



VICTORIA GOVERNMENT GAZETTE.

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No. 127]

WEDNESDAY, MARCH 13.

[1957

LANDLORD AND TENANT ACTS.

*At the Executive Council Chamber, Melbourne, the
thirteenth day of March, 1957.*

PRESENT:

His Excellency the Governor of Victoria.

Mr. Cameron	Mr. Mibus
Mr. Turnbull	Mr. Porter.

ORDER DECLARING CERTAIN PREMISES "SPECIAL PREMISES" FOR THE PURPOSES OF THE LANDLORD AND TENANT ACT 1948.

IN pursuance of the powers conferred upon him by the *Landlord and Tenant Act 1953*, His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth hereby declare each of the following premises to be "special premises" for the purposes of the *Landlord and Tenant Act 1948*, that is to say:—

1. The premises known as No. 60 Hanmer-street, Williamstown.
2. The premises known as No. 61 Mayston-street, Hawthorn.
3. The premises known as No. 75 Gore-street, Fitzroy.

And the Honorable Arthur Gordon Rylah, Her Majesty's Attorney-General in and for the State of Victoria, shall give the necessary directions herein accordingly.

A. MAHLSTEDT,
Clerk of the Executive Council.

LANDLORD AND TENANT ACTS.

*At the Executive Council Chamber, Melbourne, the
thirteenth day of March, 1957.*

PRESENT:

His Excellency the Governor of Victoria.

Mr. Cameron	Mr. Mibus
Mr. Turnbull	Mr. Porter.

ORDER EXTENDING APPLICATION OF THE LANDLORD AND TENANT ACT 1948 TO CERTAIN PREMISES.

WHEREAS by section 3 of the *Landlord and Tenant Act 1948*, the Governor in Council may, by Order published in the *Government Gazette*, declare that the application of that Act shall extend to any particular premises specified in the Order: And whereas such an Order may be made and shall have full force and effect in respect of specified premises to which it relates, notwithstanding that those premises prior to the making of the Order have become by or pursuant to the operation of some other provision of the *Landlord and Tenant Acts* exempt from the operation of Parts II., III., IV., and V. of the *Landlord and Tenant Act 1948*: And whereas it is expedient that those parts shall extend to certain premises hereinafter specified: Now therefore, in pursuance of the powers aforesaid, His Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth hereby declare that the application of the *Landlord and Tenant Act 1948* shall extend to each of the following premises:—

1. The premises known as No. 60 Hanmer-street, Williamstown, and all premises situated within and forming part of such premises.
2. The premises known as No. 61 Mayston-street, Hawthorn, and all premises situated within and forming part of such premises.
3. The premises known as No. 75 Gore-street, Fitzroy, and all premises situated within and forming part of such premises.

And the Honorable Arthur Gordon Rylah, Her Majesty's Attorney-General in and for the State of Victoria, shall give the necessary directions herein accordingly.

A. MAHLSTEDT,
Clerk of the Executive Council.



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Vegetation Diseases (Fruit Fly) Act 1947 (No. 5258).

DECLARING A PROCLAIMED AREA.

PROCLAMATION

By His Excellency the Governor of the State of Victoria and its Dependencies in the Commonwealth of Australia, &c., &c., &c.

WHEREAS by section 3 of the *Vegetation Diseases (Fruit Fly) Act 1947 (No. 5258)*, it is provided that, where the Governor in Council is of opinion that it is necessary to protect the fruit industry against the introduction or spread of the insects of the family *Trypetidae* (commonly known as fruit flies), he may by Proclamation declare any portion of Victoria specified therein to be a proclaimed area, and prohibit the planting on any land in the proclaimed area of any plant or vegetable specified, and prohibit the removal from any property within the prescribed area to any other property within the area and from any place in the prescribed area to any place outside the area of any fruit or vegetable, and require occupiers and owners of land in the proclaimed area to take such action for the eradication or prevention of the spread of fruit fly as is specified in the Proclamation: Now therefore, I the Governor of the State of Victoria, in the Commonwealth of Australia, being of opinion that it is necessary to protect the fruit industry of Victoria against the introduction or spread of the insects of the family *Trypetidae* (commonly known as fruit flies), and by and with the advice of the Executive Council of the said State, do by this my Proclamation hereby—

1. Declare that portion of Victoria—

Within the City of Mildura commencing at the intersection of the Melbourne-Mildura Railway Line and Etiwanda-avenue, thence south-westerly along Etiwanda-avenue to Twelfth-street, thence north-westerly along Twelfth-street to Sunnyside-avenue, thence south-westerly along Sunnyside-avenue to Thirteenth-street, thence north-westerly along Thirteenth-street to San Mateo-avenue, thence south-westerly along San Mateo-avenue to Hunter-street, thence north-westerly along Hunter-street to Deakin-avenue, thence north-easterly along Deakin-avenue to Thirteenth-street, thence north-westerly along Thirteenth-street to Kurrajong-parade, thence north-easterly along Kurrajong-parade to Twelfth-street, thence north-westerly along Twelfth-street to Olive-grove, thence north-easterly along Olive-grove to Eleventh-street, thence north-westerly along Eleventh-street to Walnut-avenue, thence north-easterly along Walnut-avenue to Ninth-street, thence north-easterly along Ninth-street to Olive-avenue, thence north-easterly along Olive-avenue to Eighth-street, thence

south-easterly along Eighth-street to Pine-avenue, thence north-easterly along Pine-avenue to Seventh-street, thence south-easterly along Seventh-street to the Melbourne-Mildura Railway Line, thence southerly along the Melbourne-Mildura Railway Line to the commencing point to be a proclaimed area.

2. Prohibit the removal from any place within the area prescribed in clause 1 to any other place within the area or to any place outside the area of any fruit or vegetable or any case or package which has contained any fruit or vegetable unless such removal is made on the instruction of any inspector.

3. Require occupiers and owners of land not being a commercial orchard, in the proclaimed area to apply to all trees and plants of the following kinds:—

Apples, apricots, brambles and other berry fruits, cape gooseberries, cherries, citrus fruits, cucumbers, egg fruit, figs, gooseberries, grapes, guavas, loquats, medlars, nectarines, passion fruit, peaches, pears, peppers, persimmons, plums, prunes, quinces, rock melons, sweet melons, tomatoes and all other trees and plants which have edible fruits,

one of the following treatments:—

(a) Thoroughly spray with an efficient garden spray pump the whole of the foliage with a solution containing two thousand (2,000) parts of Dichloro-diphenyl-trichloroethane (D.D.T.) to one million (1,000,000) parts of water (0.2 per cent.) at intervals of not more than twenty-one (21) days commencing at the time fruit on such trees and plants has set and continuing until one (1) month after it has been harvested, or

(b) Apply by spraying, or by splashing the required quantity of solution on the foliage of trees and plants by any suitable method such as with a large paint brush dipped in an open container or from a bottle with a perforated stopper at intervals not longer than seven (7) days commencing at the time the fruit has set and continuing until one (1) month after it has been harvested to the foliage on at least three (3) different parts of each tree and to the foliage of all plants a solution consisting of two (2) ounces of tartar emetic and two and one-half (2½) pounds of white sugar in four (4) gallons of water, or a solution consisting of two (2) ounces of sodium fluosilicate and two and one-half (2½) pounds of white sugar in four (4) gallons of water, at the rate of ten (10) fluid ounces per tree and ten (10) fluid ounces per two hundred (200) square feet of planted area of such plants.

4. Require occupiers and owners of land in the proclaimed area to take action as and when directed by a notice served on such occupier or owner by an inspector and within the time specified in such notice—

(a) To remove all plants of—

Tomato (*Lycopersicum* sp.),
Pepper (*Capsicum* sp.),
Egg Plant (*Solanum melongena*),
Ornamental Solanum (*Solanum* sp.),
Rock Melon (*Cucumis* sp.),
Sweet Melon (*Cucumis* sp.),
Cucumber (*Culcumis* sp.),
Cape Gooseberry (*Physalis edulis*),
Brambles (except cultivated varieties),
Box Thorn, provided that where box thorn is grown as a hedge along a boundary or dividing fence the occupier or owner may continue to so grow it on the following conditions:—

(i) Cut back the hedge forthwith and periodically as necessary to retain it within a height not exceeding six (6) feet from the ground level and a width not exceeding two (2) feet.

(ii) That when such hedge has been cut back to within the foregoing dimensions, he shall thoroughly spray it forthwith to cover all parts of the plants forming the hedge with a solution containing two thousand (2,000) parts of two-four Dichloro-phenoxy-acetic acid (2-4D), or one of its derivatives, to one million (1,000,000) parts of water (0.2 per cent.) and he shall spray it thereafter as often as is necessary to prevent the plants from forming fruit.

and refrain from planting such plants while this Proclamation remains in force.

(b) To remove from all trees and plants growing upon the said land and to pick up from the said land all of the following fruits and/or vegetables:—

Apples, apricots, brambles and other berry fruits, cape gooseberries, cherries, citrus fruits, cucumbers, egg fruit, figs, gooseberries, grapes, guavas, loquats, medlars, nectarines, passion fruit, peaches, pears, peppers, persimmons, plums, prunes, quinces, rock melons, sweet melons, tomatoes and all edible fruits of all trees and plants, including all such fruits and vegetables which shall form on such trees and plants after the service of the said notice during such time as this Proclamation remains in force.

(c) To dispose of all such fruits and/or vegetables by boiling for fifteen (15) minutes, or burning them so as to destroy all eggs and larvae of the fruit fly or burying them under a depth of soil of at least three (3) feet after having applied to the upper layer of such buried fruit

or vegetables D.D.T. at the rate of not less than one-half ounce per square yard in the form of a spray containing not less than 0.2 per cent. of the pure para para isomer of D.D.T. or in the form of a dust containing not less than 2 per cent. of the pure para para isomer of D.D.T. or by otherwise treating them as an inspector may direct, in such a manner as to kill all eggs, larvae and pupae of fruit flies.

(d) To spray all trees and plants growing on the said land with a solution containing two thousand (2,000) parts of Dichloro-diphenyl-trichloroethane (D.D.T.) to one million parts of water (0.2 per cent.) or in the case of a commercial orchard equipped with a power spraying plant approved by an inspector, with a solution containing one thousand (1,000) parts of D.D.T. to one million parts of water (0.1 per cent.) at intervals not exceeding twenty-one (21) days during the period specified in such notice, and/or with such other solution as is specified in the said notice and at times specified therein.

