



VICTORIA GOVERNMENT GAZETTE.

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No. 115]

MONDAY, JUNE 21.

[1937

Factories and Shops Acts.

COMMERCIAL CLERKS BOARD.

NOTE.—This Determination applies to the whole of the State of Victoria.

IN THE COURT OF INDUSTRIAL APPEALS.

IN the matter of the Determination of the Commercial Clerks Board, dated the 22nd July, 1936,
and

In the matter of an Appeal by the representatives of the employers on the said Board,

and

In the matter of an Appeal by the representatives of the employees on the said Board.
Friday, the 11th day of June, 1937.

(Before His Honour Mr. Justice Martin, Mr. Samuel John Arthur Fripp, and Mr. M. Nolan).

The above-mentioned Appeals coming on for hearing by this Court on the 21st May, 1937, and this day. UPON READING the Appeals, and UPON HEARING Dr. A. D. Ellis, of Counsel, and witnesses for the employers, and Mr. M. B. Duffy for the employees: THIS COURT DOETH ORDER AND DETERMINE:—

(1) That on the 28th June, 1937, the Determination of the Commercial Clerks Board, dated the 22nd July, 1936, shall be revoked and replaced by this Determination as to the lowest prices or rates which may be paid to any person or persons or classes of persons (other than persons employed by any banking company, insurance company, trustee company, barrister or solicitor, but including persons employed in his practice by a barrister and solicitor as a typewriter or stenographer) employed in connexion with some trade or business as a clerk, collecting clerk, time-keeping clerk, despatch clerk, store clerk, weighing clerk, cashier, typewriter, stenographer, or bookkeeper."

(2) WAGES PER WEEK OF 46 HOURS IN RETAIL SHOPS, AND 43 HOURS IN ALL OTHER PLACES.

APPRENTICES OR IMPROVERS.

Experience.	MALES.					FEMALES.			
	Commencing Age.					Experience.	Apprentices.	Improvers.	
	Under 16 Years.	16 Years.	17 Years.	18 Years.	19 Years or Over.			Typists or Stenographers.	All other Improvers.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	
1st year—						1st year ..	16 0	21 6	16 0
1st six months ..	16 0	16 0	16 0	16 0	21 6	2nd year ..	20 0	25 6	20 0
2nd six months ..	16 0	16 0	19 0	22 0	26 6	3rd year ..	25 6	31 0	25 6
2nd year ..	21 6	21 6	26 6	33 0	37 0	4th year ..	33 0	37 0	33 0
3rd year ..	26 6	28 6	38 6	44 6	49 0	5th year, and until 21 years of age..	40 6	43 6	40 6
4th year—									
1st six months ..	35 0	40 6	44 6	56 6	68 0				
2nd six months ..	35 0	40 6	58 6	57 6	68 0				
5th year—									
1st six months ..	47 0	51 0	67 0	71 0	.				
2nd six months ..	48 0	65 0	67 0	71 0	.				
6th year ..	64 0	71 0	..	..	..	
And until 21 years of age ..	67 0	..	..	..	..

PROPORTION (in any place).

APPRENTICES.	IMPROVERS.
One apprentice to every two or fraction of two workers receiving not less than the minimum wage. An indenture of apprenticeship prescribed by the Board was approved on 13th February, 1924.	One improver to one or two Two improvers to three or four Three improvers to five or six And thereafter one improver to every three or fraction of three

Workers receiving not less than the minimum wage.

JUVENILE WORKERS OTHER THAN APPRENTICES AND IMPROVERS.

In cases where only one person coming within the scope of this Determination is employed, and such person is under 21 years of age, and in cases where a person is employed in connexion with copying work for a Directory, and such person is under 21 years of age, the lowest rate of wages per week to be paid to such person in either of such cases shall be the rate fixed for an improver, male or female (as the case may be), of the like experience.

OTHER EMPLOYEES.

WAGES PER WEEK OF 46 HOURS IN RETAIL SHOPS, AND 43 HOURS IN ALL OTHER PLACES.

