



VICTORIA
GOVERNMENT GAZETTE.

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No. 182]

TUESDAY, APRIL 6.

[1954

Factories and Shops Acts.

DETERMINATION OF THE PHOTOGRAPHIC GOODS 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 appointed to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the process, trade, or business of manufacturing or preparing photographic goods or materials" 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.

WAGES PER WEEK OF 40 HOURS.

(a) Apprentices or Improvers.					(b) Other Employees.				
Age.	Per-centage of Basic Wage.	Males.	Per-centage of Female Basic Wage.	Females.					
		<i>s. d.</i>		<i>s. d.</i>					
16 years of age and under ..	45	106 6	60	106 6	Adult Males—				
17 years of age ..	54	128 0	66	117 0	Emulsion mixers, emulsion washers, finishers, milters, preparers of emulsion for coating, coaters, and employees in coating room 264 6				
18 years of age ..	67	159 0	72	128 0	All others 256 6				
19 years of age ..	81	192 0	78	138 6	If an afternoon shift should overlap a night shift the rate for night shift shall be paid for the whole of such afternoon shift.				
20 years of age ..	96	227 6	90	159 6	Adult females 181 0				

Apprentices or improvers who are employed in a dark room shall be paid 2s. per week in addition to the rates fixed above.

Female apprentices or improvers who are employed in the emulsion rooms or film coating rooms shall be paid a further 2s. a week in addition to the rates fixed above.

PROPORTION (in any place).

Apprentices or Improvers.

Such number of apprentices and improvers as shall not in the aggregate exceed three to every two weekly workers receiving not less than the minimum wage.

An indenture of apprenticeship has been prescribed by the Board.

Females employed in the emulsion rooms or film coating rooms shall be paid 6s. per week in addition to the rate fixed for "adult females".

Females employed examining portrait film, X-ray film, dry plates, and assisting in the plate coating room, shall be paid 3s. 6d. per week in addition to the rate fixed for "adult females".

Females employed in any other dark rooms shall be paid 2s. 6d. per week in addition to the rate fixed for "adult females".

TIME OF BEGINNING AND ENDING WORK.

- | | Time of
beginning— | Time of
ending— |
|--|-----------------------|--------------------|
| 3. (a) Employees whose work is not essential to work in the coating room or emulsion room .. | 8 a.m. | 5.30 p.m. |
| Female employees whose work is essential to work in the coating room .. | 7.45 a.m. | 6.45 p.m. |
| Male employees whose work is essential to work in the coating room or emulsion room | 7 a.m. | 6 p.m. |
- (b) Shift Work—
 Afternoon shift between the hours of noon and 11.30 p.m. working 8 hours.
 Night shift between the hours of 11 p.m. and 9 a.m. working 8 hours.
- (c) Shift work shall be worked between the hours of 11 p.m. on Sunday and 9 a.m. on Saturday; but for not more than 8 hours per day or 40 hours per week. Any shift working between 9 a.m. on Saturday and midnight on Sunday shall be paid for at overtime rates.
- (d) A shift worker whilst on afternoon or night shift shall be paid ordinary rates plus 10 per cent. for such shifts, provided that if he works on a night shift which does not rotate with some other shift or with day work so as to give him at least one third of his working time off night shift, he shall be paid at the rate of time and a quarter for the ordinary working hours of such shifts.

OVERTIME.

4. The following rates shall be paid for all work done—
- (i) (a) Outside the hours fixed as the times of beginning and ending work ..
- (b) Within the hours fixed as the times of beginning and ending work, after the employee has worked (exclusive of meal breaks) on any one day Monday to Friday inclusive 8 hours continuous time
- (c) Within the hours fixed as the times of beginning and ending work in excess of 40 hours
- (ii) For the purpose of computing overtime each day's work shall stand alone.
- (iii) An employer may require any employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with such requirement.
- } Time and a half
for the first two
hours and double
time thereafter.

PIECE-WORK.

5. The Board determines under the provisions of the Factories and Shops Acts that any employer and any employee may agree to fix and respectively pay and receive piece-work prices in respect of the work of such employee. Provided that the piece-work price so fixed shall be such that such employee can earn not less than 12½ per cent. more than the minimum wages rate prescribed for such employee.

SPECIAL RATES.

6. Double time shall be the rate for all work done on Saturday or Sunday or on the following holidays, viz.:—New Year's Day, Australia Day, Labour Day, Good Friday, Easter Saturday, Easter Monday, Queen's Birthday, Melbourne Cup Day, 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 only be payable for work done on the day so substituted. Provided that time and a half for the first three hours and double time thereafter shall be the rate paid for all work done on Saturday (not being a public holiday) to emulsion mixers, emulsion washers, finishers, melters, and preparers of emulsion for coating, coaters, and employees in the coating room:

Provided further that where the night shift is extended to finish not later than 9 a.m. on Saturday, the ordinary rate for such shift shall apply.