(e) To treat the soil beneath and around trees suspected by an inspector to be infested or to have been infested with fruit fly by applying uniformly to the surface of an area or areas marked by an inspector a dust containing 1 per cent. of the pure gamma isomer of Benzene hexachloride at the rate of not less than two (2) ounces per square yard, and/or by giving such other treatment as is specified in the said notice.

(f) To reduce, if necessary, all tall growing trees and plants covered by this Proclamation, except when grown as a commercial orchard or plantation, to a height which will permit them to be stripped of fruit and/or sprayed to the satisfaction of an inspector.

5. Require occupiers and owners of land in the proclaimed area to give access to such land at all times to an inspector with or without assistants for the purpose of inspection and/or applying on such properties any spray material and/or for the purpose of removing any fruit or vegetables or prohibited plant, and/or performing such other acts which in the opinion of an inspector are necessary for the eradication or prevention of the spread of fruit flies.

Given under my Hand and the Seal of the State of Victoria aforesaid, at Melbourne, the thirteenth day of March, in the year of our Lord One thousand nine hundred and fifty-seven, and in the sixth year of the reign of Her Majesty Queen Elizabeth II.

(L.S.)

DALLAS BROOKS.

By His Excellency's Command,

G. L. CHANDLER,
Minister of Agriculture.

GOD SAVE THE QUEEN !



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No. 129]

THURSDAY, MARCH 14.

[1957

Labour and Industry 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 Labour and Industry Acts the Wages Board which now 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 as from the beginning of the first pay period to commence on or after the 20th February, 1957, the last previous Determination of this Board shall be revoked and replaced by this Determination.

The rates prescribed in clause 2 are based upon a basic wage of £13 3 0.

2.

IMPROVERS.

Wages per week of 40 Hours.			
	Percentage of Basic Wage.	s. d.	
Under 18 years of age	52	137 0	
18 to 19 years of age	65	171 0	
19 to 20 years of age	81	213 0	
20 to 21 years of age	96	252 6	

PROPORTION (in any place).
One improver to every worker receiving not less than 304s. per week of 40 hours.

NOTE.—The Board has determined that no apprentice shall be taken in the trade.

OTHER EMPLOYEES.

WAGES PER WEEK OF 40 HOURS.

	Within the Metropolitan and Geelong Districts as defined in the Labour and Industry Act 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	285 6	282 6
21 to 40 flats	275 6	272 6
20 or less flats	273 6	270 6
Persons engaged weekly to take care of buildings which contain halls let for public entertainment or for other purposes	270 0	267 0
Other caretakers of buildings in charge of—		
11 or more cleaners	356 6	353 6
4 to 10 cleaners	331 6	328 6
1 to 3 cleaners	304 0	301 0
All others	283 0	280 0

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.

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.	1.30 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 for the first four hours and double time thereafter.

(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 for the first four hours and double time thereafter.

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 hours' 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 deducted 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 holidays 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, a casual caretaker shall receive not less than one hour's work, or one hour's pay 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 Labour and Industry Acts.

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.

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 employee 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.

MEAL ALLOWANCE.

13. A non resident caretaker who is required to work overtime for more than two hours without being notified on the previous day or earlier that he will be so required to work shall either be supplied with a meal by the employer or paid 3/6.

CONTROL AND DIRECTION OF WORK OF CARETAKER.

14. 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.

15. 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.

P. A. RANGLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 5th February, 1957.

DETERMINATION OF THE BREAD TRADE WAGES BOARD

NOTE.

Notices of appeal to the Industrial Appeals Court have been lodged against certain parts of the Determination.

Section 45 (b), Act 5771, provides that, when an appeal is made in accordance with that Act, the parts of the Determination appealed against shall not come into operation until the Appeal has been dealt with by the Court.

13357/56

WITHIN THE AREA SET OUT IN NOTE (I) (a).

2. **WAGES.**
The following rates are based upon a basic wage of £13 3s.

• Apprentices.			• Improvers.		Other Employees.				
—	Percentage of the Rate Prescribed for All Others Engaged in the making and/or Baking of Bread.	Per Week of 40 Hours.	—	Per Week of 40 Hours.	—	Per Hour.			
	Percentage.	s. d.		£ s. d.		Per Hour.			
1st Year—			1st six months ..	} 15 7 4	Doughmakers ..	s. d.			
1st six months	26·5	96 0	2nd ..			9 2½			
2nd ..	29·2	106 0	3rd ..						
2nd Year—			4th ..						
1st six months	31·9	115 6	5th ..						
2nd ..	34·5	125 0	6th ..						
3rd Year—			7th ..						
1st six months	39·8	144 6	8th ..						
2nd ..	45·2	164 0	and thereafter the minimum wage.		Foremen or single hands ..	s. d.			
4th Year—			PROPORTION (within any factory or place).			9 7½			
1st six months	53·1	192 6							
2nd ..	61·1	221 6	One improver to every eight workers receiving not less than 362s. 6d. per week of 40 hours.			9 0½			
5th Year—									
1st six months	71·8	260 6	All others engaged in the making and/or baking of bread ..						
2nd ..	82·3	298 6							
and thereafter the minimum wage.									
<p>The above rates are calculated to the nearest 6d., half or less than half of 6d. to be disregarded.</p>									
<p>PROPORTION (within any factory or place).</p>									
<p>One apprentice to every three or fraction of three workers receiving not less than 362s. 6d. per week of 40 hours.</p>									

The above rates are calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

PROPORTION (within any factory or place).

One apprentice to every three or fraction of three workers receiving not less than 362s. 6d. per week of 40 hours.

* Except those subject to the jurisdiction of the Apprenticeship Commission.

NOTE.—The rates shown in clause 2 herein include 1½d. per hour for "foremen or single hands" and "all others engaged in the making and/or baking of bread" required to work the hours and times prescribed in clause 17. Pro-rata of this amount has been included in the rates of apprentices and improvers.

HOURS OF WORK. (See clause 17. Limitation of Hours of Employment.)

3. That the number of hours to be worked on each day (including the time spent at the doughmaking necessary for such day's work) shall be:—

	Apprentices.	Other Employees.
Ordinary days	7 hours	7 hours
Double days	9 ..	10 ..
Treble days	9 ..	10 ..

OVERTIME.

4. (a) That any employee (other than an apprentice) who works either—

(i) for any time in excess of the number of hours fixed in clause 3; or alternatively

(ii) during any week for any time in excess of 40 hours;

shall be paid for such extra time at the wages rate of double time.

(b) Any apprentice who works for any time in excess of seven hours on an ordinary night or nine hours on any other night shall be paid by the employer for such extra time at the rate of time and a half, calculated on the same rate of pay as the employer may for the time being be obliged to pay to journeymen employed by him in the same trade. Provided, however, that any apprentice during the last year of his apprenticeship may be required to work up to ten hours on a night other than an ordinary night at ordinary rate of pay.

WEEKLY HOURS.

5. That the number of hours to constitute an ordinary week's work shall be 40.

TIME RATE.

6. (a) That any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall be paid, for time worked up to 20 hours, at the ordinary wages rate with an addition of 33 per centum.

For time worked beyond the 20 hours aforesaid, he shall be paid the ordinary wages rate up to but not exceeding the rate prescribed by this Determination for an ordinary week's work, together with any overtime rate which is applicable.

(b) In addition to any other rate to which he is entitled, any person employed for not more than 20 hours in any one week shall be paid, in respect of each night he is employed, fares from the Trades Hall, Melbourne, to his place of employment and return to the Trades Hall, Melbourne, by the cheapest means of regular rail, tram, or bus service available to him at the times of beginning or ending work as the case may be.

This shall include the fare charged by any available all-night service to employees travelling outside the times of ordinary services.

Provided that this sub-clause shall apply only to work done within the Metropolitan District as defined in the Labour and Industry Acts.

SPECIAL RATES FOR SATURDAY AND PUBLIC HOLIDAYS.

7. (a) That payment for all work done on Saturday, New Year's Day, Australia Day, Anzac Day, Good Friday, Easter Monday, Labour Day, Queen's Birthday, Melbourne Cup Day (within the Metropolitan District as defined in the Labour and Industry Acts), Geelong Cup Day (within the cities of Geelong, Geelong West, Newtown and Chilwell, the whole of the shires of Barrabool, Bellarine, Corio and South Barwon but not including such places as are within a radius of five miles from the Torquay Post Office. Christmas Day, or Boxing Day, shall be at the rate of double time; but, if by Act of Parliament or Proclamation, any other day be substituted for any of the above-named holidays, the special rate shall be payable only for work done on the day so substituted.

(b) When two or more holidays as provided for in sub-clause (a) hereof occur in any one week, an employee shall be paid a full week's wages in addition to any penalty rates to which he may be entitled in such week; provided that any employee covered by this sub-clause who loses time during such week without the approval of his employer, shall be paid pro-rata for the work performed by him in such week.

(c) In connexion with the holding of the Olympic Games in Victoria during the months of November and December, 1956, where a holiday or half-holiday is proclaimed by Order-in-Council throughout any Municipality or part thereof, within any defined area, such holiday or 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 sub-clause (a) hereof.

Provided that no employee shall be entitled to the conditions prescribed by this clause for more than the equivalent of one working day.

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

AUTHORIZED PERSON MAY ENTER FACTORY.

8. (a) The Secretary or the Assistant Secretary of the Operative Bakers' Union of Victoria shall have the right of entry to any bakehouse during the hours when such bakehouse is in use, shall be permitted to inspect the time-book and conditions relating to the persons employed therein, and interview employees where breaches or suspected breaches of this Determination are occurring or suspected of occurring.

(b) The Secretary or the Assistant Secretary and/or Organizer of the Bread Manufacturers of Victoria (Melbourne Association) shall have the right of entry to any bakehouse within the Metropolitan District as defined in the Labour and Industry Acts during the hours when such bakehouse is in use, shall be permitted to inspect the time-book and conditions relating to the persons employed therein, and interview employees where breaches or suspected breaches of this Determination are occurring or suspected of occurring.

DEFINITIONS.

9. (a) "Foreman" shall mean a person in charge of a bakehouse. No person shall be classed as a foreman unless he is a tradesman, and is present during substantially the whole of the working hours.

(b) "Double day" shall mean a day on which bread is baked to supply all the employer's customers for two days so as to obviate the necessity for any work being done on the following day.

(c) "Treble day" shall mean a day on which bread is baked to supply all the employer's customers for three or more days so as to obviate the necessity for any work being done on the following two days.

(d) The making of bread shall be deemed to mean each of the following acts:—

- (i) The dividing of bread dough
- (ii) The weighing of bread dough;
- (iii) The kneading or moulding of bread dough;
- (iv) The placing of bread dough in boxes or tins or on trays.

