VICTORIA

GOVERNMENT GAZETTE.

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No. 981] THURSDAY, DECEMBER 3. [1953

Factories and Shops Acts.

DETERMINATION OF THE CARETAKERS BOARD.

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

IN accordance with the provisions of the Factories and Shops Acts the Wages Board which since the 5th April, 1939, has had the power to "determine the lowest prices or rates which may be paid to persons employed as caretakers of buildings—

(*a*) in which any process, trade, business, or occupation is carried on for profit;
(*b*) which are temporarily untenanted but in which, ordinarily, any process, trade, business, or occupation is carried on for profit;
(*c*) which contain flats;
(*d*) which contain halls let for public entertainment or for other purposes"—

has made the following Determination, namely:—

1. That on the 10th October, 1953, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2. IMPROVERS.

Wages per week of 40 Hours.	Percentage of Basic Wage.	s. d.	—
Under 18 years of age	52	122 0	PROPORTION (in any place). One improver to every worker receiving not less than 259s. 6d. per week of 40 hours.
18 to 19 years of age	65	152 6	NOTE.—The Board has determined that no apprentice shall be taken in the trade.
19 to 20 years of age	81	190 6	
20 to 21 years of age	96	225 6	

OTHER EMPLOYEES.

WAGES PER WEEK OF 40 HOURS.

—	Within the Metropolitan and Geelong Districts as defined in the Factories and Shops Acts and the City of Warrnambool.	All Other Parts of Victoria where this Determination Applies
	s. d.	s. d.
Persons engaged weekly to take care of buildings which contain—		
41 or more flats	251 0	248 0
21 to 40 flats	247 0	244 0
20 or less flats	245 6	242 6
Persons engaged weekly to take care of buildings which contain halls let for public entertainment or for other purposes	242 0	239 0
Other caretakers of buildings in charge of—		
11 or more cleaners	281 6	278 6
4 to 10 cleaners	271 6	268 6
1 to 3 cleaners	259 6	256 6
All others	250 6	247 6

ACCOMMODATION, FUEL AND LIGHT.

3. An employee required to reside on the premises where he is employed shall be provided with accommodation, fuel and light free of cost by his employer.

No. 981.—10364/53.—PRICE 6D.

TIMES OF BEGINNING AND ENDING WORK.

4. For all persons other than those employed in connexion with flats or halls :—

	Time of Beginning.	Time of Ending.
On the usual half-holiday	6 a.m. ..	1.20 p.m.
On the usual late trading night, or the night previous to a Public Holiday	6 a.m. ..	9.20 p.m.
On all other working days of the week	6 a.m. ..	9 p.m.

NOTICE OF HOURS.

5. Every employer shall notify the hours at which he requires his employee to commence and cease work. Work done outside the hours notified shall be paid for at overtime rates. Such hours when notified shall not be changed except by a week's notice.

OVERTIME.

6. The following rates shall be paid for all work done :—

(a) by persons employed in connexion with Flats or Halls—

Outside the hours of commencing and ceasing work notified by the employer in accordance with clause 5. Time and a half.

In excess of 40 hours in any week. Time and a half.

(b) by all other persons—

Outside the times of beginning and ending work as fixed in clause 4—

(i) Between midnight and 6 a.m. .. .. Double time.
(ii) At any other time .. .. Time and a half.

Outside the hours of commencing and ceasing work notified by the employer in accordance with clause 5—

(i) Between midnight and 6 a.m. .. .. Double time.
(ii) At any other time .. .. Time and a half.

Within such prescribed times, but in excess of 40 hours in any one week. Time and a half.

Provided that overtime shall not be paid more than once in respect of the same period of work.

TERMS OF EMPLOYMENT.

7. (a) All employees other than casual employees shall be engaged by the week and shall be paid weekly. Employees to become entitled to payment on a weekly basis must be available and ready and willing to perform such work as the employer shall from time to time require on the days and during the hours usually worked. Notice equivalent to 40 working hours shall be given at any time. This shall not affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty, or misconduct (in which case wages shall be paid up to time of dismissal only), or to deduct payment for any day the employee cannot be usefully employed through any breakdown of machinery, or any stoppage of work, or any cause for which the employer cannot be reasonably held responsible.

