



VICTORIA GOVERNMENT GAZETTE.

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FRIDAY, AUGUST 5.

[1932

Factories and Shops Act 1928 (No. 3677).

SHOPS BOARD No. 16 (HARDWARE).

NOTE.—This Determination on the 1st August, 1932, applied to the following parts of Victoria, namely:—The Metropolitan District as defined in the *Factories and Shops Act 1928 (No. 3677)* and the Order in Council thereunder; such portions of the City of Sandringham as are not within the said District; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

IN THE COURT OF INDUSTRIAL APPEALS.

IN the matter of the *Factories and Shops Act 1928 (No. 3677)*, and

In the matter of an Appeal by the representatives of the employers on the Shops Board No. 16 (Hardware) against the Determination of the said Board, dated the 10th December, 1931.

Monday, the 1st day of August, 1932.

(Before His Honour Mr. Justice Mann, Mr. Thomas James Luxton, and Mr. John R. Nettleton.)

The above-mentioned Appeal, coming on for hearing by this Court on the 21st July, 1932, and this day. UPON READING the Appeal, and UPON HEARING what was alleged by Dr. A. D. Ellis, of Counsel, and witnesses for the employers, and by Mr. H. Ralph, of the Victorian Hardware Assistants Union and a witness for the employees: THIS COURT DOETH ORDER AND DETERMINE:—

(1) That on the 1st August, 1932, the Determination of the Shops Board No. 16 (Hardware), dated the 10th December, 1931, shall be revoked and replaced by this Determination "as to the lowest prices or rates which may be paid to any persons employed in the business of a seller of hardware—wholesale or retail"—but not including:—

- (a) persons employed in assembling ordered goods kept in a bulk store or iron yard;
- (b) persons employed as storemen, packers, or sorters.

(2)

Apprentices or Improvers.	Other Employees. (The Masculine to include the Feminine.)	Metropolitan District.	Outside Metropolitan District where Determination Applies.
WAGES.	WAGES.	Per week of 48 hours.	Per week of 48 hours.
16 years of age	Departmental managers, having under their control—	£ s. d.	£ s. d.
17 "	5 or more salesmen, 23 years of age or over	4 16 6	4 16 6
18 "	4 salesmen " "	4 11 9	4 11 9
19 "	3 salesmen " "	4 6 0	4 6 0
20 "	2 salesmen " "	4 1 9	4 1 9
	Branch managers	4 1 9	4 1 9
	Outside salesmen—		
	21 years of age	2 11 6	2 11 6
	22 "	3 2 0	2 18 9
	23 " and over	3 19 0	3 19 0
	Buyers, Salesmen, or Assemblers of Ordered Goods:—		
	21 years of age	2 4 9	2 4 9
	22 "	2 15 0	2 13 9
	23 " and over	3 15 6	3 11 9

Provided that if any apprentice or improver 19 years of age or over is employed as an outside salesman, he shall be paid an addition of ten per centum.

PROPORTION (in any shop or place).

One apprentice to every three workers or fraction of three workers employed, and receiving not less than the minimum wage of 44s. 9d. per week of 48 hours.

One improver to one worker Two improvers to two workers Three improvers to three, four, or five workers Four improvers to six or seven workers Five improvers to eight workers Six improvers to nine or ten workers Seven improvers to eleven workers Eight improvers to twelve workers and thereafter two improvers to each additional three workers	Receiving not less than 71s. 9d. per week of 48 hours.
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An indenture of apprenticeship prescribed was approved on 9th August, 1923.

(3) OVERTIME.—Any employee who in any week works for any time in excess of 48 hours shall be paid for such extra time at the rate of time and a half.

(4) SPECIAL RATES.—Time and a half shall be the rate payable for all work done on Sunday, New Year's Day, 26th January (Australia Day), Good Friday, Easter Monday, 21st April (Eight Hours Day), 3rd June (King's Birthday), Christmas Day, or 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.

DEFINITIONS.

(5) "Departmental manager" shall mean a person having the control of two or more salesmen, 23 years of age or over, notwithstanding he may be under the orders of a general manager.

"Branch manager" shall mean a person for the time being entrusted with the control or superintendence of a branch shop (the proprietor of which is trading under his own or a different name), notwithstanding such manager may be under the orders of a superior who does not devote the whole of his time to the management of the said branch shop.

"Outside salesman" shall mean an employee who regularly solicits or receives orders for goods while absent from the shop where he is employed, whether such goods are kept in stock or have to be procured in order to fulfil such orders.

By the Court,

W. H. GRAY, Registrar.