(e) The baking of bread shall be deemed to mean—

- (i) the setting of dough in the oven;
- (ii) the withdrawal of bread from the oven.

ANNUAL HOLIDAY.

10. (a) The annual holiday shall be as prescribed by the provisions of the *Labour and Industry Acts*.

(b) Where a public holiday mentioned in clause 7 occurs during any period of an annual holiday taken by an employee, the period of the holiday shall be increased by one day in respect of that public holiday.

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 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 June, 1949, shall be disregarded.

REST PERIODS.

12. That, on double and treble days, employees shall be allowed two rest periods of ten minutes each which shall be counted as part of time worked. One of such rest periods shall be taken before the meal interval, and the other rest period shall be taken after the meal interval. In addition to such rest periods where an employee is required to work more than two hours' overtime and the hours worked on that occasion exceed ten hours he shall be entitled to a further rest period of ten minutes.

MEAL INTERVAL.

13. That a meal interval of not more than thirty minutes shall be allowed after the completion of not less than 2½ hours' work and not more than 5 hours' work.

CONTINUITY OF WORK.

14. The work of each employee (except a doughmaker) on each day or shift, shall be continuous with the customary break for a meal.

LAUNDERING AND/OR MAINTENANCE OF WORKING CLOTHES.

15. An employee who works for more than 20 hours in any week for the same employer shall be paid an allowance of 6s. 6d. per week towards the cost of laundering and/or maintenance of working clothes; provided an employee who works for less than 20 hours in any week shall be paid 1s. 3d. for each night he is employed, with a maximum of 6s. 6d. per week.

CHANGING ROOMS, LOCKERS, LUNCH ROOMS, WASHING FACILITIES, &c.

16. The employer shall provide suitable changing rooms and washing facilities and where more than two employees are employed, lockers, lunch rooms, hot and cold showers and reasonable facilities for making tea.

LIMITATION OF HOURS OF EMPLOYMENT.

17. No person shall be employed or work at breadmaking or baking, as defined in clause 9 hereof, outside the hours specified hereunder, and no person shall be required to work in such employment for more than 12 hours at any one time inclusive of paid crib breaks.

Type of Week.	Sunday.	Monday.	Tuesday.	Wednesday.	Thursday.	Friday.	Saturday.
1. Ordinary week, i.e., a week in which no public holiday occurs during that week or on the following Monday	..	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	Midnight Thursday to 2 p.m. Friday	..
2. The week previous to a week in which Monday is a public holiday	..	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	Midnight Thursday to 2 p.m. Friday	..
3. Week in which Monday is a public holiday	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	Midnight Thursday to 2 p.m. Friday	..
4. Week in which Tuesday is a single public holiday	..	Midnight Sunday to noon Monday	..	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	Midnight Thursday to 2 p.m. Friday	..
5. Week in which Wednesday is a single public holiday	..	4 a.m. to 4 p.m.	Midnight Monday to noon Tuesday	..	4 a.m. to 4 p.m.	Midnight Thursday to 2 p.m. Friday	..
6. Week in which Thursday is a single public holiday	..	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	Midnight Tuesday to noon Wednesday	..	Midnight Thursday to 2 p.m. Friday	..
7. Week in which Friday is a single public holiday and is not followed by a Monday public holiday	..	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	Midnight Wednesday to 2 p.m. Thursday	..	..
8. Week in which Good Friday occurs	..	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	Midnight Wednesday to noon Thursday	10 p.m. to midnight	Midnight Friday to noon Saturday
9. Week which follows Easter week-end	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	Midnight Thursday to 2 p.m. Friday	..
10. Week in which Saturday is a public holiday	..	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	Midnight Thursday to 2 p.m. Friday	..
11. The week previous to a week in which Monday and Tuesday are public holidays	..	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	4 a.m. to 4 p.m., 10 p.m. to midnight	Midnight Friday to noon Saturday
12. Week in which Monday and Tuesday are public holidays	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	Midnight Thursday to 2 p.m. Friday	..
13. Week in which Tuesday and Wednesday are public holidays	..	Midnight Sunday to 2 p.m. Monday	..	..	4 a.m. to 4 p.m.	Midnight Thursday to 2 p.m. Friday	..
14. Week in which Wednesday and Thursday are public holidays	..	4 a.m. to 4 p.m.	Midnight Monday to 2 p.m. Tuesday	..	..	Midnight Thursday to 2 p.m. Friday	..
15. Week in which Thursday and Friday are public holidays	..	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	Midnight Tuesday to 2 p.m. Wednesday	..	..	Midnight Friday to noon Saturday
16. Week in which Friday and Saturday are public holidays	..	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	Midnight Wednesday to 2 p.m. Thursday	..	..
17. Week in which Saturday and the Monday in the following week are public holidays	..	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	4 a.m. to 4 p.m.	Midnight Thursday to 2 p.m. Friday	..

WITHIN THE AREA SET OUT IN NOTE (1) (b).

2. WAGES.
The following rates are based upon a basic wage of £13 3s.

upon a basic wage of 213 3s.

Apprentices.			Improvers.		Other Employees.			
—	Percentage of the Rate Prescribed for All Others engaged in the making and/or Baking of Bread.	Per Week of 40 Hours.	—	Per Week of 40 Hours.	—	Per Hour.		
	Percentage.	s. d.	£ s. d.		Doughmakers ..	Per Hour.		
1st Year—			1st six months ..	} 15 7 4		s. d.	9	2½
1st six months	26·5	96 0	2nd " ..					
2nd "	29·2	106 0	3rd " ..					
2nd Year—			4th " ..					
1st six months	31·9	115 6	5th " ..					
2nd "	34·5	125 0	6th " ..					
3rd Year—			7th " ..					
1st six months	39·8	144 6	8th " ..					
2nd "	45·2	164 0	and thereafter the minimum wage.			Foremen or single hands ..	s. d.	9 7½
4th Year—			PROPORTION (within any factory or place). One improver to every eight workers receiving not less than 362s. 6d. per week of 40 hours.					
1st six months	53·1	192 6						
2nd "	61·1	221 6	The above rates are calculated to the nearest 6d., half or less than half of 6d. to be disregarded.					
5th Year—								
1st six months	71·8	260 6	PROPORTION. One apprentice to every three or fraction of three workers receiving not less than 362s. 6d. per week of 40 hours.			All others engaged in the making and/or baking of bread ..	9 0½	
2nd "	82·3	298 6						
and thereafter the minimum wage.								

The above rates are calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

PROPORTION.

One apprentice to every three or fraction of three workers receiving not less than 362s. 6d. per week of 40 hours.

One improver to every eight workers receiving not less than 362s. 6d. per week of 40 hours.

All others engaged in the making and/or baking of bread ..

OVERTIME.

19. (a) That any employee (other than an apprentice) who works in any week for any time in excess of 40 hours shall be paid for such extra time at the rate of time and a half.

(b) That any apprentice who works in any week for any time in excess of 40 hours shall be paid for such extra time at the rate of time and a half for the first four hours, and thereafter at the rate of double time.

(c) Any apprentice who works for any time in excess of ten hours in any one shift shall be paid by the employer for such extra time at the rate of time and a half, calculated on the same rate of pay as the employer may for the time being be obliged to pay to journeymen employed by him in the same trade.

WEEKLY HOURS.

20. That the number of hours to constitute an ordinary week's work shall be 40.

TIME RATE.

21. That any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall be paid, for time worked up to 20 hours, at the ordinary wages rate with an addition of 33 per centum.

For time worked beyond the 20 hours aforesaid, he shall be paid the ordinary wages rate up to but not exceeding the rate prescribed by this Determination for an ordinary week's work.

UNION REPRESENTATIVE.

22. That the Secretary or the Assistant Secretary of the Operative Bakers' Union of Victoria shall have the right of entry to any bakehouse during the hours when such bakehouse is in use, shall be permitted to inspect the time-book and conditions relating to the persons employed therein, and interview employees where breaches or suspected breaches of this Determination are occurring or suspected of occurring.

SUNDAY WORK.

23. The Board determines, pursuant to the provisions of section 103 of the *Labour and Industry Act 1953*, that, where a public holiday occurs upon a Tuesday, bread may be made or baked on the preceding Sunday after the hour of 8 p.m.

SPECIAL RATES FOR PUBLIC HOLIDAYS.

24. (a) That double time shall be the rate payable for all work done on New Year's Day, Australia Day, Anzac Day, Good Friday, Easter Monday, Labour Day, Queen's Birthday, Christmas Day, or Boxing Day; but, if by Act of Parliament or Proclamation, any other day be substituted for any of the above-named holidays, the special rate shall be payable only for work done on the day so substituted.

(b) When two or more holidays as provided for in sub-clause (a) hereof occur in any one week, an employee shall be paid a full week's wages in addition to any penalty rates to which he may be entitled in such week; provided that any employee covered by this sub-clause who loses time during such week without the approval of his employer, shall be paid pro rata for the work performed by him in such week.

(c) In connexion with the holding of the Olympic Games in Victoria during the months of November and December, 1956, where a holiday or half-holiday is proclaimed by Order-in-Council throughout any Municipality or part thereof, or within any defined area, such holiday or 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 sub-clause (a) hereof.

Provided that no employee shall be entitled to the conditions prescribed by this clause for more than the equivalent of one working day.

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

ANNUAL HOLIDAY.

25. (a) The annual holiday shall be as prescribed by the provisions of the Labour and Industry Acts.

(b) Where a public holiday mentioned in clause 24 occurs during any period of an annual holiday taken by an employee, the period of the holiday shall be increased by one day in respect of that public holiday.

SICK LEAVE.

26. (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 June, 1949, shall be disregarded.

LIMITATION OF HOURS.

27. (a) No bread of any kind shall be made or baked for trade or sale whether in the form of loaves, rolls, or any other form in any area to which Parts 2 and 3 of the Determination of the Bread Carters Board apply between the hour of twelve noon on the day immediately preceding every Wednesday other than any such Wednesday which occurs in any week in which any public holiday occurs on some other day or days and six o'clock in the evening of such Wednesday.

(b) No bread of any kind shall be made or baked for trade or sale, whether in the form of loaves, rolls, or any other form in any area to which Parts 2 and 3 of the Determination of the Bread Carters Board apply, between the hour of twelve noon on the day immediately preceding any Saturday being a holiday prescribed by the said Determination and the hour of eleven o'clock in the evening of the following Sunday.