(b) In lieu of such 40 working hours' notice, except in circumstances referred to above, the employer may pay 40 hours' wages; and vice versa, the employee leaving his employment without notice shall forfeit 40 hours' wages, which may be ducted from any wages due.

(c) Provided that any notice determining the employment solely for the purpose of evading payment for prescribed holidays, and not to determine finally the engagement, shall not deprive the employee of payment for any prescribed holdiays occurring or observed between such notice to terminate and the re-engagement, if any.

CASUAL EMPLOYEES.

8. Persons engaged for less than the working week of 40 hours shall be paid for the first 21 hours at the rate of time and a quarter and for every hour thereafter ordinary time. Such payment shall be in addition to any overtime to which they may be entitled under clause 6.

Notwithstanding anything in this determination, no casual caretaker shall be paid less than 3s. 6d. for each time he is called up for duty in respect of any flat or block of flats.

ANNUAL HOLIDAY.

9. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act* 1946, and any amendments which may be made thereto from time to time.

SPECIAL RATES.

10. Double time shall be the rate payable for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac 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.

In connexion with the visit to Australia of Her Majesty, Queen Elizabeth II., where a Public Holiday or Public Half-holiday is proclaimed by Order in Council throughout any Municipality or part thereof, or within any defined area, such Public Holiday or Public Half-holiday shall, so far as such Municipality or part thereof, or such defined area is concerned be deemed to be included in the list of Holidays herein prescribed.

Any employee other than one employed in connexion with halls who is required to work on any such days after 8 a.m. shall be paid for at least 4 hours' work.

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—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 24 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 22nd March, 1949 shall be disregarded, provided that any accumulated sick leave, not exceeding 80 hours of working time, standing to the credit of any employee on the 22nd March, 1951, shall not be reduced by virtue of the provisions of this sub-clause.

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.

CLEANING MATERIALS.

12. All materials and implements for cleaning purposes shall be provided and maintained by the employer.

CONTROL AND DIRECTION OF WORK OF CARETAKER.

13. The employer shall nominate himself or some other person as being the person who shall have the ultimate control and direction of the work of the caretaker.

TIME BOOK.

14. Every employee shall indelibly record and initial daily his correct times of beginning and ending work in a book which shall be furnished by the employer. Such book shall be open for inspection by the Secretary or Assistant Secretary of the Victorian Branch of the Federated Miscellaneous Workers' Union between the hours of 9 a.m. and 5 p.m. of any working day except Saturday at the employer's office or other convenient place provided that only one demand for each inspection shall be made at the same establishment in any calendar month. Such demand shall not be made unless the Secretary or Assistant Secretary of the Union suspects that a breach of this Determination has been committed.

BASIC WAGE.

15. (*a*) The wages rates for adults set out in clause 2 are based upon the following basic wage.

Place.	Basic Wage	Index Number Set Assigned.
	£ *s.* *d.*	
Throughout the State	11 15 0	Melbourne

(*b*) The wages of 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.

P. A. RANDLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 25th September, 1953.

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No. 982] THURSDAY, DECEMBER 3. [1953

Factories and Shops Acts.

DETERMINATION OF THE CHARWORKERS BOARD.

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

(*b*) On the 9th day of October, 1944, the Charworkers Wages Board, operative over an extended area, was appointed to take the place of the Charworkers Board appointed on the 30th September, 1919, the operative area of which was limited to portion of the State only.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board, appointed "to determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than persons subject to the jurisdiction of the Boarding Houses Board, of the Hospital and Benevolent Asylum Attendants Board, or of the Hotel and Restaurant Board) employed at office cleaning or general cleaning work of a like character *in or about any building* in which any process, trade, business, or occupation is carried on for profit," has made the following Determination, namely:—

1. That on the 10th October, 1953, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Improvers

MALES.

WAGES.	Percentage of Basic Wage.	Per week of 40 hours. s. d.
Under 19 years of age ..	64	150 6
19 and under 20 years of age	75	176 0
20 years of age	87	204 6

PROPORTION.

