



VICTORIA GOVERNMENT GAZETTE.

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THURSDAY, AUGUST 5.

[1937

Factories and Shops Acts.

DETERMINATION OF THE KNITTING TRADE BOARD.

NOTE.—(a) This Determination on the 4th August, 1937, applied to the whole of the State of Victoria.

(b) Work on Sunday, except in certain prescribed circumstances, is prohibited by the *Factories and Shops (Sundays) Act* 1932, No. 4102.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which, since 12th February, 1935, 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—

- (i) knitting or crocheting fabric, or any article of human wear;
- (ii) mending or repairing any knitted or crocheted fabric, or any knitted or crocheted article of human wear;
- (iii) spinning or preparing silk yarn,

has made the following Determination, namely:—

(1) That on the 4th August, 1937, the last and all previous Determinations of this Board shall be revoked and replaced by this Determination.

(2) **WAGES PER WEEK OF 44 HOURS. (DAY SHIFT.)**

APPRENTICES OR IMPROVERS.

Hosiery Section.

MALES.							FEMALES.						
Experience.	Commencing Age.						Experience.	Commencing Age.					
	15 years or under.	16	17	18	19	20		15 years or under.	16	17	18	19	20
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.		s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
1st six months	14 6	16 0	18 6	22 6	27 6	32 0	1st six months	13 0	13 6	14 6	16 0	17 6	19 0
2nd "	15 6	17 6	20 6	25 0	30 6	51 0	2nd "	13 6	15 0	16 0	17 6	19 0	29 0
3rd "	16 6	19 0	23 0	28 0	33 6	..	3rd "	15 6	17 0	18 6	20 0	21 6	..
4th "	18 6	21 6	26 0	32 0	51 6	..	4th "	17 0	18 6	20 0	21 6	29 6	..
5th "	20 0	24 0	28 6	36 0	..	..	5th "	18 6	20 0	21 6	23 6	..	..
6th "	23 0	28 0	34 0	53 0	..	..	6th "	20 0	21 6	23 6	30 6	..	..
7th "	25 6	32 0	40 0	..	..	..	7th "	21 6	23 6	25 6	..	..	..
8th "	31 0	38 0	55 0	..	..	..	8th "	23 6	25 6	32 6	..	..	..
9th "	36 0	43 6	..	..	..	..	9th "	25 0	27 6	..	..	..	..
10th "	42 0	57 0	..	..	..	..	10th "	27 0	33 0	..	..	..	..
11th "	48 0	..	..	..	..	..	11th "	30 0	..	..	..	..	..
12th "	54 0	..	..	..	..	..	12th "	31 0	..	..	..	..	..
7th year	60 0	..	..	..	..	..	7th year	32 6	..	..	..	..	..

Any Other Section.

MALES.							FEMALES.						
Experience.	Commencing Age.						Experience.	Commencing Age.					
	15 years or under.	16	17	18	19	20		15 years or under.	16	17	18	19	20
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.		s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
1st six months	16 0	17 6	20 0	24 0	29 0	33 6	1st six months	14 6	15 0	16 0	17 6	19 0	20 6
2nd "	17 0	19 0	22 0	26 6	32 0	52 6	2nd "	15 0	16 6	17 6	19 0	20 6	30 6
3rd "	18 0	20 6	24 6	29 6	35 0	..	3rd "	17 0	18 6	20 0	21 6	23 0	..
4th "	20 0	23 0	27 6	33 6	53 0	..	4th "	18 6	20 0	21 6	23 0	31 0	..
5th "	21 6	25 6	30 0	37 6	..	..	5th "	20 0	21 6	23 0	25 0	..	..
6th "	24 6	29 6	35 6	54 6	..	..	6th "	21 6	23 0	25 0	32 0	..	..
7th "	27 0	33 6	41 6	..	..	..	7th "	23 0	25 0	27 0	..	..	..
8th "	32 6	39 6	56 6	..	..	..	8th "	25 0	27 0	34 0	..	..	..
9th "	37 6	45 0	..	..	..	..	9th "	26 6	29 0	..	..	..	..
10th "	43 6	58 6	..	..	..	..	10th "	28 6	34 6	..	..	..	..
11th "	49 6	..	..	..	..	..	11th "	31 6	..	..	..	..	..
12th "	55 6	..	..	..	..	..	12th "	32 6	..	..	..	..	..
7th year ..	61 6	..	..	..	..	..	7th year ..	34 0	..	..	..	..	..