	Within the Metropolitan District as Defined in the Factories and Shops Acts and Order in Council thereunder.		Within the Cities of Ballarat, Bendigo, Geelong, Geelong West and Warrnambool, and such portion of the City of Sandringham as is not included in the Metropolitan District; the Town of Newtown and Chilwell; and the Boroughs of Eaglehawk and Sebastopol.		All other Parts of Victoria where this Determination Applies.	
	Males. <i>s. d.</i>	Females. <i>s. d.</i>	Males. <i>s. d.</i>	Females. <i>s. d.</i>	Males. <i>s. d.</i>	Females. <i>s. d.</i>
Stenographers, typistes, or operators of comptometers, or ledger-keeping machines .. .. .	..	53 6	..	49 6	..	45 6
All other adults	84 0	51 0	81 0	48 0	78 6	45 6

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

(4) TIME RATE.—Any person employed in a factory or shop on time wages for less than the number of hours fixed for an ordinary week's work shall for each hour worked up to one-half the maximum number of hours fixed in this Determination be paid at the ordinary wages rate with an addition of thirty-three per centum, and for each hour worked beyond the one-half aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

(5) CASUAL LABOUR.—Casual hands, i.e., persons who are employed in any place other than in a factory or shop during any week for not more than one-half of the maximum number of hours fixed in this Determination as a week's work, shall be paid at the rate of time and a half.

(6) SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS.—The special rate to be paid to a clerk or cashier employed in an hotel or restaurant shall be at the rate of *time and a half*, and the special rate to be paid to any other person shall be at the rate of *double time* for all work done on Sundays, New Year's Day, Australia Day (26th January), Good Friday, Easter Monday, Labour Day (21st April) (within the Metropolitan District as defined in the Factories and Shops Acts and Order in Council thereunder, and the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool, and such portion of the city of Sandringham as is not included in the Metropolitan District; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol), Anzac Day, King's Birthday, Melbourne Cup Day (within the said Metropolitan District), 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 this clause shall not apply to—

Receiving clerks or punch or fare checking clerks, outfit clerks, roster clerks, or other clerks in lieu of or in substitution for any such clerks in connexion with the traffic operations of tramways or employed in tramway sheds or tramway offices, or

Counter clerks, entering clerks, cashiers, label or despatch clerks employed in daily newspaper offices.

By the Court,

H. N. JONES,

Registrar.



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No. 116]

TUESDAY, JUNE 22.

[1937

Factories and Shops Acts.

DETERMINATION OF THE MARINE STORES BOARD.

NOTE.—This Determination applies to the whole of the State of Victoria.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to "determine the lowest prices or rates of payment which may be paid to any person or persons or classes of persons employed either inside or outside a factory in the process, trade, or business of a marine store dealer or a dealer in old metals or bottles" has made the following Determination, namely:—

(1) That on the 25th June, 1937, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

WAGES PER WEEK OF 48 HOURS.

Apprentices or Improvers.	OTHER EMPLOYEES.		
		Within the City of Geelong.	All other parts of Victoria.
		s. d.	s. d.
Under 17 years of age		30 0	
17 years and under 18 years of age		37 0	
18 years and under 19 years of age		46 0	
19 years and under 20 years of age		50 0	
20 years and under 21 years of age		61 0	
PROPORTION.			
Apprentices.—One apprentice to every three or fraction of three workers receiving not less than 80s. per week of 48 hours.			
Improvers.—One improver to every three workers receiving not less than 80s. per week of 48 hours.			
	Leading hand, i.e., an employee who exercises supervision over the work of other employees ..	82 6	84 0
	Bottle Washer—machine or hand	80 0	81 6
	Yardman or General hand	80 0	81 6
	All others	80 0	81 6

(3) HOURS OF WORK.—The number of hours to constitute a week's work shall be 48, to be worked between the times of beginning and ending work shown below:—

Times of Beginning.	Time of Ending.	
7 a.m. ..	12 noon on the day on which the half-holiday is observed ..	4½ hours
7 a.m. ..	6 p.m. on the other working days of the week ..	8½ hours

Each employee shall have a fixed beginning and ending time. Seven days notice shall be given of any change in such fixed time. Provided further that the said hours may at the employer's option be worked on five days between the hours of 7 a.m. and 6 p.m., Monday to Friday.

(4) OVERTIME.—All time worked in excess of 8½ on Monday to Friday inclusive and 4½ hours on Saturday shall be paid for at the rate of time and a half for the first three hours on any one day and double time thereafter. Provided that where the ordinary hours of employment are worked in five days, all time worked in excess of 9 hours 36 minutes on the five working days of the week shall be paid for at the rate of time and a half for the first three hours on any one day and double time thereafter.

(5) HOLIDAYS.—All weekly wage employees shall be granted the following holidays without deduction of pay.—The days observed as New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, Boxing Day, Show Day, Cup Day and Union Picnic Day, and also other public Government gazetted holidays observed as such generally by the mercantile community.

(6) SPECIAL RATES FOR SUNDAYS AND HOLIDAYS.—All work done on Sundays shall be paid for at the rate of double time. Any employee who is employed on any holiday specified in clause (5) shall be paid at the rate of double time.

(7) TERMS OF ENGAGEMENT.—Except as herein in this Determination provided all employees shall be employed by the week and shall be paid weekly on the Thursday or Friday in each week.