(c) No bread of any kind shall be made or baked for trade or sale, whether in the form of loaves, rolls, or any other form in any area to which Parts 1, 2, 3, and 4 of the Determination of the Bread Carters Board apply between the hour of twelve noon on the day immediately preceding any holiday prescribed by section 104 of the *Labour and Industry Act 1953*, and the hour of six o'clock in the evening on such holiday.

MEAL INTERVAL.

28. That a meal interval of not more than thirty minutes shall be allowed after the completion of not less than 2½ hours' work and not more than 5 hours' work.

CONTINUITY OF WORK.

29. The work of each employee (except a doughmaker) on each day or shift, shall be continuous with the customary break for a meal.

LAUNDERING AND/OR MAINTENANCE OF WORKING CLOTHES.

30. An employee who works for more than 20 hours in any week for the same employer, shall be paid an allowance of 6s. 6d. per week towards the cost of laundering and/or maintenance of working clothes, provided an employee who works for less than 20 hours in any week shall be paid 1s. 3d. for each night he is employed, with a maximum of 6s. 6d. per week.

CHANGING ROOMS, LOCKERS, LUNCH ROOMS, WASHING FACILITIES, &c.

31. The employer shall provide suitable changing rooms and washing facilities and where more than two employees are employed, lockers, lunch rooms, hot and cold showers and reasonable facilities for making tea.

DEFINITION.

32. "Foreman" shall mean a person in charge of a bakehouse. No person shall be classed as a foreman unless he is a tradesman, and is present during substantially the whole of the working hours.

P. A. RANGLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 13th November, 1956.



VICTORIA GOVERNMENT GAZETTE.

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THURSDAY, MARCH 14.

[1957

Labour and Industry Acts.

DETERMINATION OF THE HOSPITAL NURSES' BOARD.

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

(ii) By Order in Council of the 19th April, 1955, the Board was deprived of the power to determine any matter relating to mothercraft nurses and conferred such power exclusively on the Mothercraft Nurses Board.

IN accordance with the provisions of the Labour and Industry 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 as:—

- (a) certificated nurses in public, private, intermediate, or community hospitals or in benevolent or in convalescent homes;
- (b) nurses in training in hospitals recognized as training schools by the Nurses Registration Board of Victoria;
- (c) registered infant welfare nurses engaged in infant welfare work or in work requiring an infant welfare certificate, and who are employed—
 - (i) by any municipality or industrial or commercial corporation; or
 - (ii) in any—
 - infant welfare training school,
 - mothercraft training school,
 - babies' home,
 - pre-school centre (including any crèche, nursery school, kindergarten, or play group).
- (d) certificated nurses engaged in connexion with any industrial or commercial undertaking;
- (e) certificated nurses employed in his practice by a qualified medical practitioner or dentist, or employed by any medical, dental, or nursing society, association, clinic or service;—

has made the following Determination, namely:—

That on the 14th September, 1956, the last previous Determination of this Board shall be revoked and replaced by this Determination.

PART I.

NOTE.—This part applies to—

- (a) Certificated nurses in public, private, intermediate, or community hospitals, or in benevolent or convalescent homes;
- (b) Nurses in training in hospitals recognized as training schools by the Nurses Registration Board of Victoria.

WAGES.

1. An employee for whom the employer makes available board and lodging shall be provided with laundry, free of charge, but from the wages hereinafter prescribed, a sum of 63s. 8d. per week for male nurses and 56s. 6d. per week for female nurses and trainees may be deducted in respect of such board and lodging, notwithstanding that such employee may decide not to avail himself or herself of such accommodation.

An employee for whom the employer does not make available board and lodging shall receive in addition to the wages hereinafter prescribed, an allowance at the rate of 20s. per week, and shall be entitled also to one meal per day to be provided by the employer.

TRAINEES.

Females.

MIDWIFERY TRAINEES.		OTHER TRAINEES.							
		Per Week.							
		£ s. d.							
		1st year	2nd year	and thereafter					
1st year	..	6	7	0	..	..	..	..	6 7 0
and thereafter	..	7	0	6	..	..	..	..	6 14 6
					..	..	..	..	7 7 6

Provided that if a female person who has obtained a nurse's certificate elects to enter into further training for the purpose of obtaining a midwifery certificate, the wage to be paid for such further training shall be at the rate of £13 4s. 8d. per week

<i>Males.</i>										Per Week.
										£ s. d.
1st year	..	..	..	..	..	..	..	..	..	7 14 0
2nd year	..	..	..	..	..	..	..	..	..	8 17 6
and thereafter	..	..	..	..	..	..	..	..	..	9 19 6

Provided that a trainee on reaching the age of 21 years shall be paid at the rate of £14 2s. per week.

Provided further that if a male person who has obtained a nurse's certificate elects to enter into further training for the purpose of obtaining another certificate the wages to be paid for such further training shall be at the rate of £9 19s. 6d. per week if under the age of 21 years and £15 15s. per week if 21 years of age or over.

Proportion.

The proportion of trainees in a training hospital approved by the Nurses Registration Board of Victoria to certificated nurses shall be not more than six trainees to each certificated nurse exclusive of the matron.

OTHER EMPLOYEES.

Matrons.

(i) Subject to sub-clause (ii) hereof the wages payable to Matrons (other than those employed in benevolent homes) shall be based on the daily average occupied beds in a public hospital or the registered number of beds in any other institution as follows:—

										Per Week.
										£ s. d.
Under 10 beds	..	..	..	..	..	..	..	..	..	17 12 0
From 10 to 19 beds	..	..	..	..	..	..	..	..	..	17 17 0
From 20 to 39 beds	..	..	..	..	..	..	..	..	..	18 2 0
From 40 to 65 beds	..	..	..	..	..	..	..	..	..	18 9 6
From 66 to 100 beds	..	..	..	..	..	..	..	..	..	18 19 6
From 101 to 150 beds	..	..	..	..	..	..	..	..	..	19 9 6
From 151 to 200 beds	..	..	..	..	..	..	..	..	..	19 19 6
From 201 to 250 beds	..	..	..	..	..	..	..	..	..	20 9 6
From 251 to 300 beds	..	..	..	..	..	..	..	..	..	20 19 6
Over 300 beds	..	..	..	..	..	..	..	..	..	21 9 6

Provided that the wages of any Matron in a Hospital registered as a Training School or a part-time Training School shall not be less than £18 2s. per week.

(ii) Any Matron in a Hospital in which there is no Resident Medical Officer and which hospital is registered as a training school or a part time training school shall, in addition to the wages prescribed in sub-clause (i) hereof, receive an allowance at the rate of £52 per annum.

(iii) Wages payable to Matrons employed in benevolent homes shall be based on the daily average occupied number of beds as follows:—

										Per Week.
										£ s. d.
100 beds or under	..	..	..	..	..	..	..	..	..	17 19 6
From 101 to 200 beds	..	..	..	..	..	..	..	..	..	18 9 6
From 201 to 300 beds	..	..	..	..	..	..	..	..	..	18 19 6
From 301 to 450 beds	..	..	..	..	..	..	..	..	..	19 9 6
Over 450 beds	..	..	..	..	..	..	..	..	..	19 19 6

Deputy or Assistant Matrons.

(i) Wages payable to deputy or assistant Matrons (other than those employed in benevolent homes) shall be based on the daily average occupied beds in a public hospital or the registered number of beds in any other institution as follows:—

										Per Week.
										£ s. d.
From 101 to 150 beds	..	..	..	..	..	..	..	..	..	16 19 6
From 151 to 200 beds	..	..	..	..	..	..	..	..	..	17 9 6
From 201 to 250 beds	..	..	..	..	..	..	..	..	..	17 19 6
Over 250 beds	..	..	..	..	..	..	..	..	..	18 9 6

(ii) Wages payable to deputy or assistant Matrons employed in benevolent homes shall be based on the daily occupied average number of beds as follows:—

										Per Week.
										£ s. d.
From 201 to 300 beds	..	..	..	..	..	..	..	..	..	16 14 6
From 301 to 450 beds	..	..	..	..	..	..	..	..	..	16 19 6
Over 450 beds	..	..	..	..	..	..	..	..	..	17 4 6

Certificated Midwifery Nurses.

										Per Week.
										£ s. d.
Certificated Midwifery Nurses	..	..	..	..	..	..	..	..	..	13 1 6

Employees not Elsewhere Provided for in Part I.

The wages of the following employees shall vary according to their length of service in the institution at which they are employed at the class of work mentioned, provided that a nurse with not less than an aggregate of three years' experience at such class, who then commences work in another institution, shall for the first twelve months' service in such institution, be paid not less than the rate herein provided in Column C. and thereafter not less than the rate herein in Column D.

	COLUMN A. During the First Year.	COLUMN B. During the Second Year.	COLUMN C. During the Third Year.	COLUMN D. Thereafter.
	Per Week. £ s. d.	Per Week. £ s. d.	Per Week. £ s. d.	Per Week. £ s. d.
<i>Females.</i>				
Nurse Dietitian in Charge holding a certificate recognized by the Royal Victorian College of Nursing	16 4 6	16 9 6	16 14 6	16 19 6
Assistant Dietitians holding certificates recognized by the Royal Victorian College of Nursing	15 4 6	15 9 6	15 14 6	15 19 6
Senior Tutor Sister (which includes a Tutor Sister where only one is employed)	16 4 6	16 9 6	16 14 6	16 19 6
Tutor Sisters other than Senior Tutor Sister	14 19 6	15 4 6	15 9 6	15 14 6
Night Sister in charge of 20 beds or more	15 4 6	15 9 6	15 14 6	15 19 6
Other Night Sister in charge	14 19 6	15 4 6	15 9 6	15 14 6
X-ray Sister who is a registered technician	15 4 6	15 9 6	15 14 6	15 19 6
Sisters	14 19 6	15 4 6	15 9 6	15 14 6
Staff Nurses	13 4 6	13 14 6	13 19 6	14 4 6
<i>Males.</i>				
Male Nurses	17 8 0	17 18 0	18 9 0	18 14 0

ALLOWANCES.

2. (a) Any employee, except a Matron, deputy or assistant Matron, who is required to hold more than one certificate in connexion with his or her duties shall receive a sum of 15s. per week for each certificate required to be used in addition to the appropriate wage rate provided in clause 1.

(b) Any employee at call shall receive an allowance at the rate of 5s. per week for the time at call in addition to any other rate in this Determination to which he or she may be entitled.

(c) Any employee whose duties require him or her to travel shall be paid first-class fares and all reasonable out-of-pocket expenses.

(d) Any registered nurse engaged for a distant position where a definite period of engagement is not stated shall, after six months' continuous service in same, receive a refund of first-class railway, coach, or steamer fares and reasonable out-of-pocket expenses incurred within the State of Victoria in reaching such position.

