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GOVERNMENT GAZETTE.

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[1931

Factories and Shops Act 1928 (No. 3677).

DETERMINATION OF THE MUSICIANS BOARD.

This Determination on the 23rd May, 1931, applied to the whole of the State of Victoria.

IN accordance with the provisions of the *Factories and Shops Act 1928 (No. 3677)*, the Wages Board appointed to "determine the lowest prices or rates which may be paid to any person employed as a player of any musical instrument," has made the following Determination, namely:—

(1) That on the 23rd May, 1931, the last previous Determination of this Board shall be revoked and replaced by this Determination, which shall apply to all persons other than those—

- (a) Bound by an Award or Agreement of the Commonwealth Court of Conciliation and Arbitration, viz., persons employed in—
- Grand opera, grand ballet, concerts, or religious performances.
 - General theatrical entertainments, inclusive of pantomime, variety show, vaudeville, revue, comic opera, musical comedy, drama, burlesque, minstrel show, and other entertainments similar to any of these.
 - Picture shows.
 - Stage bands.
 - Broadcasting and-relaying.
 - Circuses.
 - Cafés, hotels, restaurants, and similar places.
 - Skating rinks and other like forms of entertainment.

(b) Playing without any remuneration whatever to assist charity.

(2) WEEKLY WAGE for Persons Playing for Dances or Dancing Classes—	£ s. d.
Week's work of six performances done between 9 a.m. and 6 p.m.—	
By pianist playing alone	4 18 1
By any person other than pianist playing alone	4 2 10
Week's work of six performances done between 6 p.m. and midnight—	
By pianist playing alone	5 2 7
By any person other than pianist playing alone	4 7 4
Week's work of twelve performances all done between 9 a.m. and 6 p.m.—	
By pianist playing alone	7 13 0
By any person other than pianist playing alone	6 16 10
Week's work of twelve performances not all done between 9 a.m. and 6 p.m.—	
By pianist playing alone	7 17 6
By any person other than pianist playing alone	7 1 4
Each performance not included in a week's work	0 13 6 extra
Pianist playing alone in dancing classes—	
Week's work of 30 hours	4 2 10
Each hour in excess of week's work	0 4 6 extra

- (3) **ORDINARY WEEK'S WORK.**—The number of hours to constitute a week's work shall be—
 (i) 18 in the case of a week's work of six performances to consist of one performance not to exceed three consecutive hours on each of six calendar days.
 (ii) 36 in the case of a week's work of twelve performances to consist of two performances on each of six calendar days, each performance not to exceed three consecutive hours.
 (iii) 30 in any other case.

(4) **TERMS OF EMPLOYMENT.**—The weekly wage prescribed by this Determination shall be paid to each weekly employee (i.e., any employee other than one engaged on casual work) who is ready and willing to perform the work provided for by the Determination during any week whether he is required to perform such work or not.

An employee to become entitled to the weekly wage is to perform such of the work provided for as the employer shall from time to time require, during the hours usually worked by the class of employee affected.

The employment of a weekly employee is to be terminated on either side only by a week's notice, which notice may be given at any time during the week at or before the beginning of work on any day.

Where the period of employment of a weekly employee includes in addition to one or more complete weeks, a part of a week, the employee shall be paid for each whole or fraction of a calendar day included in the part of a week one-sixth of his prescribed weekly wage.

Nothing in this Determination shall affect any legal right to dismiss without notice any employee for malingering, inefficiency, neglect of duty, or misconduct, and in the case of such dismissal moneys due under this Determination shall be payable for the employment up to, but not after, the time of dismissal.

Notwithstanding anything contained in this Determination any employer may in the case of any employee deduct payment of wages on any day on which an employee cannot be usefully employed because of—

- (i) any strike;
- (ii) any stoppage of work unavoidable by the employer other than a stoppage due to weather.

(5) **CASUAL WORK, i.e., work during any week for not more than one half the number of hours fixed for an ordinary week's work.**

The casual wages rates set out hereunder shall be paid to persons playing for—

(a) Day picnics	£1 2s. 6d. per day (one meal to be provided).
(b) Processions	13s. 6d. per day.
(c) Gramophone recording	9s. per hour, with a minimum of payment as for 2 hours (provided the employee does not receive any royalty).
(d) Side shows—	
Engagement not exceeding 3 hours	0 13 6
Daily engagement	1 2 6
(e) Afternoon sports, such as race-meetings—	
Each performance not exceeding 3 hours	0 13 6
Each performance exceeding 3 hours, but not exceeding 4 hours	0 18 11
If engaged by the day from 11 a.m. to 5 p.m. with 1 hour off for lunch	1 2 6
(f) Football matches, school sports, exhibitions, town hall shows, and the like—	
Engagement not exceeding 2½ hours	0 11 3
Engagement exceeding 2½ hours, but not exceeding 3 hours	0 13 6
(g) Dances and other social functions, such as soure parties, smoke nights, weddings, garden parties, &c.—	
Engagements of consecutive hours—	
Not exceeding 1 hour	0 13 6
Exceeding 1 hour but not exceeding 2 hours	0 16 8
Exceeding 2 hours but not exceeding 3 hours	0 19 10
Exceeding 3 hours but not exceeding 4 hours (not later than midnight)	1 2 6
Exceeding 4 hours but not exceeding 5 hours (before 1 a.m.)	1 9 3
Any time after 1 a.m.	0 9 0 per hour

(6) **OVERTIME.**—(a) Except as otherwise provided in this Determination any time worked over or outside the prescribed time limit or range of any performance, period of work, or after a break in working time prescribed to be worked consecutively or continuously shall be paid for at the following rates:—

Each 15 minutes or portion thereof up to midnight	1s. 4d.
Each 15 minutes or portion thereof after midnight	2s. 3d.

(b) When the time limit of any performance or period of work is exceeded for less than 5 minutes such excess shall not be counted as overtime worked, but if it is exceeded by 5 minutes or more sub-clause (a) shall apply in respect of the whole of such excess.

(7) **EXTRA RATES.**—A conductor-leader, or bandmaster where there is an orchestra or band of three or more players shall be paid the following extra rates:—

- If a weekly employee .. An addition of one-fourth of the appropriate rate fixed for a member of the orchestra or band
- If employed on casual work .. 4s. 6d. extra for each performance.

(8) **DEFINITION.**—Conductor-leader, or bandmaster means the member of an orchestra or band who plays and directs.

HARRIE B. LEE, Chairman.

H. N. JONES, Secretary.

Melbourne, 6th May, 1931.