(8) CASUAL EMPLOYMENT.—A casual employee shall mean and be deemed to be an employee engaged for a less period than a week. Such casual employee shall be paid 2s. per day in addition to the ordinary day's pay.

(9) TERMINATING EMPLOYMENT.—Employment shall be terminated only by a week's notice on either side or in lieu of such notice a week's wages shall be paid or forfeited as the case may be. Such notice shall be given at the end of a working week.

(10) RUBBER AND LEATHER GLOVES.—Where an employee is called upon to work with acid he shall be provided with a pair of rubber gloves, and employees working among broken glass shall be provided with a pair of leather gloves.

(11) WATERPROOF CLOTHING AND BOOTS.—Where an employee is called to work on an Eick brushing machine, he shall be provided with waterproof apron and clogs free during the time he shall be called upon to perform such duties.

(12) UNION OFFICIALS.—An official of the Federated Liquor and Allied Trades Employees Union of Australia authorized by the Secretary in writing and who has first reported to the employer or his representative in responsible charge at the place of employment may interview members of such organization working there, provided that he does not interfere with the work of employees during actual working hours or enter any part of the business premises whereto the employer or his representative may reasonably refuse permission.

(13) PIECE-WORK OR CONTRACT WORK.—When any bottle washing is let out by contract, the employer shall stipulate to the contractor that he shall pay the minimum rates of wages and observe the hours prescribed by this Determination.

H. J. RICHARDSON, J.P., Chairman.

L. M. BRADY, Secretary.

Melbourne, 10th June, 1937.



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No. 117]

TUESDAY, JUNE 22.

[1937

Factories and Shops Acts.

DETERMINATION OF THE FIBROUS PLASTERERS BOARD.

NOTE.—(1) This Determination applies to the whole of the State of Victoria.

(2) Fibrous Plastering was proclaimed on 17th February, 1937, as an Apprenticeship Trade under the *Apprenticeship Act 1928*, for the Metropolitan District.

Full particulars of the *Apprenticeship Regulations* for this trade may be obtained on application to the Secretary, *Apprenticeship Commission, Gisborne-street, Melbourne, C.2.* (Price 3d.)

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which since the 14th April, 1937, has had the power to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the process, trade, or business of—

- (a) manufacturing fibrous plaster, or making architectural ornaments of fibrous plaster, plaster, or cement;
- (b) fixing fibrous plaster on walls or ceilings of buildings;
- (c) architectural modelling;
- (d) preparing material for or making or fixing acoustic tiles moulded into slab form, and having an earth base,

has made the following Determination, namely:—

(1) That on the 17th June, 1937, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

* Apprentices.				Improvers.			
WAGES.				WAGES.			
	Per week of 44 hours.	Holiday Allowance Payable in Addition.			Per Week of 44 hours.	Holiday Allowance Payable in Addition.	
	A.	B.			A.	B.	
	s. d.	s.	d.		s. d.	s.	d.
1st year's experience ..	16 6	..	0 5	Under 17 years of age ..	16 6	..	0 5
2nd	25 0	..	0 8	17 years of age ..	25 0	..	0 8
3rd	33 3	..	0 10	18	33 3	..	0 10
4th	42 3	..	1 1	19	42 3	..	1 1
5th	50 9	..	1 4	20	50 9	..	1 4
and thereafter the minimum wage.							
PROPORTION (by any employer).				PROPORTION (by any employer).			
One apprentice to every three or fraction of three workers receiving not less than 70s. 6d. per week of 44 hours.				(i) Preparing material for or making or fixing acoustic tiles moulded into slab form and having an earth base— One improver to every three workers receiving not less than 96s. 6d. per week of 44 hours.			
				(ii) Any other class of work— One improver to every six workers receiving not less than 96s. 6d. per week of 44 hours.			

No person under the age of 18 years shall be employed on a single bench in the manufacture of plain fibrous plaster sheeting unless in association with a person over 18 years of age.

* (a) Except those covered by the *Apprenticeship Act 1928*.

(b) The Board has determined that no person shall be taken as an apprentice in connexion with preparing material for or making or fixing acoustic tiles moulded into slab form and having an earth base.

OTHER EMPLOYEES.

	Per week of 44 hours.		WAGES.	
	A.		Holiday Allowance Payable in Addition.	
	s.	d.	B.	s. d.
Persons engaged in architectural modelling or manufacturing architectural ornaments of fibrous plaster, plaster or cement, or manufacturing fibrous plaster	96	6	..	2 5
Persons engaged fixing or stopping fibrous plaster on walls or ceilings of buildings				
Persons engaged in preparing material for or making or fixing acoustic tiles moulded into slab form and having an earth base				
All others	76	6	..	1 11

EXTRA RATES.—(a) Foremen, i.e., employees in charge of work and who issue instructions to four or more men under them shall be paid as above with 6s. per week additional.

