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[1952

Factories and Shops Acts.

DETERMINATION OF A WAGES BOARD ADJUSTED PURSUANT TO SECTION 21 OF THE FACTORIES AND SHOPS ACT 1934 (No. 4275).

I, Raymond Henry Beers, Secretary for Labour, in pursuance of the powers conferred by the Factories and Shops Acts, hereby make and issue the following adjusted Determination of the Wages Board referred to hereunder showing adjusted rates and prices to operate from the beginning of the first pay period to commence in November, 1952.

Dated at Melbourne, this
10th day of November, 1952.

RAY H. BEERS,
Secretary for Labour.

MUSICIANS BOARD.

Clause 2 of the Determination published in *Government Gazette* No. 780 of the 17th August, 1951, shall be replaced by the following clause:—

WAGES.

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

Weekly Employees.

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

	£	s.	d.
(A2) Leaders—			
(i) Week's work	19	1	0
(ii) Each performance additional to the week's work	3	9	1
(A3) Principals—			
(i) Week's work	17	1	0
(ii) Each performance additional to the week's work	3	3	4
(A4) Week's work for other performers	15	9	0
(A5) Each performance additional to week's work	2	18	9
(A6) Pianist playing alone	17	1	0
(A7) Each performance additional to week's work	3	3	4
(A8) Pianist playing alone for voice trials or similar work (not being a member of the orchestra), 19s. 7d. per hour with a minimum payment as for two consecutive hours.			

Casual Employees.

(A9) Leaders—each performance	4	17	5
(A10) Principals—each performance	3	9	10
(A11) Other performers—each performance	3	4	3
(A12) Pianist playing alone—each performance	3	9	10

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

Weekly Employees.

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

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

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

	£	s.	d.
(B2) Week's work of six performances	14	3	6
(B3) Additional performances (each) one sixth of the six performance rate.			
(B3A) Week's work of eight performances	16	6	8
(B3B) Additional performances (each) one-eighth of the eight performance rate.			
(B4) Week's work of twelve performances	17	8	6
(B5) For the first additional performance	2	13	8
For the second additional performance	2	19	7
For the third and each succeeding additional performance	3	8	4
(B6) Pianist playing alone—six performances	15	4	6
(B7) Each performance additional to week's work	3	2	8
(B8) Pianist playing alone—twelve performances	18	19	6
(B9) For the first additional performance	2	16	11
For the second additional performance	3	2	5
For the third and each succeeding additional performance	4	13	3
(B10) Pianist or other instrumentalist being a member of the orchestra employed additionally for voice trials or similar work—12s. 10d. per hour with a minimum payment as for one hour if the call is immediately before or after a regular call, and a minimum payment as for two hours in all other cases.			
(B11) Pianist or other instrumentalist not being a member of an orchestra employed for voice trials or similar work—15s. 7d. per hour with a minimum payment as for two hours.			

Casual Employees.

(B12) Each performance other than by pianist playing alone	3	2	10
(B13) Each performance by pianist playing alone	3	9	0

(C) PICTURE SHOWS.

Weekly Employees.

(C1) For the purpose of this sub-clause C—

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

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

(C2) Week's work of six performances	12	19	0
(C3) Each performance additional to week's work	2	15	1
(C4) Week's work of twelve performances	16	2	6
(C5) For the first additional performance	2	11	2
For the second additional performance	2	15	4
For the third and each succeeding additional performance	3	4	0
(C6) Pianist playing alone for six performances	14	10	0
(C7) Each performance additional to week's work	3	0	3
(C8) Pianist playing alone for twelve performances	17	13	6
(C9) For the first additional performance	2	14	4
For the second additional performance	2	19	4
For the third and each succeeding additional performance	3	10	5
(C10) Pianist or other instrumentalist being a member of the orchestra, employed additionally for voice trials or similar work—12s. 3d. per hour with a minimum payment as for one hour if the call is immediately before or after a regular call, and a minimum payment as for two hours in all other cases.			
(C11) Pianist or other instrumentalist not being a member of the orchestra, employed on voice trials or similar work—14s. 7d. per hour with a minimum payment as for two consecutive hours.			