HOLIDAYS.

7. (a) All employees, including piece-workers, shall be entitled to the ten holidays hereinafter mentioned without any deduction from the weekly rate of pay, viz.:—New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, Queen's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day, or any other day which may be by Act of Parliament or Proclamation substituted therefor: Provided that no holiday rate of pay shall be allowed in respect of any such days as may fall on a Saturday or Sunday.

7A. 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 prescribed in clauses 6 and 7 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.

SICK LEAVE.

8. (a) If an employee absents himself or herself from duty the employer may make a deduction from the employee's wage proportionate to the length of the absence, provided that this sub-clause shall not apply to cases of illness subject to sub-clause (b) hereof.

(b) If the absence from duty of an employee engaged by the week be reasonable because of his own illness, not the result of his own misconduct nor occasioned while engaged in work or sport for profit (otherwise than under this Determination), and he produce within 48 hours to the employer satisfactory evidence thereof by medical certificate or otherwise, no deduction shall be made in respect of such absence except so far as it exceeds in the aggregate 40 hours of working time during any one year of service, or a proportionately less time during any shorter period of service. Provided that this sub-clause shall apply only to any employee who has been in the service for three months or more.

(c) Notwithstanding anything contained in sub-clause (b) hereof, if the full period of sick leave as prescribed above is not taken in any year, such portion as is not taken shall, provided the 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 1st May, 1948, shall be disregarded.

REST PERIOD.

9. An interval of ten minutes to be selected by the employer shall be allowed to all employees between 10 a.m. and 11 a.m. each day for refreshment. The interval shall be as part of the time of duty without deduction of time work pay. During such rest period the employees may leave their seats, but not the premises.

ANNUAL HOLIDAY.

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.

TERMINATION OF EMPLOYMENT OR STANDING DOWN EMPLOYEE.

11. An employer shall have the right to dismiss any employee without notice for 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.

PERIODICAL ADJUSTMENT OF WAGES.

12. 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 13.

BASIC WAGE.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	£ s. d.	
Victoria	11 17 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

13. (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 12.

(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 rate for adult females is based on a basic wage being 70·6 per cent of the all others wage for adult males calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

(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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No. 183]

TUESDAY, APRIL 6.

[1954

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 on the 10th 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.		
	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>	MALES.	<i>s. d.</i>	<i>s. d.</i>
Under 16 years ..	30	71 0	34	60 6	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 ..	280 0	296 0
16 years ..	47	111 6	45	80 0	Salesmen	274 0	271 0
17 years ..	63	149 6	55	97 6	Persons employed in the parcels or country order office, or as packers, porters, or storemen ..	274 0	271 0
18 years ..	80	189 6	64	113 6			
19 years ..	96	227 6	75	133 0			
20 years ..	100 plus 13s.	250 0	85	151 0			
<p>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.</p>							
<p>PROPORTION (IN ANY SHOP OR PLACE).</p>							
<p>APPRENTICES.</p>							
<p><i>Males.</i></p>							
<p>One male apprentice to every three or fraction of three male persons receiving not less than 271s. per week of 40 hours.</p>							
<p><i>Females.</i></p>							
<p>One female apprentice to every three or fraction of three female persons receiving not less than 188s. per week of 40 hours.</p>							
<p>An indenture of apprenticeship prescribed by the Board was approved on 28th March, 1923.</p>							
<p>IMPROVERS.</p>							
<p><i>Males.</i></p>							
Two male improvers to one	}	male persons receiving not less than 271s. per week of 40 hours.					
Four							
Five							
Six							
Seven							
Eight							
Nine							
Ten	eight						
<p>and thereafter one additional male improver to every two or fraction of two additional.</p>							

Improvers.	Other Employees.		
	Wages per Week of 40 Hours.		
		Within the Metro- politan 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).		<i>s. d.</i>	<i>s. d.</i>
IMPROVERS.	FEMALES.		
<i>Females.</i>	Manageress of a shop or head sales- woman, i.e., the principal em- ployee 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	299 0	296 0
Two female improvers to one Four " " " two Five " " " three Six " " " four Seven " " " five Eight " " " six Nine " " " seven Ten " " " eight	Saleswomen	193 0	188 0
female persons receiving not less than 188s. per week of 40 hours			
and thereafter one additional female improver to every two or fraction of two additional.			
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
 (Employer or Employer's representative.) hereby agree to the said employment on the above-mentioned terms.
 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.

5A. 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 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.

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 12 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.
Within the area to which this Determination applies	£ s. d. 11 17 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 February, 1954, 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 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 $\cdot 103$ 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 $\cdot 5$ 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, 10th December, 1953.