



VICTORIA GOVERNMENT GAZETTE

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Labour and Industry Acts.

DETERMINATION OF THE WATCHMEN'S BOARD.

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

(b) Section 110 of the Labour and Industry Acts, provides that "every person employed as a watchman shall be granted one holiday in every week."

(c) On the 19th April, 1955, the Watchmen's Board was deprived of the power to determine any matter relating to watchmen employed in connexion with overseas or interstate shipping:—

(i) on ships;

(ii) on gangways used for connecting ships with wharfs: or

(iii) on wharfs or in wharf sheds connected with the loading or unloading of ships or the storing of goods in relation thereto.

and such power was conferred exclusively on the Waterfront Watchmen's Board.

IN accordance with the provisions of the Labour and Industry Acts, the Wages Board appointed in lieu of the Nightwatchmen's Board to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the occupation of a watchman" has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 1st April, 1957, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Note:—The rates prescribed in this Determination are based upon a basic wage of £13 3s.

Classes of Employees.	Wages per Week of 40 Hours.	
	Within a Radius of 20 Miles of G.P.O., Melbourne, 10 Miles of G.P.O., Geelong, at Warramboul, and Within Mildura and Gippsland Districts.	Other Parts of Victoria Where this Determination Applies.
	£ s. d.	£ s. d.
Watchman, who in addition to watching, performs manual work not subject to the Determination of any other Wages Board, while performing such work, at the rate of	15 5 0	15 2 0
All others	14 3 0	14 0 0

OVERTIME.

3. (a) Any time worked by watchmen in excess of 40 hours in any one week shall be paid for at the rate of time and a half for the first four hours and double time thereafter.

(b) All time worked in excess of ten hours on any shift or period of duty shall be paid for at the rate of time and a half for the first four hours and double time thereafter, except that on Sunday all such time shall be paid at the rate of double time for the first four hours and at the rate of two and a half times ordinary time thereafter, and provided that each shift or period of duty shall stand alone for the purpose of computing overtime under this sub-clause and that such overtime shall not be included for the purpose of sub-clause (a) hereof.

(c) For the purpose of computing overtime in excess of 40 hours in any week, all time on Sundays up to ten hours shall be included and all time worked on Saturdays or on holidays shall be excluded.

EMPLOYMENT FOR LESS THAN FULL WEEK.

4. Employees who are employed during any week for less than the working week of 40 hours shall be paid for the first 20 hours at the rate of time and a quarter, and for every hour thereafter ordinary time up to but not exceeding the ordinary wages rates for an ordinary week's work.

Provided that any person who is not engaged for a week but who earns a sum in wages equal to the wages of an ordinary week's work may be required by the employer to complete the week's work without further pay and if such person refuses to do so he shall forfeit his right to any payment for that week unless his refusal is caused by his illness, inability, or some other sufficient cause beyond his control.

SPECIAL RATES FOR SATURDAY AND SUNDAY.

5. Time and a quarter shall be the special rate for all work done up to ten hours on Saturday and time and a half for all work done up to ten hours on Sunday.

SPECIAL RATES FOR HOLIDAYS.

6. Double time shall be the special rate for all work done on 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 only be payable for work done on the day so substituted.

Provided that a person who is directed by his employer to absent himself from duty on any of the days above-mentioned shall if he is unable to complete 40 hours' work in that particular week, be paid ordinary rates for any such day on which he is absent.

EMPLOYEE PROVIDING OWN BICYCLE.

7. Any patrol watchman required by his employer to provide his own bicycle shall receive 1s. per shift or period of duty extra.

MINIMUM PAYMENT.

8. Any watchman called up for duty shall receive at least four hours' pay.

PAYMENT FOR MEAL TIMES.

9. No deduction shall be made in an employee's time for a meal period of 30 minutes unless he is permitted to leave his employer's premises for such meal. An employee shall not be required to punch clocks during the meal period of 30 minutes.

MEAL ALLOWANCE.

10. Where an employee is directed by the employer to work more than two hours into the next shift he shall be supplied by the employer with a meal or be paid a meal allowance of 5s., provided he was not specifically notified the previous day that he would be required to work.

ANNUAL HOLIDAY.

11. (a) The annual holiday shall be as prescribed by the provisions of the Labour and Industry Acts.
- (b) In addition to the leave hereinbefore prescribed seven-day shift workers, that is shift workers who are rostered to work regularly on Sundays and holidays, shall be allowed seven consecutive days' leave including non-working days. Provided always that this clause shall not apply to any employee whose normal working week is less than 35 hours.
- (c) Where an employee with twelve months' continuous service is engaged for part of the twelve-monthly period as a seven-days' shift worker, he shall be entitled to have the period of fourteen consecutive days' annual leave prescribed in sub-clause (a) hereof increased by half a day for each month he is continuously engaged as aforesaid.
- (d) If in any twelve-monthly qualifying period a shift worker as prescribed in sub-clause (b) hereof lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid in addition to all other amounts (including any payment in lieu of annual leave as prescribed by sub-clause (a) hereof) due to him, an amount equal to one-fiftieth of his ordinary pay for the period of employment as shift worker.

SICK LEAVE.

12. (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:—

- (1) During the first year—3½ hours' ordinary pay for each complete month of service;
- (2) 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 18th November, 1946, shall be disregarded, provided that any accumulated sick leave, not exceeding 80 hours of working time, standing to the credit of the employee on the 1st May, 1956, shall not be reduced by virtue of the provisions of this sub-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.

UNIFORMS.

13. Any employee required to wear a uniform whilst on duty shall be provided with such uniform by the employer free of cost to the employee. The uniform so provided shall remain the property of the employer.

RIGHT OF ENTRY OF UNION OFFICIAL.

14. A duly accredited representative of the Federated Miscellaneous Workers Union of Australia (Victorian Branch) shall have the right to enter establishments where watchmen are employed and interview employees on legitimate union business during their usual meal or tea breaks on the following conditions:—

- (a) That he produces his authority to the employer or his representative.
- (b) That he interviews employees at the place where they are taking their meal.
- (c) That not more than one representative in all be in any establishment at any one time.
- (d) That no one representative visit an establishment more than once a fortnight.
- (e) That if an employer alleges that a representative is unduly interfering with his establishment or is creating disaffection amongst his employees or is offensive in his methods or is committing a breach of any of the previous conditions of this clause, such employer may refuse right of entry.

TERMINATION OF EMPLOYMENT.

15. The employment of employees who work a 40 hour week shall be terminated by a week's notice on either side given at any time during the week or by the payment or forfeiture of a week's wages as the case may be.

This shall not affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty, or misconduct, and in such cases the wages shall be paid up to the time of dismissal only, or to deduct payment for any day the employee cannot usefully be employed because of any strike or through any breakdown in machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

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

J. V. WILLOX, Secretary.

Melbourne, 19th March, 1957.