(e) Any registered nurse engaged for a distant position for a definite period shall, when he or she completes the term of his or her engagement, receive first-class railway, coach, or steamer return fares and reasonable out-of-pocket expenses incurred in travelling within the State of Victoria.

HOURS FOR AN ORDINARY WEEK'S WORK.

3. The hours for an ordinary week's work shall be:—

(i) For an X-ray Sister who is a registered technician not more than eight hours on any one day and not more than five and a half days in any week;

(ii) For all employees (other than a Sister who is an X-ray technician) 40 hours per week provided that 80 hours may be worked in any two consecutive weeks, and provided further that not more than 48 hours may be worked in any of such weeks without payment of overtime;

(iii) With the exception of time occupied in having meals (which shall be a period of not less than 30 minutes for each meal), and one additional break if same is required by the Institution, the work of each shift shall be continuous.

OVERTIME.

4. Except in the case of—(i) a Matron in an institution where a Deputy or Assistant Matron is also employed, and (ii) an X-ray Sister who is a registered technician, time and a half shall be paid for all work done in excess of the ordinary hours prescribed in clause 3.

DAY OFF IN EACH WEEK.

5. All employees shall receive at least one clear day off in each week in the case of day-shift employees and one clear night off in each week in the case of night-shift employees.

Provided that during any working period not exceeding three consecutive weeks, the day or night off may, with the approval of the Matron, be allowed to stand over, and be taken at a time mutually agreed upon in any one consecutive period equivalent to one day or night, as the case may be, for each week in the period concerned.

ANNUAL LEAVE.

6. (a) Annual leave with full pay shall be granted to employees on completion of each twelve months' service with an institution as follows:—

Staff nurses and trainees	Three weeks
All other employees	Four weeks

Provided that any employee who leaves or is dismissed for any reason before completing a full qualifying twelve monthly period, shall in lieu of annual leave, receive a pro-rata payment, based on the amount payable for the leave prescribed herein for a full twelve months' continuous service, and the period actually served.

(b) Two week's notice of the date from which an employee shall commence his or her annual leave shall be given unless otherwise mutually agreed upon between the parties concerned.

LONG SERVICE LEAVE.

7. (a) Subject to the provisions set out in sub-clause (b) hereof all male employees after the completion of twenty years' continuous service and all female employees after the completion of fifteen years continuous service, shall be entitled to leave of absence as in the said sub-clause (b).

(b) (i) An employee who has been in the service of the same employer for the period specified in sub-clause (a) hereof shall be entitled to six months' leave of absence on full salary or wage.

(ii) The long service leave to which an employee is entitled shall be given as soon as practicable having regard to the needs of the employer's establishment but the taking of such leave may be postponed to such date as is mutually agreed or, in default of agreement, as is directed by the Industrial Appeals Court.

(iii) When an employee who has been in the service for at least the period proscribed in sub-clause (a) hereof resigns or is retired and has not received long service leave due to him under this clause, such employee shall be entitled to a retiring gratuity from the employer equivalent to the salary or wage for the period of leave to which the employee would have been entitled under sub-clause (b) (i) hereof plus a *pro rata* amount for all service in excess of twenty years for males and fifteen years for females provided that such resignation or retirement is not due to serious and wilful misconduct.

(iv) Upon the death from any cause of an employee, who, at the date of death was eligible for the grant of long service leave, the Board shall pay to the legal representative of the deceased employee the amount that the employee would have been entitled to receive had he retired immediately prior to the date of his death.

(c) In the case of an employee who has completed at least ten years' service but less than twenty years in the case of a male employee and at least ten years' service but less than fifteen years in the case of a female employee with his or her employer and whose employment is terminated—

(i) by the employer for any cause other than serious and wilful misconduct;

(ii) by the employee on account of illness incapacity or domestic or any other pressing necessity where such illness incapacity or necessity is of such nature as to justify such termination;

such amount of long service leave as equals one-eightieth of the period of continuous employment.

(d) For the purposes of this clause the following definitions shall apply:—

"Service" shall mean service calculated as from the date of entering employment with the hospital, benevolent or convalescent home (hereinafter called the employer) whether or not such hospital, benevolent or convalescent home has been transmitted from one employer to another during the period of such employment as an employee and shall include all periods during which an employee was serving in Her Majesty's Forces or was made available by the employer for national duty or for other periods of absence approved by the employer.

"Salary or Wage" shall mean the employee's salary or wage (exclusive of overtime or other allowance) at the time leave is taken, or immediately prior to the employee leaving the service or death of the employee (as the case may be).

"Board" shall mean the Board or Controlling Authority of the Hospital, Benevolent or Convalescent Home in which the employee is employed.

Words importing the masculine gender only shall include the feminine gender.

Word importing the singular number only shall include the plural number and vice versa.

SICK LEAVE.

8. (a) In the event of an employee becoming sick and certified as such by the Medical Superintendent, or in an institution where there is no Medical Superintendent by a qualified Medical Practitioner approved by the institution, he or she shall be entitled to sick leave on full pay as follows:—

- (i) During the first year of service in an institution—one day for each month of service.
- (ii) During the second, third, and fourth years of service in an institution—two weeks in each year.
- (iii) Thereafter—three weeks in each year.

(b) If the full period of sick leave as prescribed in sub-clause (a) hereof is not taken in any year, such portion as is not taken shall be cumulative from year to year.

For the purposes of this sub-clause service prior to the 1st May, 1949, shall be disregarded, provided that any accumulated sick leave, not exceeding nine weeks, standing to the credit of the employee on the 1st May, 1952, shall not be reduced by virtue of the provisions of this 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.

(c) (i) An employee who contracts an infectious disease in the course of his or her duties and is entitled to receive workers' compensation therefor, he or she shall have any difference between workers' compensation and his or her ordinary wages made up by the institution up to but not exceeding a period of three months.

(ii) An employee who contracts an infectious disease in the course of his or her duties, and same having been certified to by the Medical Superintendent or by a Medical Practitioner approved by the institution, and who is not entitled to workers' compensation shall receive full pay during the necessary period off duty up to but not exceeding a period of three months.

(iii) Sick pay granted under sub-clause (i) and (ii) hereof shall not be debited against any sick leave credit which the employee may have under sub-clauses (a) and (b) hereof.

MINIMUM PAYMENT FOR WORK DONE IN ANY WEEK.

9. (a) An employee who is willing and available to work a full week shall if employed for less than twenty hours in any week receive a minimum of half a full week's ordinary wage for the class of work done, but if employed for twenty hours or over such person shall receive a minimum of a full ordinary week's wage for the class of work done.

(b) An employee who is not willing and available to work a full week shall be paid *pro rata* according to the hours actually worked for the class of work done.

MIXED DUTIES.

10. Any employee called upon to temporarily perform duties for which a higher wage is prescribed by this Determination shall receive such higher wage whilst so employed.

TIME AND WAGE RECORDS.

11. (a) A time book or other record shall be kept at each Institution by the employer.

(b) The time book or record shall be correctly entered up in ink daily by each employee setting out the hours worked and submitted each fortnight to the Matron, who in turn shall submit such time book or record, together with that of her own, to the Secretary or other responsible officer of the Institution.

PROPORTION OF NURSES TO PATIENTS.

12. (The provisions of this Clause shall not operate so far as employees at benevolent homes or at the Melbourne Convalescent Home for Men, Cheltenham, and the Melbourne Convalescent Home for Women, Clayton are concerned.)—The proportion of nurses to patients in private intermediate or community hospitals shall be as provided in the Regulations relating to Private Hospitals under the *Health Act 1928* (No. 3697) but in all other places the proportion on duty shall be as follows:—

- (a) *Day Shift*.—One nurse to each ten or fraction of ten patients.
- (b) *Night Shift*.—One nurse to each fifteen or fraction of fifteen patients.

PROVISION OF ACCOMMODATION AND OTHER NECESSARY REQUIREMENTS.

13. (a) Suitable healthy accommodation shall be provided for employees. Wherever possible, single bedrooms shall be provided. Separate beds shall be provided for each employee and in no case shall more than two employees be required to occupy the same bedroom. Separate accommodation distinct from that provided for day staff shall be provided for employees on night duty.

(b) Adequate supplies of rubber gloves and all necessary safety appliances shall be kept and maintained at each institution and provided free of cost to employees for use as required.

(c) Linen, cutlery, crockery, and blankets shall be provided by the employer free of cost to the employee.

BREAKAGES.

14. Except in a case of proved carelessness employees shall not be required to pay for any breakages occurring in the ordinary course of their specified duties.

UNIFORMS.

15. (a) On commencing the first year of training a female trainee nurse shall be provided with dresses, aprons, caps, collars, cuffs and cape according to the specific requirements of the individual hospital, and a male trainee nurse shall be provided with the equivalent uniform according to the specific requirements of the individual hospital. Articles so provided remain the property of the hospital and if a trainee nurse leaves the hospital during the first year of training she shall hand in her uniform.

After the first year of training the hospital shall provide such trainee with sufficient material for such uniforms during each subsequent year or part thereof.

(b) Any employee (other than a trainee or a certificated nurse in training) shall be provided from the commencement of his or her service with an institution with necessary caps and also with suitable and sufficient material for the other articles of a uniform. In lieu of the provision of such caps and material the institution may, however, pay such employee an allowance of 3s. 6d. per week.

POSTING DETERMINATION.

16. A copy of this Determination shall be posted up by the employer in a conspicuous place accessible to all employees.

DEFINITIONS.

17. (a) *Matron*.—A Matron is a trained registered nurse who has charge of the nursing and domestic staff in any of the institution mentioned in the preamble of this Determination.

(b) *Daily Average*.—Daily average means the daily average occupied beds in a Public Hospital or in a Benevolent Home as shown in the latest available return to the Charities Board of Victoria.

(c) *Deputy or Assistant Matron*.—A Deputy or Assistant Matron is a trained registered nurse who relieves the Matron and assists in the administration.

(d) *Sister*.—A Sister is a trained registered nurse with special responsibility (i.e., in charge of a ward, floor, department, nurses' home, or the training of nurses).

(e) *Staff Nurse*.—A Staff Nurse is a trained registered nurse employed in or in connexion with any of the institutions mentioned in the preamble of this Determination.

(f) *Trainee*.—A Trainee is a pupil nurse in a registered training school.

(g) *Night Sister in Charge*.—A Night Sister in Charge means the senior registered nurse on duty at night in a hospital.

(h) *Uniform*.—A Uniform shall consist of such dresses, aprons, and caps as may be required by the institution.