Improvers.

One male improver to every five male workers receiving not less than 249s. per week of 40 hours.

FEMALES.

WAGES.	Percentage of Female Basic Wage	Per week of 40 hours. s. d.
Under 19 years of age ..	80	141 0
19 and under 20 years of age	93	163 6
20 years of age	100+8/6	184 6

PROPORTION.

Improvers.

One female improver to every ten female workers receiving not less than 234s. per week of 40 hours.

Other Employees.

WAGES.*	Within the Metropolitan District and the Geelong District as defined in the Factories and Shops Acts and the Orders in Council thereunder; the cities of Ballarat, Bendigo, and Warrnambool, the boroughs of Eaglehawk and Sebastopol and within Mildura and Gippsland Districts.	Elsewhere in Victoria.
Males.	Per week of 40 hours. s. d.	Per week of 40 hours. s. d.
Office cleaners or general cleaners in charge of—		
11 or more office cleaners or general cleaners	279 6	276 6
4 to 10 office cleaners or general cleaners ..	272 6	269 6
1, 2, or 3 office cleaners or general cleaners ..	261 0	258 0
Other office cleaners or general cleaners ..	252 0	249 0
Females.	Per week of 40 hours. s. d.	Per week of 40 hours. s. d.
Office cleaners or general cleaners in charge of—		
11 or more office cleaners or general cleaners	254 0	251 0
4 to 10 office cleaners or general cleaners ..	249 0	246 0
1, 2, or 3 office cleaners or general cleaners ..	238 0	235 0
Other office cleaners or general cleaners ..	234 0	231 0

* Where the employer requires the employee to reside on the premises, no deduction shall be made from the wages of such employee for rent, fuel or light.

NOTE.—The employer shall supply all necessary tools and materials free.

NOTE.—The Board has determined, in accordance with section 25 (1) of the amended *Factories and Shops Act* 1934, that the process, trade, business or occupation is so unskilful that no person shall be taken as an apprentice.

No. 982.—10365/53.—PRICE 6D.

3. TIMES OF BEGINNING AND ENDING WORK—

Times of Beginning.	Times of Ending.
(a) For Males—	
6 a.m.	12 noon on Saturday.
6 a.m.	6 p.m. on the other working days of the week.
(b) For Females—	
6 a.m.	12 noon on Saturday.
6 a.m.	9 p.m. on the other working days of the week.

OVERTIME.

4. That the following rates shall be paid for overtime :—

Outside the hours fixed in clause 3	Time and a quarter except that males shall be paid at the rate of time and a half for all work performed by them on Saturday after 12 noon and females double time for all work performed by them on Saturday after 12 noon.
Within the hours fixed in clause 3, in excess of the number of hours as fixed for a week's work	Time and a half for the first four hours and double time thereafter.

EMPLOYMENT FOR LESS THAN FULL WEEK.

5. (a) MALES.—(i) Male employees ready, willing and available to work a full week if required who are employed during any week for less than the working week of 40 hours, shall be paid for the first 20 hours at the rate of time and a quarter, and for every hour thereafter ordinary time up to but not exceeding the ordinary wages rates for an ordinary week's work.

Provided that any male person who is not engaged for a week who earns a sum in wages equal to the wages of an ordinary week's work may be required by the employer to complete the week's work without further pay, and if such person refuses to do so he shall forfeit his right to any payment for that week unless his refusal is caused by his illness inability or some other sufficient cause beyond his control.

(ii) Male employees not ready, willing and available to work a full week if required, shall be paid not less than the ordinary wages rate calculated *pro rata* according to the number of hours worked.

(b) FEMALES.—(i) Female employees, who are employed during any week for not more than one-half the maximum number of hours fixed in this Determination as a week's work, shall be paid at the rate of time and a quarter.

(ii) Female persons who are employed during any week for more than one-half the maximum number of hours fixed in this Determination as a week's work, but for less than 40 hours shall be paid not less than the ordinary wages rate calculated *pro rata* according to the number of hours worked.

ALLOWANCES.