NOTE.—The rates prescribed for apprentices or improvers shall apply only to such employees as are under 21 years of age.

PROPORTION (within any factory).

Males.

Two male apprentices or improvers to each male person receiving not less than the minimum wage.

Females.

Two female apprentices or improvers to each female person receiving not less than the minimum wage. The Board has prescribed a form of apprenticeship indenture.

OTHER EMPLOYEES.

Wages per Week of 44 Hours (Day Shift).

	Hosiery Section.	Any Other Section.
<i>Adult Males.</i>		
Mechanics on full-fashioned machines	93 0	..
Mechanics on all other machines	88 0	91 0
Operators of full-fashioned machines (leggers and footers)—		
First year's experience	88 0	..
Thereafter	93 0	..
Pliers	88 0	..
Welt turners	79 0	..
Board and press hands	78 0	81 0
Electric machine cutters	83 0	86 0
Hand cutters	80 6	83 6
Warpers	78 0	81 0
Hand knitters on flat machines	80 6	83 6
Circular machine knitters	78 0	81 0
Millmen, scourers, bleachers, or shrinkers	77 0	80 0
Leading hand employed on dye machines or vata	81 0	84 0
All other dye-house employees operating or attending machines	76 0	79 0
All other machine operators or attendants	76 0	79 0
Warehousemen	76 0	79 0
Persons not otherwise provided for	73 0	76 0
<i>Adult Females.</i>		
Employees using Paramount or similar shapes	41 9	..
Operators of steam presses (except manual screw press)	40 9	43 9
Electric machine cutters	47 9	50 9
Hand cutters	41 9	44 9
Hand knitters on flat machines	42 9	45 9
Knitters on other machines	40 9	43 9
Linkers	42 9	45 9
Seamers, welters, overlappers, flat lockers, or interlockers	41 9	44 9
All other machine operators or attendants (including winders and operators of all finishing machines not otherwise mentioned)	40 9	43 9
Ironers	40 9	43 9
Clockers	42 9	..
Examiners, folders, graders, pairers, sorters, or parcelers	39 9	42 9
Menders on full-fashioned hose	42 9	..
Other menders	40 9	43 9
Persons not otherwise provided for	37 9	40 9

(3) DEFINITIONS.—(a) "Leading hand" means an employee in charge of any operation where no foreman or assistant foreman is employed, or an employee who is empowered by the management to discharge such duties as would devolve upon such foreman or assistant, if employed.

(b) "Machine operator or attendant" means an employee who, in the course of his or her duty, is called upon to operate a machine, and does not include an employee whose sole duty is carrying material to and from a machine.

(c) "Continuous process" means the working of three shifts per day from Monday to Saturday inclusive.

(4) **SHIFTS.**—(a) A "day shift" shall be a shift worked between the hours of 7 a.m. and 7 p.m. on Monday to Friday inclusive, and between the hours of 7 a.m. and 12 noon on Saturday.

(b) A "night shift" shall be a shift worked between the hours of 7 p.m. and 7 a.m. Monday to Saturday inclusive.

(c) In addition to the rates payable to day shift employees, workers employed on night shift shall be paid at the rate of 1s. per shift, unless engaged in a continuous process. If adult employees in such continuous process work three alternating shifts, they shall be paid 5 per cent. extra, if alternating afternoon and night shift $7\frac{1}{2}$ per cent. extra. Male junior employees shall be paid 1s. per shift extra on afternoon or night shifts with a maximum payment of 5s. per week.

(d) Workers employed on a shift extending after 7 p.m. shall be paid at night shift rates for the time worked after 7 p.m., provided that workers employed on a shift commencing after 5 p.m. shall be paid at night shift rates throughout.