(b) Employees { (i) Demolishing old ceilings, or } shall, whilst employed at either class of work, have (ii) Erecting new ceilings on sites of old ceilings that have been demolished } 3d. per square yard distributed equally between them, in addition to the ordinary rates.

(3) ALLOWANCES.—The following allowances shall be paid to persons employed outside the employer's factory in connexion with the fixing of fibrous plaster or acoustic tiles:—

- (a) For work done at such distance as prevents the employee from returning to his home the same night—
 - (i) 6s. 6d. per day extra, with a maximum of 35s. 9d. per week.
 - (ii) all fares necessarily incurred in travelling by the most economical means of transport by train or other public conveyance.

(b) For any other work—
 An amount equal to the fare, by the most economical means of travel, from and to the "centre" to and from the place of employment.
 "Centre" shall mean the Flinders-street Railway Station if the employer's factory is within a radius of 10 miles therefrom, and shall, in all other cases, mean the employer's factory.

The fare shall be deemed to have been necessarily incurred even if the employee uses a bicycle or other means of locomotion, or walks instead of using a public conveyance.

(4) TIME OF BEGINNING AND ENDING WORK.—The time of beginning and ending work shall be—

Time of Beginning.	Time of Ending.
8 a.m.	12 noon on Saturday.
8 a.m. —	5 p.m. on the other working days of the week.

(5) OVERTIME.—That the following rate shall be paid for all work done—

- (a) Outside the hours fixed in Clause (4)
- (b) Within the hours fixed in Clause (4) in excess of 44 in any week } Time and a half for the first two hours and thereafter double time.

(6) SPECIAL RATES.—

- (a) An allowance, as per Clause 2b, shall be made in addition to the wages set out in Clause 2, as compensation for time lost on prescribed holidays. Such an allowance to be paid proportionately to the number of hours worked per week.
- (b) For all work done on Sundays and prescribed holidays employees shall be paid at the rate of double time.

The following are the prescribed holidays, viz.:—New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, 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 double time shall only be payable for work done on the day so substituted.

(7) PAYMENT OF WAGES.—(a) Except in the case of persons employed outside a radius of 20 miles from the Flinders-street Railway Station, all payments of wages shall be made not later than five minutes after the time of ceasing work on Thursday. In the event of payment being made more than five minutes later than the time fixed above, the employee shall be paid all reasonable travelling expenses incurred and shall also receive payment at the prescribed rate for the time lost as a result of such delay in payment.

(b) Any employee whose service ends before pay time shall be paid at or before the time of its ending or by post or otherwise within 24 hours thereafter. If wages are not paid in accordance with this provision an employee shall be paid as for ordinary working hours at the ordinary rate fixed in this Determination from the expiration of the said 24 hours until the wages are paid to the employee or his order or posted to his last known address.

(8) PAYMENT WHEN REQUESTED TO ATTEND FOR ENGAGEMENT.—Any employee who has presented himself for work, as requested by the employer or his responsible representative, shall—

- (a) If not engaged, be paid a sum equal to the rate for two hours' work in addition to any expense necessarily incurred in travelling to and from the job; or,
- (b) if engaged, be deemed to have commenced work at the hour he presents himself for engagement.

(9) TRANSPORT AT NIGHT.—Any employee who completes his work during the night after trams and other public conveyances have ceased to run shall, unless provided with means of transport by the employer, be reimbursed for any expense necessarily incurred in reaching his home.

(10) MEAL MONEY.—Any employee who is required to work overtime for more than two hours on any day and who has not been notified on the previous day that he would be required to work such overtime shall, unless provided with a reasonable meal by the employer, be paid an allowance of two shillings.

(11) HOT WATER IN FACTORIES.—During the months of May to September, inclusive, provision shall be made by employers in every factory for the provision and maintenance of an adequate supply of hot water in some central position for the benefit of employees engaged in hand mixing plaster in cold water.

(12) GRINDING AND CLEANING TOOLS.—When an employee is discharged he shall be allowed a half hour at ordinary rates for the purpose of grinding and cleaning his tools. This clause shall only apply to employees whose tools are in good order when commencing work for any employer.

(13) TERMINATION OF EMPLOYMENT.—Except where the conduct of an employee justifies instant dismissal, one hour's notice of termination of employment shall be given by either employer or employee, or one hour's pay shall be paid or forfeited in lieu thereof.

W. W. HARRIS, Chairman.

R. DUFFY, Secretary.

Melbourne, 2nd June, 1937.