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[1956

Labour and Industry Acts.

DETERMINATION OF A WAGES BOARD ADJUSTED PURSUANT TO SECTION 33 OF THE LABOUR AND INDUSTRY ACT 1953.

I, Henry Norman Jones, Secretary for Labour and Industry, in pursuance of the powers conferred by the Labour and Industry 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 August, 1956.

Dated at Melbourne, this
11th day of September, 1956.

H. N. JONES,
Secretary for Labour and Industry.

COMMERCIAL ARTISTS BOARD.

Clauses 2 and 3 of the Determination published in *Government Gazette* No. 316 of the 26th May, 1955, shall be replaced by the following clauses:—

WAGES (Adult Artists, other than Apprentices or Improvers).

2. All employees £17 14 3 per week of 40 hours.

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3. (a) No person other than a senior artist shall be employed at any work covered by this Determination otherwise than—

- (i) under a contract of apprenticeship as hereinafter provided; or
- (ii) as a female improver.

(b) *Proportion.*—The proportion of apprentices or improvers in any place shall not exceed:—

Where the Number of Senior Artists Employed is	Number of Apprentices.	Number of Improvers.
One	One or	One
Two	One or—Two*	and One, Nil
Three or Four	Two* or—Three*	and One, Nil
Five	Three or—Four	and One, Nil
Six, Seven, or more	Three or—Four or—Five	and Two, and One Nil

* Provided one is a senior apprentice.

A senior apprentice is one who receives not less than the fourth year rate of pay.

A senior artist is any adult employee other than an apprentice or an improver.

(c) *Contract of Apprenticeship*.—Every contract of apprenticeship hereinafter made shall be on the form of indenture prescribed by the Commercial Artists Board.

(d) *Period of Apprenticeship*.—(i) Subject to the provisions of paragraph (ii) hereof the periods of apprenticeship shall be as follows:—

If the apprentice when indentured is under the age of 18 years—3 years. If over the age of 18 years—4 or 5 years, at the option of the contracting parties.

(ii) A student who has obtained a qualification or has in whole or in part completed a prescribed course of study shall be deemed to have served a period of apprenticeship as hereinafter prescribed, which shall be taken into account when indentures of apprenticeship are being entered into, and the pay to which he or she shall be entitled shall be appropriate to the advanced year of apprenticeship. The said period of apprenticeship so deemed to have been served plus the period of apprenticeship stated in the indentures shall not exceed the appropriate period prescribed in paragraph (i) hereof.

Qualification Obtained or Completed Course of Study.	Period of Apprenticeship deemed to have been Served.
Where a student has completed a full-time Commercial Art course at a school approved by the Wages Board—	
(a) of not less than three years	One year
(b) of not less than four years	Two years
Where a Student has obtained or passed, as the case may be—	
(c) The Department of Education Diploma of Advertising or Art of the Book and is, required to complete one or two years' practical experience in commercial art work before qualifying for a diploma	Three years
(d) The Department of Education third year examination of the Diploma of Advertising Art Course	Two years
(e) The Department of Education Certificate of Art examination	One year

(e) *Wages of Apprentices*.—The minimum weekly wages of apprentices shall be:—

(i) Five-year term—

	Percentage of Basic Wage.	£ s. d.
First year	35	4 12 0
Second year	47	6 3 6
Third year	64	8 8 6
Fourth year	85	11 3 6
Fifth year	100 + 16s.	13 19 0

(e) Four-year term—

	Percentage of Basic Wage.	£ s. d.
First year	42	5 10 6
Second year	64	8 8 6
Third year	85	11 3 6
Fourth year	100 + 16s.	13 19 0

(f) *Wages of Improvers*.—The minimum weekly wages of improvers shall be:—

	Percentage of Basic Wage.	£ s. d.
First year	35	4 12 0
Second year	47	6 3 6
Third year	64	8 8 6
Fourth year	85	11 3 6
Fifth year	100 + 16s.	13 19 0

The provisions of paragraph (ii) of sub-clause (d) of this clause shall apply in the case of improvers with the exceptions that the last sentence in the pre-amble of the said paragraph shall be omitted, and the expression "period of service" shall replace the expression "period of apprenticeship" or "year of apprenticeship" appearing therein.

(g) *Probationary Period*.—Minors shall be apprenticed as from the date of commencing work with an employer, but notwithstanding anything contained elsewhere in this Determination the first nine months of service shall be deemed to be a probationary period, and the indenture may be terminated by any party thereto during such period of probation without any obligation to any other party or parties.

(h) *Attendance at approved Art Schools*.—

- (i) During the currency of the indenture an apprentice shall be permitted by the employer to absent himself during working hours for the purpose of attending art classes or examinations at a school approved by the Commercial Artists Board for a period or periods not exceeding in the aggregate four hours in any week.
- (ii) The apprentice shall also attend evening classes at an Art school approved by the said Board on two evenings each week.
- (iii) An apprentice attending a school or schools as prescribed in sub-clauses (i) and (ii) hereof and presenting reports of satisfactory progress and attendance, to his employer shall be reimbursed all fees paid for such tuition.
- (iv) The above provisions shall not apply to a student who has passed the 4th year examination of the Diploma of Advertising Art and/or Diploma of Art of the Book.
- (v) Until further order schools approved by the said Board shall be:—

Melbourne Technical College;
Swinburne Technical College, Glenferrie;
Gordon Institute of Technology, Geelong;
Prahran Technical School;
Technical Art School, Ballarat;
Caulfield Technical School.

(i) *Cancellation or Suspension of Indenture*.—Subject to the approval of the Secretary for Labour and Industry, but not otherwise, an indenture of apprenticeship may be suspended or cancelled—

- (i) by mutual consent;
- (ii) if through lack of orders or financial difficulties an employer is unable to find suitable employment for an apprentice and a transfer to another employer cannot be arranged;
- (iii) if, in the opinion of the Secretary for Labour and Industry circumstances exist which render such suspension or cancellation necessary or desirable.

Any covenant in an indenture inconsistent with the provisions of this clause shall be null and void and of no force or effect.

(j) *Lost Time*.—The apprentice at the end of the calendar period of any year in which he has actually given service to the master upon less than the ordinary working days prescribed in this Determination, or on which he has unlawfully absented himself without the master's consent shall, for every day short of the said number of working days, and for every day of such absence, serve one day, and the calendar period of the succeeding year of his service shall not be deemed to begin until the said additional day or days shall have been served.

Provided that in calculating the extra time to be so served, the apprentice shall be credited with time which he has worked during the relevant year in excess of his ordinary hours.

(k) *Prohibition of Premiums*.—An employer shall not, either directly or indirectly, or by any pretence or device receive from any person or require or permit any person to pay or give any consideration in the nature of a premium or bonus for the taking or binding of any probationer or apprentice.

(l) *Overtime*.—An apprentice under the age of eighteen years shall not be required to work overtime unless he so desires.

(m) *Payment by Results*.—An apprentice or improver shall not work under any system of payment by results.

Clauses, other than clauses 2 and 3, of the said Determination, shall remain in force.