6. (i) If a cleaner is required to clean windows and it is necessary to go wholly outside the window, or climb around an outside column to do such cleaning, and if such cleaning is at a height of more than 10 feet from the ground or verandah, he shall be paid 2d. extra for every such window cleaned. Provided that nothing in this sub-clause shall apply to cleaning from a ladder resting on the ground.

(ii) Where cleaning is done from a ladder, and the height of any portion of the window to be cleaned exceeds 15 feet from the ground, the employee shall be paid 2d. extra for each window so cleaned.

(iii) The amount payable under this clause shall not exceed 2s. per day.

RESTRICTION AS TO CLEANING OF SANITARY CONVENIENCES.

7. No female employee shall be required to clean or attend to any sanitary convenience provided for persons of the male sex.

ANNUAL HOLIDAY.

8. 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.

9. (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, or in the case of an employee who works for less than a full week, a pro rata amount of 3⅓ hours' ordinary pay, based on the number of hours worked each month.

(ii) During any subsequent year of service—40 hours' ordinary pay, or in the case of an employee who works for less than a full week, a pro rata amount of 40 hours' ordinary pay, based on the number of hours worked each year.

Provided that in either case such employee produces or forwards within 24 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 November, 1949, shall be disregarded, provided that any accumulated sick leave, not exceeding 80 hours of working time, standing to the credit of any employee on the 1st November, 1951, shall not be reduced by virtue of the provisions of this sub-clause.

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.

PAYMENT FOR HOLIDAYS.

10. (a) Except as hereinafter provided, all employees shall be entitled to the following holidays without deduction of pay :—New Year's Day, Australia Day, Anzac Day, Labour Day, Good Friday, Easter Saturday, Easter Monday, Queen's Birthday, Christmas Day, and Boxing Day.

In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a Public Holiday or Public Half-holiday is proclaimed by Order in Council throughout any Municipality or part thereof, or within any defined area, such Public Holiday or Public Half-holiday shall, so far as such Municipality or part thereof, or such defined area is concerned, be deemed to be included in the list of Holidays herein prescribed.

Provided that the following employees shall not be entitled to payment for such holidays :—

(i) In any week in which one of such holidays occur—any male employee who has been employed for less than 30⅓ hours.

(ii) In any week in which two of such holidays occur—any male employee who has been employed for less than 22⅔ hours.

(*b*) Any employee absenting himself or herself from work on any portion of the working day preceding or any portion of the working day succeeding a holiday provided for herein, other than Boxing Day and New Year's Day, without permission from the employer or without having reasonable cause for having absented himself or herself from work, shall not be entitled to payment for such holiday.

SPECIAL RATES.

11. Double time shall be the rate for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, Queen's Birthday, Christmas Day, or 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 only be payable for work done on the day so substituted.

In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a Public Holiday or Public Half-holiday is proclaimed by Order in Council throughout any Municipality or part thereof, or within any defined area, such Public Holiday or Public Half-holiday shall, so far as such Municipality or part thereof, or such defined area, is concerned, be deemed to be included in the list of Holidays herein prescribed.

RUBBER GLOVES AND OVERALLS TO BE SUPPLIED.

12. All employees with not less than six weeks' service with the same employer shall be supplied with suitable rubber gloves for the cleaning of sanitary conveniences and overalls free of cost to employees and such gloves and overalls shall remain the property of the employer.

Provided that in the event of an employer not supplying protective clothing as provided herein, the employer shall pay the sum of 2s. per week to the employee: Provided further that where an employee is only engaged for 20 hours per week or less the amount of compensation shall be 1s. per week.

MEAL ALLOWANCE.

13. Where an employee is directed by the employer to work more than two hours after his or her usual finishing time he or she shall be supplied by the employer with a meal or be paid a meal allowance of 3s. 6d.

BASIC WAGE.

14. (*a*) The wages rates set out in clause 2 are based upon the following basic wage.

Place.	Basic Wage	Index Number Set Assigned.
	£ *s.* *d.*	
Throughout the State	11 15 0	Melbourne

(*b*) The wages of 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.

P. A. RANDLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 25th September, 1953.

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