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MONDAY, DECEMBER 10.

[1956

DETERMINATION OF THE INDUSTRIAL APPEALS COURT

IN THE INDUSTRIAL APPEALS COURT:

IN THE MATTER of the Labour and Industry Acts

AND

IN THE MATTER of a Determination of the HOSPITAL AND BENEVOLENT ASYLUM ATTENDANTS BOARD dated the 15th day of May, 1956.

AND

In the matter of an Appeal against the said Determination.
Before the Industrial Appeals Court (Judge Gamble, K. H. Boykett Esq., and J. V. Stout, Esq.)

Monday the 3rd day of September, 1956.

This Court, having heard the above-mentioned Appeal on the 6th day of August, 1956, on this day doth order and determine:—

1. That the Appeal be allowed in part.
2. That the expression "in addition to the rates prescribed in clauses 2, 3, or 4," where appearing in the Determination be deleted and the expression "in addition to the rates prescribed elsewhere in this Determination" be substituted in lieu thereof.
3. That clause 14 be deleted and the following clause substituted in lieu thereof:—
 14. (a) The annual holiday shall be as prescribed by the provisions of the Labour and Industry Acts, provided that a person employed:—
 - (i) as a first-aid attendant; or
 - (ii) as an ambulance driver or attendant; or
 - (iii) in an ambulance service as a deputy superintendent or station officer.
 in or in connexion with an industrial or commercial undertaking (including the Melbourne Harbour Trust) who is a seven day shift worker, that is a shift worker who is rostered to work regularly on Sundays and holidays, shall be allowed three weeks annual holiday.
 - (b) Where an employee with twelve months' continuous service is engaged for part of the twelve-monthly period as a seven-days' shift worker, he shall be entitled to have the period of fourteen consecutive days' annual leave prescribed in sub-clause (a) hereof increased by half a day for each month he is continuously engaged as aforesaid.
 - (c) If in any twelve-monthly qualifying period a shift worker as prescribed in sub-clause (a) hereof lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid in addition to all other amounts (including any payment in lieu of annual leave as prescribed by sub-clause (a) hereof) due to him, an amount equal to one-fiftieth of his ordinary pay for the period of employment as a shift worker.
4. That this Determination shall be operative from the beginning of the first pay period commencing on or after the 3rd September, 1956.

By Order of the Court,
J. C. THOMAS,
Registrar.

By Authority: W. M. Housron, Government Printer, Melbourne.

THEORY

The first part of the theory is the definition of the function $f(x)$ and the function $g(x)$.

The second part is the definition of the function $h(x)$.

The third part is the definition of the function $i(x)$ and the function $j(x)$.

The fourth part is the definition of the function $k(x)$ and the function $l(x)$.

The fifth part is the definition of the function $m(x)$ and the function $n(x)$.

The sixth part is the definition of the function $o(x)$ and the function $p(x)$.

The seventh part is the definition of the function $q(x)$ and the function $r(x)$.

The eighth part is the definition of the function $s(x)$ and the function $t(x)$.

The ninth part is the definition of the function $u(x)$ and the function $v(x)$.

The tenth part is the definition of the function $w(x)$ and the function $x(x)$.

The eleventh part is the definition of the function $y(x)$ and the function $z(x)$.

The twelfth part is the definition of the function $a(x)$ and the function $b(x)$.

The thirteenth part is the definition of the function $c(x)$ and the function $d(x)$.

The fourteenth part is the definition of the function $e(x)$ and the function $f(x)$.

The fifteenth part is the definition of the function $g(x)$ and the function $h(x)$.

The sixteenth part is the definition of the function $i(x)$ and the function $j(x)$.

The seventeenth part is the definition of the function $k(x)$ and the function $l(x)$.

The eighteenth part is the definition of the function $m(x)$ and the function $n(x)$.

The nineteenth part is the definition of the function $o(x)$ and the function $p(x)$.

The twentieth part is the definition of the function $q(x)$ and the function $r(x)$.

The twenty-first part is the definition of the function $s(x)$ and the function $t(x)$.

The twenty-second part is the definition of the function $u(x)$ and the function $v(x)$.

The twenty-third part is the definition of the function $w(x)$ and the function $x(x)$.