Casual Employees.

(C12) Each performance	2	19	11
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(D) STAGE BANDS.

Weekly Employees.

(D1) For the purpose of this sub-clause D—

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

(D2) Week's work of six performances not to exceed 18 hours	11	14	0
(D3) Each performance additional to week's work	2	11	1
(D4) Week's work of six performances not to exceed 12 hours	8	10	4
(D5) Each performance additional to week's work	2	4	6

Casual Employees.

(D6) Each performance of three hours	3	0	11
(D7) Each performance of two hours	1	7	0

(E) BRASS AND REED BANDS.

Casual Employees.

	<i>£ s. d.</i>
(E1) Each performance not to exceed three consecutive hours	2 11 1

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

Weekly Employees.

(F1) For a week's work of six performances each not exceeding two consecutive hours and terminating before 7.30 p.m.	9 7 8
(F2) Each performance additional to week's work	1 6 10
(F3) For week's work of twelve performances each not exceeding two consecutive hours and terminating before 8 p.m.	12 19 0
(F4) Each performance additional to week's work	1 3 1
(F5) For a week's work of six performances not exceeding three consecutive hours terminating at or before 7.30 p.m.	12 14 0
(F6) Each performance additional to week's work	2 14 3
(F7) Work commencing after 7.30 p.m. shall be paid for at the rates for general theatrical entertainment or for dancing, as the case may be.	
(F8) If any floor show or any entertainment is provided or dancing is indulged in during any of the above performances each employee shall be paid at the rates for general theatrical entertainment or for dancing, as the case may be, in lieu of the above rates.	
(F9) Pianist or other instrumentalist playing alone shall be paid the appropriate rate in accordance with the foregoing sub-clauses (F1) to (F5) inclusive, together with an additional 18 per cent.	

Casual Employees.

(F10) An employee employed under (F1) not exceeding two hours shall be paid	1 10 0
(F11) An employee employed for two performances each day under (F3) not exceeding two hours shall be paid	2 19 11
(F12) An employee employed under (F5) not exceeding three hours shall be paid	2 18 11

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

Weekly Employees.

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

(G2) Week's work other than by pianist playing alone	13 6 0
(G3) Each performance additional to week's work	2 15 3
(G4) Week's work—pianist or other instrumentalist playing alone	14 8 0
(G5) Each performance additional to week's work	2 19 11

Casual Employees.

(G6) Each performance	3 1 4
(G7) Each performance—pianist or other instrumentalist playing alone	3 5 9

REGULAR WEEKLY PART-TIME EMPLOYEES.

(G8) For the purpose of items (G9) and (G10)
A week's work shall consist of two, three, four or five performances as the case may be, each performance not to exceed three consecutive hours on each of two, three, four or five calendar days, such performances to be given within seven days, and none on Sunday.
Provided that such three hours may, without payment for overtime, be between 8 p.m. and 11.15 p.m.

(G9) Week's work of two performances	5 7 11
Week's work of three performances	8 17 0
Week's work of four performances	11 6 6
Week's work of five performances	12 14 7
(G10) Pianist or other instrumentalist playing alone.	
Week's work of two performances	6 14 11
Week's work of three performances	9 9 2
Week's work of four performances	12 2 8
Week's work of five performances	13 14 10

(H) CABARETS AND BALLROOMS.

Weekly Employees.

(H1) Week's work of six performances done between 9 p.m. and 2 a.m.	20 6 0
(H2) Week's work of six performances done between 9 p.m. and 1 a.m.	16 16 6

Casual Employees.

(H3) Each performance not to exceed five hours	5 10 1
(H4) Each performance not to exceed four hours	4 16 2
(H5) All work performed before 9 p.m. under item (H1) hereof shall be paid for at the rate of 4s. 3d. for each fifteen minutes or portion thereof.	
(H6) All work performed before 9 p.m. under item (H2) hereof shall be paid for at the rate of 4s. 3½d. for each fifteen minutes or portion thereof.	

(I) COFFEE LOUNGES.

Weekly Employees.