TERMINATION OF EMPLOYMENT.

18. Except where the conduct of an employee justifies instant dismissal, fourteen days' notice of termination of employment shall be given by either employer or employee, or in lieu thereof fourteen days' wages shall be paid or forfeited, as the case may be.

PART II.

NOTE.—Section 1. of this part applies to—

Registered infant welfare nurses engaged in infant welfare work or in work requiring an infant welfare certificate, and who are employed—

(i) by any municipality or industrial or commercial corporation; or

(ii) in any pre-school centre (including any creche, nursery school, kindergarten, or play group).

Section 2. of this part applies to—

Registered infant welfare nurses engaged in infant welfare work or in work requiring an infant welfare certificate, and who are employed in any—

infant welfare training school,
mothercraft training school, or
babies' home.

SECTION 1.

WAGES.

1. Any employee required to live in shall be provided with laundry, free of charge, but a sum of 56s. 6d. per week may be deducted from the wages hereinafter provided, for board and lodging.

	Per Week.
	£ s. d.
Sister	16 14 0

ADDITIONAL PAYMENT.

2. Any employee who is required to use in connexion with her duties any certificate or certificates other than—

(a) a general nursing certificate, or

(b) an infant welfare certificate.

shall receive an allowance of 15s. per week for each such other certificate she is required to use.

HOURS OF WORK.

3. The number of hours which shall constitute an ordinary week's work shall be 40.

OVERTIME.

4. Time and a half shall be paid for all work done in excess of 40 hours per week.

CASUAL EMPLOYMENT.

5. A casual employee (i.e., one who is specifically engaged as such) shall be paid time and a half for the first 20 hours in any one week and time and a third thereafter. Provided that nothing in this clause shall operate as regards an employee employed regularly by two or more municipalities. Such an employee may only be employed under the conditions stated in sub-clause (b) of clause 6.

CONTRACT OF EMPLOYMENT.

6. (a) All employees (other than casual employees and employees working under the conditions stated in sub-clause (b) hereof) shall be entitled to receive not less than the ordinary rate provided in this Determination as a wage for an ordinary week's work.

(b) An employee regularly employed by two or more municipalities shall be entitled to receive not less than the ordinary rate provided in clause 1 of this section as a wage for an ordinary week's work, plus an allowance of 15s. for each night she is necessarily absent from her usual place of residence on account of her duties. Such amount of 15s. shall be deemed to include allowances for board and lodging but not to include other travelling expenses.

Unless otherwise specifically agreed upon in writing by all parties concerned the cost of the amount of the wages and allowance stated in this sub-clause shall be equally borne by the municipalities concerned.

ALLOWANCES.

7. (a) All out of pocket expenses reasonably incurred by an employee whose duties necessitate journeys and visits to various parts of the Municipal District shall be paid by the Municipal Authority concerned.

(b) All travelling expenses incurred by an employee regularly employed by two or more Municipal Authorities shall, unless otherwise agreed upon in writing by the parties concerned, be equally divided between, and paid by the municipalities concerned. Cost of meals and lodging shall not in this case be deemed to be expenses.

(c) Where an employee is required to provide, and use her own mode of conveyance in connexion with her duties she shall be paid an allowance as follows:—

	For the First 5,000 Miles in a Financial Year.	Mileage over 5,000 Miles in a Financial Year.
	Per Mile. d.	Per Mile. d.
Motor Cars—		
Over 24 h.p.	11.6	8.1
Over 12 h.p. and up to and including 24 h.p.	10.1	7.4
12 h.p. and under	9.7	7.1
Motor cycles with side cars	4.9	3.6
Motor cycles	4.2	3.1
Bicycles (irrespective of mileage)	1.5	..

The above scale of mileage rates shall be varied as and with the corresponding scale of mileage rates as determined from time to time by the Victorian Public Service Board and published in the *Victoria Government Gazette*.

Should such an employee be employed by more than one municipality and be required by each to use her own mode of conveyance the amount payable as beforementioned shall, unless otherwise agreed upon in writing, be equally divided between, and paid by the municipalities concerned.

(d) A relieving employee engaged for a distant position, whilst travelling to and from the centre where she is to relieve, shall be entitled to first-class return fares, plus the cost of a sleeping berth if necessary. In addition allowances at the rate of 4s. per meal for a maximum of three meals per day shall be payable. Provided that an employee leaving for a position later than 7 a.m. on any day, or returning from a position before 8.30 a.m. on any day, shall not be entitled to a breakfast allowance; and an employee leaving for a position after 6 p.m. on any day, or returning from a position before 7 p.m. on any day, shall not be entitled to a dinner allowance, and unless an employee is travelling between the hours of 12 noon and 2 p.m. inclusive, she shall not be entitled to a lunch allowance.

(e) A relieving employee who is required to work more than 10 miles from the usual place of residence, shall, in addition to any allowance prescribed elsewhere in this Part, receive an allowance at the rate of 40s. per week. When a relieving employee is required to live away from home suitable accommodation shall also be provided by and at the expense of the employer.

(f) Any employee engaged for a distant position where a definite term of engagement is not stated, shall, after six months' continuous service in same, receive a refund of first-class railway, coach, or steamer fares, and reasonable out-of-pocket expenses incurred in travelling within the State of Victoria.

HOLIDAYS.

8. All employees shall, as far as practicable, be entitled to the following holidays without deduction of pay, New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, Queen's Birthday, Christmas Day, Boxing Day, and such other day or days as from time to time may be proclaimed throughout the State as public holidays. In addition to the afore-mentioned holidays employees employed within the Metropolitan District shall be entitled to the following additional holidays without deduction of pay, Labour Day, and Melbourne Cup Day.

Provided that any employee who is required to be on duty on any day hereinbefore provided for as a holiday shall be allowed another day off in lieu thereof or shall receive an additional day's pay.

Olympic Day, 22nd November, 1956, (within such area as may be proclaimed by Order in Council) shall be deemed to be included in the list of holidays prescribed in clause 8 hereof. Provided that any employee who fails to attend for work on the working day before and/or after such holiday without reasonable excuse, shall not be entitled to be paid for such holiday.

ANNUAL LEAVE.

9. (a) All employees shall be entitled to three weeks' annual leave, without deduction of pay, on completion of each year of service with an employer.

Provided that any employee who leaves or is dismissed for any reason before completing a full qualifying twelve monthly period, shall in lieu of annual leave, receive a *pro rata* payment, based on the amount payable for the leave prescribed herein for a full twelve months' continuous service, and the period actually served.

(b) In addition to the holidays as prescribed by sub-clause (a) hereof in any case where a health centre is not open on the days during the period between Christmas Day and New Year's Day an employee shall be entitled to be absent from such centre on such days without deduction of pay.

SICK LEAVE.

10. (a) In the event of an employee becoming sick and certified as such by the Medical Superintendent, or in an institution where there is no Medical Superintendent by a qualified Medical Practitioner approved by the institution, she shall be entitled to sick leave on full pay as follows:—

(i) During the first year of service in an institution—one day for each month of service.

(ii) During the second, third, and fourth years of service in an institution—two weeks in each year.

(iii) Thereafter—three weeks in each year.

(b) If the full period of sick leave as prescribed in sub-clause (a) hereof is not taken in any year, such portion as is not taken shall be cumulative from year to year.

For the purposes of this sub-clause service prior to the 1st May, 1949, shall be disregarded, provided that any accumulated sick leave, not exceeding nine weeks, standing to the credit of the employee on the 1st May, 1952, shall not be reduced by virtue of the provisions of this 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.

(c) (i) An employee who contracts an infectious disease in the course of his or her duties and is entitled to receive workers' compensation therefor, he or she shall have any difference between workers' compensation and his or her ordinary wages made up by the institution up to but not exceeding a period of three months.

(ii) An employee who contracts an infectious disease in the course of his or her duties, and same having been certified to by the Medical Superintendent or by a Medical Practitioner approved by the institution, and who is not entitled to workers' compensation shall receive full pay during the necessary period off duty up to but not exceeding a period of three months.

(iii) Sick pay granted under sub-clause (i) and (ii) hereof shall not be debited against any sick leave credit which the employee may have under sub-clauses (a) and (b) hereof.

UNIFORM ALLOWANCE.

11. An employee shall be paid a uniform allowance at the rate of 3s. 6d. per week and the uniform shall be laundered by the employer free of cost to the employee.

TERMINATION OF EMPLOYMENT.

12. Except where the conduct of an employee justifies instant dismissal, fourteen days' notice of termination of employment shall be given by either employer or employee or in lieu thereof, fourteen days' pay shall be paid or forfeited, as the case may be.

SECTION 2.

WAGES.

1. All employees required to live in shall be provided with laundry, free of charge, but a sum of 56s. 6d. per week may be deducted from the wages hereinafter provided, for board and lodging.

Employees required to live out shall receive an allowance at the rate of 20s. per week, in addition to the wages hereinafter set out, and shall also be entitled to one meal per day to be provided by the employer.

(a) *Employees in Infant Welfare Training Schools only or in Infant Welfare and Mothercraft Training Schools combined.*

											Per Week.
											£ s. d.
Matron	..	..	..	..	..	..	..	..	..	..	18 14 0
Sister—											
During the first year's service at the Institution	..	..	..	..	..	..	..	..	..	..	15 4 6
During the second year's service at the Institution	..	..	..	..	..	..	..	..	..	..	15 9 6
Thereafter at such Institution	..	..	..	..	..	..	..	..	..	..	15 14 6

Should part of the duties of a sister be to relieve the matron at any time, she shall be entitled in each and every week to receive an additional sum of 5s.

(b) *Employees in Mothercraft Training Schools only.*

											Per Week.
											£ s. d.
Matron	..	..	..	..	..	..	..	..	..	..	18 4 0
Sister—											
During the first year's service at the Institution	..	..	..	..	..	..	..	..	..	..	15 4 6
During the second year's service at the Institution	..	..	..	..	..	..	..	..	..	..	15 9 6
Thereafter at such Institution	..	..	..	..	..	..	..	..	..	..	15 14 6

Should part of the duties of a sister be to relieve the matron at any time, she shall be entitled in each and every week to receive an additional sum of 5s.

(c) *Employees in Babies' Homes.*

												Per Week.
												£ s. d.
Matron	..	..	..	..	..	..	..	..	..	..	..	17 10 0
Sister	..	..	..	..	..	..	..	..	..	..	..	15 4 6

ADDITIONAL PAYMENT.

2. Any employee who is required to use in connexion with her duties any certificate or certificates other than a general nursing certificate shall receive an allowance of 15s. per week for each such other certificate she is required to use.