(e) By mutual arrangement between the employer and his employees, the hours of duty prescribed herein for workers on night shift may be worked in four shifts without payment for overtime. Under any such arrangement arrived at after 5th July, 1935, all hours of duty beyond ten hours, even if they come within the starting and finishing times of a shift, shall be paid for at overtime rates.

(f) The employment of females before 7 a.m. or of males under 18 years of age after 9 p.m. is prohibited.

(g) As far as practicable employees shall work shifts in rotation.

(5) **OVERTIME.**—(a) Males under 18 years of age, or females, required to work overtime shall be paid for such overtime at the rate of time and a half to a maximum of four hours in one day and ten hours in one week, with double time thereafter.

(b) Apprentices or improvers for each period of overtime worked, shall be paid 6d. up to two hours' work, and 3d. for each additional hour or part thereof in addition to their overtime earnings and any tea-money to which they are entitled.

(c) For work done by an employee not provided for in sub-clause (a) before the usual starting time or after the usual finishing time of his or her shift, or after an employee has completed the ordinary daily hours of work, overtime shall be paid at the rate of time and a half for the first four hours on any one day, and double time thereafter.

(d) Employees required to work overtime for more than one hour without being notified on the day immediately before that they will be required to work, shall either be supplied with a meal free of charge by the employer or paid 1s. 6d. each in lieu. If the notice is given and overtime is not worked (except as a result of breakdown of machinery or plant), the tea money prescribed herein shall be paid.

(e) The usual starting or finishing time in any factory or part thereof shall not be altered except on seven days' notice to the employees, and such starting and finishing times shall be posted on the notice board—see clause (8).

(6) **TERMS OF EMPLOYMENT.**—(a) Employment shall be on an hourly basis, except that notice equivalent to 44 working hours shall be given on either side to terminate employment. Such notice may 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 because of any strike, or 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 44 working hours' notice, except in circumstances referred to above, the employer shall pay 44 hours' wages. The employee leaving his or her employment without notice shall forfeit 44 hours' wages, which shall 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 the engagement finally, shall not deprive the employee of payment for any prescribed holiday occurring or observed between such notice to terminate and any re-engagement.

(7) **MEAL HOURS.**—(a) A meal interval of not less than 45 minutes and not more than one hour shall be allowed each day, provided that, by mutual arrangement between the employees and the employer, a shorter meal time may be fixed, in which case it shall not be less than 30 minutes.

(b) Time and a half rates shall be paid to any employee required to work during his or her meal hour. No employee shall be compelled to work for more than five hours without a break for a meal. Provided, however, that where three shifts are worked in a continuous process and it is mutually arranged, there shall be no break for meals, but employees may take their meals in the employer's time as opportunity offers.

(c) An employee engaged in the maintenance of plant, when breakdowns occur, shall work meal hours at the ordinary rates herein prescribed whenever instructed so to do.

(d) Meal intervals having been fixed shall not be altered except on seven days' notice posted in the factory.

(8) **NOTICE BOARD.**—The employer shall permit a notice board to be erected in his establishment for the purpose of posting any notices thereon in connexion with meetings or other business the employees may require, such notice board to be in a prominent position. All such notices shall be submitted to and approved by the employer before being posted.

(9) **TOOLS OF TRADE.**—Rubber aprons, gloves, and top boots (where necessary for dyehouse work or scouring department), together with all materials and appliances required for the cleaning of machinery, shall be supplied by the employer free of charge when requested by the employee concerned.

(10) **LIMITATIONS.**—(a) One operator receiving not less than the full operator's wage shall be employed on each full-fashioned machine (legger and/or footer).

(b) No female shall be required to use an iron exceeding 8½ lb. weight.

(11) **PAYMENT OF WAGES.**—(a) Wages shall be paid weekly, not later than Friday, except by mutual agreement between the employer and his employees.

(b) Any employee kept waiting for his or her wages on pay day for more than ten minutes after the usual time for ceasing work shall be paid at overtime rates for the time so kept waiting.