(I1) Week's work of seven performances done on Monday to Friday between 9.30 p.m. and 12 midnight, Saturday between 9.30 p.m. and 1 a.m., Sunday between 8.30 p.m. and 11.30 p.m.	15 18 6
(I2) Week's work of six performances done on Monday to Friday between 9.30 p.m. and 12 midnight, Saturday between 9.30 p.m. and 1 a.m., Sunday between 8.30 p.m. and 11.30 p.m. where the coffee lounge is closed on one regular night, which shall not be changed without reasonable notice, between Monday and Friday	
	15 13 2

Casual Employees.

(I3) Each performance not to exceed three hours	3 10 8
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(J) SKATING RINKS.

Weekly Employees.

£ s. d.

(J1) For the purpose of this sub-clause J—

- (i) A week's work of six performances shall be deemed to consist of one on each of six days, each performance not to exceed three consecutive hours in duration, all to be held within seven consecutive days, and none on Sunday.
- (ii) A week's work of twelve long performances shall be deemed to consist of two performances on each of six calendar days, each performance not to exceed three consecutive hours in duration, all twelve to be held within seven consecutive days, and none on a Sunday.
- (iii) A week's work of twelve short performances shall be deemed to consist of two performances on each of six calendar days, each performance not to exceed two consecutive hours in duration, all twelve to be held within seven consecutive days, and none on a Sunday.

(J2) Week's work of six performances	12	19	0
(J3) Each performance additional to week's work and not to exceed three consecutive hours	2	15	1
(J4) Week's work of twelve long performances	16	2	6
(J5) For the first additional performance	2	11	2
For the second additional performance	2	15	4
For the third and each succeeding additional performance	3	4	0
(J6) Week's work of twelve short performances to be held between 2.45 p.m. and 5 p.m., and between 8 p.m. and 10.45 p.m.	13	19	0
(J7) Each performance additional to week's work and not to exceed two consecutive hours	1	4	9
<i>Casual Employees.</i>			
(J8) Each performance	2	19	11

(K) CASUAL EMPLOYEES GENERALLY.

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

(ii) Casual rates shall be adjustable.

(L) ORGANISTS.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

	£	s.	d.
(i) Commencing before 3 p.m., not to exceed two hours	1	4	0
(ii) Commencing before 3 p.m., not to exceed three hours	1	10	6
(iii) Commencing at or after 3 p.m., not to exceed two hours	1	7	2
(iv) Commencing at or after 3 p.m., not to exceed three hours	2	15	3

(O2) In any other work—

	£	s.	d.
(i) Commencing before 3 p.m., not to exceed two hours	1	0	9
(ii) Commencing before 3 p.m., not to exceed three hours	1	4	0
(iii) Commencing at or after 3 p.m., not to exceed two hours	1	4	0
(iv) Commencing at or after 3 p.m., not to exceed three hours	1	10	6

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

Other Employees.

£ s. d.

(04) Pianists employed only for rehearsals with company or artists in grand opera or any other work comprised in sub-clause (A) hereof—				
(i) Weekly employee, for 30 hours in a week, excluding Sunday	..	..	17	1 0
(ii) Weekly employee, for each hour over 30 in the week	..	..	0	12 7
(iii) Casual employee, for each hour on a week day, with a minimum payment as for three hours	..	..	0	14 3
(05) Pianist employed only for rehearsals with company or artists in any general theatrical or other work comprised in sub-clause (B) hereof—				
(i) Weekly employee, for 30 hours in a week, excluding Sunday	..	..	15	4 6
(ii) Weekly employee, for each hour over 30 in the week	..	..	0	11 5
(iii) Casual employee, for each hour on a week day, with a minimum payment as for three hours	..	..	0	11 7

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

Weekly Employees.

£ s. d.

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

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

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

Broadcasts from a Place of Entertainment.

£ s. d.

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

(R) CONDUCTOR-LEADERS.

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

(S) LEADERS.

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

(T) HIGHER DUTIES.

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

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

(U) LOWER RATES MAY BE AGREED TO.

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

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

The rates prescribed in this clause are payable to any employee irrespective of age or sex.

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

