



VICTORIA GOVERNMENT GAZETTE.

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[1954

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 11th December, 1953, 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.			
	Per-centage of Basic Wage.	Males.	Per-centage of Female Basic Wage.	Females.		Within the Metropolitan District.		All other parts of Victoria where this Determination applies.	
						Males.	Females.	Males.	Females.
		s. d.		s. d.		s. d.	s. d.	s. d.	s. d.
15 years of age or under ..	31	73 6	36	64 0	DEPARTMENTAL MANAGER, i.e., a person in control of two or more persons (not including bookstall employees) receiving not less than the minimum wage—				
16 years of age ..	38	90 0	46	81 6					
17 years of age ..	48	114 0	56	99 6					
18 years of age ..	62	147 0	65	115 6					
19 years of age ..	76	180 0	75	133 0					
20 years of age ..	91	215 6	84	149 0	Where two such persons are under his or her control ..	287 6	218 6	287 6	218 6
PROPORTIONS (by any employer).					Where three or more such persons are under his or her control ..	298 0	232 6	298 0	232 6
Apprentices.					All Others.				
One apprentice to every three or fraction of three workers receiving not less than the minimum wage.					(a) Employed in connexion with the sale or distribution of newspapers	264 6	178 0	261 6	177 6
An indenture of apprenticeship has been prescribed by the Board.					(b) Employed at any other work ..	272 0	182 0	269 0	177 6
Improvers.									
Two improvers to each adult worker receiving not less than 261s. 6d. per week of 40 hours in the case of a male adult and 177s. 6d. per week of 40 hours in the case of a female adult.									

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 33½ 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.

5A. In connexion with the visit to Australia of Her Majesty Queen Elizabeth II., where a public holiday of 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 prescribed in clause 5 hereof.

Provided that an employee who fails to attend for work on the working day before and/or after such public holiday or public half-holiday without reasonable excuse shall not be entitled to be paid for such public holiday or public half-holiday.

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	} 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.
each year—three-quarters of an hour	
(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	11 17 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

19. (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 February, 1954, 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 a February, a May, an August, or a November, 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, 11th December, 1953.

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