HOURS OF WORK.

3. (a) The number of hours which shall constitute an ordinary week's work shall be 40, provided that 80 hours may be worked in any two consecutive weeks, and provided further that not more than 48 hours may be worked in any of such weeks without payment of overtime.

(b) With the exception of time occupied in having meals (which shall be a period of not less than 30 minutes for each meal), and one additional break if same is required by the institution, the work of each shift shall be continuous.

OVERTIME.

4. Time and a half shall be paid for all work done in excess of the ordinary hours prescribed in clause 3.

TRAVELLING ALLOWANCE.

5. (a) Any employee whose duties require her to travel shall be paid first-class fares and all reasonable out-of-pocket expenses.

(b) Any employee engaged for a distant position where a definite period of engagement is not stated shall, after six months' continuous service in same, receive a refund of first-class railway, coach, or steamer fares and reasonable out-of-pocket expenses incurred in reaching such position.

(c) Any employee engaged for a distant position for a definite period shall, when she completes the term of her engagement receive first-class railway coach, or steamer return fares and reasonable out-of-pocket expenses incurred in travelling.

DAY OFF IN EACH WEEK.

6. All employees shall receive at least one clear day off in each week in the case of day-shift employees, and one clear night off in each week in the case of night-shift employees.

ANNUAL LEAVE.

7. All employees shall be entitled to four weeks' leave, without deduction of pay, on completion of each year of service with an institution.

Provided that any employee who leaves or is dismissed for any reason before completing a full qualifying twelve monthly period, shall in lieu of annual leave, receive a *pro rata* payment, based on the amount payable for the leave prescribed herein for a full twelve months' continuous service, and the period actually served.

SICK LEAVE.

8. (a) In the event of an employee, becoming sick and certified as such by the Medical Superintendent, or in an institution where there is no Medical Superintendent by a qualified Medical Practitioner approved by the institution, she shall be entitled to sick leave on full pay as follows:—

(i) During the first year of service in an institution—one day for each month of service.

(ii) During the second, third, and fourth years of service in an institution—two weeks in each year.

(iii) Thereafter—three weeks in each year.

(b) If the full period of sick leave as prescribed in sub-clause (a) hereof is not taken in any year, such portion as is not taken shall be cumulative from year to year.

For the purposes of this sub-clause service prior to the 1st May, 1949, shall be disregarded, provided that any accumulated sick leave, not exceeding nine weeks, standing to the credit of the employee on the 1st May, 1952, shall not be reduced by virtue of the provisions of this 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.

(c) (i) An employee who contracts an infectious disease in the course of his or her duties and is entitled to receive workers' compensation therefor, he or she shall have any difference between workers' compensation and his or her ordinary wages made up by the institution up to but not exceeding a period of three months.

(ii) An employee who contracts an infectious disease in the course of his or her duties, and same having been certified to by the Medical Superintendent or by a Medical Practitioner approved by the institution, and who is not entitled to workers' compensation shall receive full pay during the necessary period off duty up to but not exceeding a period of three months.

(iii) Sick pay granted under sub-clause (i) and (ii) hereof shall not be debited against any sick leave credit which the employee may have under sub-clauses (a) and (b) hereof.

MINIMUM PAYMENT FOR WORK DONE IN ANY WEEK.

9. An employee who is willing and available for work shall if employed for less than 20 hours in any week receive a minimum of half a full week's ordinary wage for the class of work done, but if she is employed for 20 hours or over she shall receive a minimum of a full ordinary week's wage for the class of work done.

TIME AND WAGE RECORDS.

10. An adequate record of the hours worked by each employee and the wages paid shall be kept by each employer subject to this Determination.

PROVISION OF ACCOMMODATION AND OTHER NECESSARY REQUIREMENTS.

11. (a) Suitable healthy accommodation shall be provided for employees. Wherever possible single bedrooms shall be provided. Separate beds shall be provided for each employee and in no case shall more than two employees be required to occupy the same bedroom. Separate accommodation distinct from that provided for day staff shall be provided for employees on night duty.

(b) Adequate supplies of rubber gloves and all necessary safety appliances shall be kept and maintained at each institution, and provided free of cost to employees for use as required.

(c) Linen, cutlery, crockery, and blankets shall be provided by the employer free of cost to the employee.

BREAKAGES.

12. Except in a case of proved carelessness an employee shall not be required to pay for any breakages occurring in the ordinary course of her specified duties.

UNIFORM ALLOWANCE.

13. An employee shall be provided from the commencement of her service with an institution with necessary caps and also with suitable and sufficient material for the other articles of a uniform. In lieu of the provision of such caps and material the institution may, however, pay such employee an allowance of 3s. 6d. per week.

DEFINITION.

14. A matron is a trained nurse, who in addition holds the certificates necessary for the carrying out of her duties, and has been entrusted with the control and/or superintendence of the nursing and domestic staff of the institution.

TERMINATION OF EMPLOYMENT.

15. Except where the conduct of an employee justifies instant dismissal, fourteen days' notice of termination of employment shall be given by either employer or employee or, in lieu thereof, fourteen days' pay shall be paid or forfeited, as the case may be.

PART III.

NOTE.—This part applies to—

Certificated nurses engaged in connexion with any industrial or commercial undertaking.

WAGES.

								Per Week.
								£ s. d.
During the first year's service ..	..	..	..	..	..	..	..	14 4 6
During the second year's service ..	..	..	..	..	..	..	..	14 9 6
Thereafter ..	..	..	..	..	..	..	..	14 14 6

UNIFORM ALLOWANCE.

2. A nurse shall be paid a uniform allowance at the rate of 3s. 6d. per week. The cost of the laundering of the uniforms shall be borne by the employer.

TRAVELLING ALLOWANCE.

3. Any nurse whose duties require her to travel shall be paid first-class fares and all reasonable out-of-pocket expenses.

TERMS OF EMPLOYMENT.

4. (a) Employment shall be by the week and any nurse willing, ready and available to work shall in respect of each week of her employment be paid the full weekly wage fixed.

(b) Except where the conduct of an employee justifies instant dismissal, one week's notice of termination of employment shall be given by either employer or employee, or in lieu thereof, one week's wages shall be paid or forfeited, as the case may be.

OTHER CONDITIONS OF EMPLOYMENT.

5. Nurses shall be entitled to the same conditions as regards—

- (a) Hours of employment,
- (b) Overtime,
- (c) Annual leave,
- (d) Sick leave,
- (e) Shift work,
- (f) Public holidays,
- (g) Special rates for Sundays and holidays,
- (h) Time and Wages Book, and
- (i) Meal breaks,

as those provided by any Award, Determination, or Agreement for the general body or employees in the industry in connexion with which they are employed.

PART IV.

NOTE.—Section 1. of this part applies to—

Certificated nurses employed in his practice by a qualified medical practitioner or dentist or employed by any medical or dental society, clinic or service.

Section 2. of this part applies to—

Certificated nurses employed by any nursing society or association.

SECTION 1.

WAGES.

								Per Week.
								£ s. d.
X-ray nurse, who is a registered technician:—								
During the first year's service ..	..	..	..	..	..	..	..	15 4 6
During the second year's service ..	..	..	..	..	..	..	..	15 9 6
Thereafter ..	..	..	..	..	..	..	..	15 14 6
Other nurse:—								
During the first year's service ..	..	..	..	..	..	..	..	14 19 6
During the second year's service ..	..	..	..	..	..	..	..	15 4 6
Thereafter ..	..	..	..	..	..	..	..	15 9 6

ALLOWANCES.

2. (a) Any nurse, who is required to hold more than one certificate in connexion with her duties shall receive a sum of 15s. per week for each certificate required to be used in addition to the appropriate wage rate provided in clause 1.

(b) Any employee at call shall receive an allowance at the rate of 5s. per week for the time at call in addition to any other rate in this Determination to which she may be entitled.

(c) Any employee whose duties require her to travel shall be paid first-class fares and all reasonable out-of-pocket expenses.

HOURS FOR A WEEK'S WORK.

3. The number of hours to constitute an ordinary week's work shall be 40.

OVERTIME.

4. Time and a half shall be the rate payable for all work done in excess of 40 hours per week.

MEAL BREAK.

5. A meal break of not less than 30 minutes, at a time mutually agreed upon, shall be allowed employees each day.

ANNUAL HOLIDAYS.

6. The annual holiday shall be as prescribed by the provisions of the Labour and Industry Acts.

SICK LEAVE.

7. (a) In the event of an employee becoming sick and certified as such by a qualified Medical Practitioner approved by the employer she shall be entitled to sick leave on full pay as follows:—

- (i) During the first year of service—one day for each month of service.
- (ii) During the second, third, and fourth years of service—two weeks in each year.
- (iii) Thereafter—three weeks in each year.

- (b) If the full period of sick leave as prescribed in sub-clause (a) hereof is not taken in any year, such portion as is not taken shall be cumulative from year to year.

For the purposes of this sub-clause service prior to the 1st May, 1949, shall be disregarded, provided that any accumulated sick leave, not exceeding nine weeks, standing to the credit of the employee on the 1st May, 1952, shall not be reduced by virtue of the provisions of this 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.

- (c) (i) An employee who contracts an infectious disease in the course of his or her duties and is entitled to receive workers' compensation therefor, he or she shall have any difference between workers' compensation and his or her ordinary wages made up by the employer up to but not exceeding a period of three months.

- (ii) An employee who contracts an infectious disease in the course of his or her duties, and same having been certified to by the Medical Superintendent or by a Medical Practitioner approved by the employer, and who is not entitled to workers' compensation shall receive full pay during the necessary period off duty up to but not exceeding a period of three months.

- (iii) Sick pay granted under sub-clause (i) and (ii) hereof shall not be debited against any sick leave credit which the employee may have under sub-clauses (a) and (b) hereof.

HOLIDAYS.

8. All 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, Queen's Birthday, Christmas Day, Boxing Day, and such other day or days as from time to time may be proclaimed throughout the State as public holidays. In addition to the afore-mentioned holidays employees employed within the Metropolitan District shall be entitled to the following additional holidays without deduction of pay, Labour Day, and Melbourne Cup day.

Olympic Day, 22nd November, 1956, (within such area as may be proclaimed by Order in Council) shall be deemed to be included in the list of holidays prescribed in clause 8 hereof. Provided that any employee who fails to attend for work on the working day before and/or after such holiday without reasonable excuse, shall not be entitled to be paid for such holiday.

SPECIAL RATES FOR SUNDAYS AND HOLIDAYS.

