell.	All other parts of Victoria where this Determination applies.
	Percentage of Basic Wage.		Percentage of Female Basic Wage.				
		<i>s. d.</i>		<i>s. d.</i>		<i>s. d.</i>	<i>s. d.</i>
Under 16 years ..	30	63 6	34	54 0	<b>MALES.</b> Manager of a shop or head salesman, i.e., the principal employee in any shop, branch shop, or boot and/or shoe department in any establishment in which are sold goods other than those sold by boot dealers, notwithstanding he may be under the orders of another person who does not devote his whole time to the supervision of such shop, branch shop, or department ..		
16 years ..	47	99 6	45	71 6			
17 years ..	63	133 6	55	87 6			
18 years ..	80	169 6	64	102 0			
19 years ..	96	203 6	75	119 0			
20 years ..	100 plus 13s.	225 0	85	135 0			
Provided that any apprentice or improver without previous experience entering the trade at 17, 18, 19, or 20 years of age may be paid for his or her first year's service 12½ per cent. and for his or her second year's service 10 per cent. less than the rates fixed above.					Persons employed in the parcels or country order office, or as packers, porters, or storemen ..	274 0	271 0
<b>PROPORTION (IN ANY SHOP OR PLACE).</b>					Salesmen .. .. .	249 0	246 0
<b>APPRENTICES.</b>							
<i>Males.</i>							
One male apprentice to every three or fraction of three male persons receiving not less than 246s. per week of 40 hours.							
<i>Females.</i>							
One female apprentice to every three or fraction of three female persons receiving not less than 169s. 6d. per week of 40 hours.							
An indenture of apprenticeship prescribed by the Board was approved on 28th March, 1923.							
<b>IMPROVERS.</b>							
<i>Males.</i>							
Two male improvers to one	} male persons receiving not less than 246s. per week of 40 hours.						
Four " " " two							
Five " " " three							
Six " " " four							
Seven " " " five							
Eight " " " six							
Nine " " " seven	} and thereafter one additional male improver to every two or fraction of two additional.						
Ten " " " eight							

Improvers.	Other Employees.		
	Wages per Week of 40 Hours.		
		Within the Metropolitan District the Cities of Geelong and Geelong West; and the Town of Newtown and Chilwell.	All other parts of Victoria where this Determination applies.
PROPORTION (IN ANY SHOP OR PLACE).	FEMALES.	s. d.	s. d.
IMPROVERS.			
Females.			
Two female improvers to one	female persons receiving not less than 169s. 6d. per week of 40 hours		
Four " " " two			
Five " " " three			
Six " " " four			
Seven " " " five			
Eight " " " six			
Nine " " " seven	Managers of a shop or head saleswoman, i.e., the principal employee in any shop, branch shop, or boot and/or shoe department in any establishment in which are sold goods other than those sold by boot dealers, notwithstanding she may be under the orders of another person who does not devote his whole time to the supervision of such shop, branch shop, or department ..	274 0	271 0
Ten " " " eight		174 6	169 6
and thereafter one additional female improver to every two or fraction of two additional.	Saleswomen .. .. .		
Provided that one female improver in lieu of one male improver, or one male improver in lieu of one female improver, may be employed.			

## OVERTIME.

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

(b) All time worked after noon on Saturday shall be paid for at the rate of double time.

## TERMS OF EMPLOYMENT.

4. (a) *Contract*.—A contract of employment as prescribed herein containing the nature of the relevant engagement and specifically stating whether such engagement is for weekly, part time, or casual employment, shall be signed by the employer (or his representative) and the employee.

(b) *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 13 (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.

(c) *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.

(d) *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 33½ per centum; with a minimum payment as for four hours' work on any 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.

(e) *Contract of Employment*.—

I ..... of .....  
(Employee's full name) (Address)

hereby agree to accept the position of .....  
(Nature of Employment)

as a ..... at a commencing  
(Weekly, part time, or casual employee)

wage of ..... (per week, per hour &c.) and I .....

..... hereby agree to the said employment on the above-mentioned terms.  
(Employer or Employer's representative.)

Dated ..... 19 .....

Signed by the said (employee) .....

Signed by the said (employer) .....

## SUNDAYS AND HOLIDAYS.

5. 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, 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 any of the above-named holidays the rate shall be payable for work done only on the day so substituted. All weekly employees shall be entitled to the above-named holidays without deduction of pay.

## NOTICE OF INTENTION TO WORK OVERTIME.

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

## MEAL ALLOWANCE.

7. An employee required to work any overtime in excess of one hour beyond the usual time of ceasing duty shall be paid a meal allowance of 5s. Such allowance shall be paid on the day upon which the overtime is worked and shall be in addition to any payment due for such overtime.

## CLOTHING.

8. 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.

## BICYCLE ALLOWANCE.

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

## PAYMENT OF FARES.

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

## REFERENCE.

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

## MEAL BREAK.

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

## SICK LEAVE.

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

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

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

(b) If the full period of sick leave as prescribed above is not taken in any year such portion as is not taken shall, 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.

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

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

## REST PERIOD.

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

## TIME AND WAGES RECORDS.

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

## TERMINATION OF EMPLOYMENT.

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

## PAYMENT OF WAGES.

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

## 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 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 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.

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

(b) Until the beginning of the first pay period to commence in August, 1952, the amount of the basic wage shall be as prescribed in clause 20.

(c) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, the amount of the 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 provided that manageresses shall from time to time have their rates adjusted to accord with those of a manager.

(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. BARNES, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 16th June, 1952.