9. Time and a half shall be the special rate payable for all work done on Sundays or any of the holidays prescribed in clause 8.

MINIMUM PAYMENT FOR WORK DONE IN ANY WEEK.

10. An employee who is willing and available for work shall if employed for less than 20 hours in any week receive a minimum of half a full week's ordinary wage for the class of work done, but if she is employed for 20 hours or over she shall receive a minimum of a full ordinary week's wage for the class of work done.

TIME AND WAGE RECORDS.

11. An adequate record of the hours worked by each employee and the wages paid shall be kept by each employer subject to this Determination.

BREAKAGES.

12. Except in a case of proved carelessness an employee shall not be required to pay for any breakages occurring in the ordinary course of her specified duties.

UNIFORM ALLOWANCE.

13. An employee shall be entitled to a uniform allowance at the rate of 3s. 6d. per week and the uniform shall be laundered by the employer free of cost to the employee.

TERMINATION OF EMPLOYMENT.

14. Except where the conduct of an employee justifies instant dismissal, fourteen days' notice of termination of employment shall be given by either employer or employee, or in lieu thereof fourteen days' wages shall be paid or forfeited, as the case may be.

SECTION 2.

WAGES.

1. An employee for whom the employer makes available board and lodging shall be provided with laundry, free of charge, but from the wages hereinafter prescribed, a sum of 56s. 6d. per week may be deducted in respect of such board and lodging notwithstanding that such employee may decide not to avail herself of such accommodation.

An employee for whom the employer does not make available board and lodging shall receive in addition to the wages hereinafter prescribed, an allowance at the rate of 20s. per week, and shall be entitled also to one meal per day to be provided by the employer.

	Per Week			
	£	s.	d.	
During the first year	14	19	6	
During the second year	15	4	6	
Thereafter	16	9	6	

ALLOWANCES.

2. (a) Any nurse, who is required to hold more than one certificate in connexion with her duties shall receive a sum of 15s. per week for each certificate required to be used in addition to the appropriate wage rate provided in clause 1.

- (b) Any employee at call shall receive an allowance at the rate of 5s. per week for the time at call in addition to any other rate in this Determination to which she may be entitled.

- (c) Any employee whose duties require her to travel shall be paid first-class fares and all reasonable out-of-pocket expenses.

HOURS OF WORK.

3. (a) The number of hours which shall constitute an ordinary week's work shall be 40, provided that 80 hours may be worked in any two consecutive weeks, and provided further that not more than 48 hours may be worked in any of such weeks without payment for overtime.

(b) With the exception of time occupied in having meals (which shall be a period of not less than 30 minutes for each meal), and one additional break if same is required by the employer the work of each shift shall be continuous.

OVERTIME.

4. Time and a half shall be paid for all work done in excess of the ordinary hours prescribed in clause 3.

DAY OFF IN EACH WEEK.

5. All employees shall receive at least one clear day off in each week in the case of day-shift employees and one clear night off in each week in the case of night-shift employees.

Provided that during any working period not exceeding three consecutive weeks, the day or night off may, with the approval of the employer, be allowed to stand over, and be taken at a time mutually agreed upon in any one consecutive period equivalent to one day or night, as the case may be, for each week in the period concerned.

ANNUAL LEAVE.

6. (a) Four week's annual leave with full pay shall be granted to employees on completion of each twelve months' service with an employer.

Provided that any employee who leaves or is dismissed for any reason before completing a full qualifying twelve monthly period, shall in lieu of annual leave, receive a *pro rata* payment, based on the amount payable for the leave prescribed herein for a full twelve months' continuous service, and the period actually served.

(b) Two weeks' notice of the date from which an employee shall commence her annual leave shall be given unless otherwise mutually agreed upon between the parties concerned.

LONG SERVICE LEAVE.

7. (a) Subject to the provisions set out in sub-clause (b) hereof all male employees after the completion of twenty years' continuous service and all female employees after the completion of fifteen years' continuous service, shall be entitled to leave of absence as in the said sub-clause (b).

(b) (i) An employee who has been in the service of the same employer for the period specified in sub-clause (a) hereof shall be entitled to six months' leave of absence on full salary or wage.

(ii) The long service leave to which an employee is entitled shall be given as soon as practicable having regard to the needs of the employer's establishment but the taking of such leave may be postponed to such date as is mutually agreed or, in default of agreement, as is directed by the Industrial Appeals Court.

(iii) When an employee who has been in the service for at least the period prescribed in sub-clause (a) hereof resigns or is retired and has not received long service leave due to him under this clause, such employee shall be entitled to a retiring gratuity from the employer equivalent to the salary or wage for the period of leave to which the employee would have been entitled under sub-clause (b) (i) hereof plus a *pro rata* amount for all service in excess of twenty years for males and fifteen years for females provided that such resignation or retirement is not due to serious and wilful misconduct.

(iv) Upon the death from any cause of an employee, who, at the date of death was eligible for the grant of long service leave, the Board shall pay to the legal representative of the deceased employee the amount that the employee would have been entitled to receive had he retired immediately prior to the date of his death.

(c) In the case of an employee who has completed at least ten years' service but less than twenty years in the case of a male employee and at least ten years' service but less than fifteen years in the case of a female employee with his or her employer and whose employment is terminated—

(i) by the employer for any cause other than serious and wilful misconduct;

(ii) by the employee on account of illness incapacity or domestic or any other pressing necessity where such illness incapacity or necessity is of such nature as to justify such termination;

such amount of long service leave as equals one-eightieth of the period of continuous employment.

(d) For the purposes of this clause the following definitions shall apply:—

"Service" shall mean service calculated as from the date of entering employment with the hospital, benevolent or convalescent home (hereinafter called the employer) whether or not such hospital, benevolent or convalescent home has been transmitted from one employer to another during the period of such employment as an employee and shall include all periods during which an employee was serving in Her Majesty's Forces or was made available by the employer for national duty or for other periods of absence approved by the employer.

"Salary or Wage" shall mean the employee's salary or wage (exclusive of overtime or other allowance) at the time leave is taken, or immediately prior to the employee leaving the service or death of the employee (as the case may be).

"Board" shall mean the Board or Controlling Authority of the hospital, benevolent or convalescent home in which the employee is employed.

Words importing the masculine gender only shall include the feminine gender.

Word importing the singular number only shall include the plural number and vice versa.

SICK LEAVE.

8. (a) In the event of an employee, becoming sick and certified as such by a qualified Medical Practitioner approved by the employer she shall be entitled to sick leave on full pay as follows:—

(i) During the first year of service in an institution—one day for each month of service.

(ii) During the second, third, and fourth years of service in an institution—two weeks in each year.

(iii) Thereafter—three weeks in each year.

(b) If the full period of sick leave as prescribed in sub-clause (a) hereof is not taken in any year, such portion as is not taken shall be cumulative from year to year.

For the purposes of this sub-clause service prior to the 1st May, 1949, shall be disregarded, provided that any accumulated sick leave, not exceeding nine weeks, standing to the credit of the employee on the 1st May, 1952, shall not be reduced by virtue of the provisions of this 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.

(c) (i) An employee who contracts an infectious disease in the course of his or her duties and is entitled to receive workers' compensation therefor, he or she shall have any difference between workers' compensation and his or her ordinary wages made up by the institution up to but not exceeding a period of three months.

(ii) An employee who contracts an infectious disease in the course of his or her duties, and same having been certified to by the Medical Superintendent or by a Medical Practitioner approved by the institution, and who is not entitled to workers' compensation shall receive full pay during the necessary period off duty up to but not exceeding a period of three months.

(iii) Sick pay granted under sub-clause (i) and (ii) hereof shall not be debited against any sick leave credit which the employee may have under sub-clauses (a) and (b) hereof.

MINIMUM PAYMENT FOR WORK DONE IN ANY WEEK.

9. An employee who is willing and available for work shall if employed for less than 20 hours in any week receive a minimum of half a full week's ordinary wage for the class of work done, but if she is employed for 20 hours or over she shall receive a minimum of a full ordinary week's wage for the class of work done.

TIME AND WAGE RECORDS.

10. An adequate record of the hours worked by each employee and the wages paid shall be kept by each employer subject to this Determination.

PROVISION OF ACCOMMODATION AND OTHER NECESSARY REQUIREMENTS.

11. (a) Suitable healthy accommodation shall be provided for employees. Wherever possible single bedrooms shall be provided. Separate beds shall be provided for each employee and in no case shall more than two employees be required to occupy the same bedroom. Separate accommodation distinct from that provided for day staff shall be provided for employees on night duty.

(b) Adequate supplies of rubber gloves and all necessary safety appliances shall be kept and maintained by the employer, and provided free of cost to employees for use as required.

(c) Linen, cutlery, crockery, and blankets shall be provided by the employer free of cost to the employee.

BREAKAGES.

12. Except in a case of proved carelessness an employee shall not be required to pay for any breakages occurring in the ordinary course of her specified duties.

UNIFORMS.

13. An employee shall be provided from the commencement of her employment with the prescribed uniform of the service free of cost, or in lieu thereof shall be paid an allowance of 3s. 6d. per week.

TERMINATION OF EMPLOYMENT.

14. Except where the conduct of an employee justifies instant dismissal fourteen days' notice of termination of employment shall be given by either employer or employee or, in lieu thereof, fourteen days' pay shall be paid or forfeited, as the case may be.

PART V.

This Part applies to the whole of the Determination.

PERIODICAL ADJUSTMENT OF WAGES.

1. The wages rates set out in clause 1 of Part I., Sections 1 and 11 of Part II., Part III, and Sections 1 and 11 of Part IV., are based upon the following basic wage, and, pursuant to the provisions of Section 33 of the *Labour and Industry Act 1953*, the Board has determined that such rates shall be automatically adjusted as prescribed by clause 2. Provided that for every increase or decrease of 1s. per week in the basic wage for adult males, the wages of female nurses shall be increased or decreased by 9d. per week and trainees shall be increased or decreased by 6d. per week. Provided also that for every increase or decrease of 1s. in the basic wage for males the weekly deductions for board and lodging shall be increased or decreased by 4d. for male nurses and 3d. for female nurses and all trainees.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
	Per Week.	
	£ s. d.	
Throughout the State	13 3 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

2. (a) For the purposes of this Determination the expression "Commonwealth Statistician's 'C' series 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 November, 1956, the amount of the basic wage shall be as prescribed in clause 1.

(c) During each future successive period beginning with the first pay period to commence in a November, a February, a May, or an August, the amount of the basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "C" series retail price index numbers 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.

P. A. RANGLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 30th August, 1956.