(c) Where the services of an employee are dispensed with, all wages due shall be paid to him or her on dismissal, or forwarded to him or her by post on the day following.

(d) Not more than two days' pay of any employee shall be kept in hand by an employer.

(12) **TIME AND WAGES BOOK.**—Each employer shall keep a time and wages book or record in the English language showing the name of each employee and his or her occupation, the hours worked each day or each week, and the wages or allowance paid each week.

The time occupied by an employee in filling in any time book or in the making of records shall be treated as time of duty, but this does not apply to checking in or out at the beginning or end of duty.

(13) **SUNDAYS AND HOLIDAYS.**—(a) All work done on Sundays by time-workers or on the following holidays shall be paid for at the rate of ordinary time in addition to the ordinary rate. All work done by pieceworkers shall be paid for at the ordinary rate payable to time-workers doing the same class of work, in addition to the piecework earnings:—

New Year's Day, Australia Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Labour Day, Christmas Day, and Boxing Day.

Provided that Melbourne Cup Day shall be observed as a holiday in the Metropolitan District instead of King's Birthday.

(b) If any other day be by Act of Parliament or Proclamation substituted for any of the above-mentioned holidays, the special rate shall be payable only for work done on the day so substituted. Time-workers who are off duty on any of the above-mentioned holidays, other than Sunday, shall be paid for such days at the ordinary rates. Piece-workers who are off duty shall be paid for such days at the ordinary rates payable to employees on time-work doing the same class of work.

(c) Where an employee is absent from his or her employment on the working day before or the working day after a holiday without reasonable excuse, or without the consent of the employer, the employee shall not be entitled to payment for such holiday.

(14) **PIECEWORK.**—(a) The lowest piece-work price payable to any outside worker for performing any of the undermentioned work shall be as specified in the following schedule, viz. :—

Description of Work.	Price per Garment.		
	Knitting or Crocheting.	Finishing.	Wholly Making up.
	s. d.	s. d.	s. d.
Pullovers, or Sweaters, or Jumpers, power fabric	0 9	2 3	3 0
Cardigans or Jackets, power fabric	0 9	2 6	3 3
Pullovers, or Sweaters, or Jumpers, hand flat fabric	1 3	2 3	3 6
Cardigans or Jackets, hand flat fabric	1 3	2 6	3 9

In the case of garments with a chest measurement not exceeding 32", the above prices may be reduced as follow :—

Knitting or Crocheting	4d. per garment reduction
Finishing	8d. " " "
Wholly making up	1s. 0d. " " "

(b) Except as provided in Clause 14 (a) any employer may fix piece-work prices for any process, provided such prices enable adult employees of average capacity to earn at least the minimum weekly rate prescribed for their respective classes, with the addition of 15 per cent. Such prices shall not be altered except by mutual agreement between the employer and the piece-worker concerned.

(c) Where an employee has worked part of the week on piece-work he or she shall be entitled to his or her earnings in full for the actual time worked on piece-work if the earnings are higher than the minimum rate for such time.

(d) Adults and juniors doing the same operations shall be paid the same piece-work prices.

(e) As far as practicable, different grades of work shall be equitably divided between piece-workers.

(f) A piece-worker who also instructs learners shall receive, in addition to piece-work earnings, 10s. per week for the first week 7s. 6d. for the second week, and 5s. for the third week, but at the end of the third week shall not be called upon to continue instructing a learner unless paid 5s. per week in addition to the piece-work earnings.

(g) Male piece-workers called on to perform work before the usual starting time or after the usual finishing time shall be paid 10d. per hour in addition to the prescribed piecework prices, and female pieceworkers 6d. per hour in addition to the prescribed piecework prices.

(15) **OUTSIDE WORKERS.**—(a) No person who is or is deemed to be the occupier of a factory within the meaning of section twenty-three of the *Factories and Shops Act 1928* (No. 3677) shall issue or give out or authorize or permit to be issued or given out any material whatsoever for the purpose of being wholly or partly prepared or manufactured outside a factory as articles of clothing or wearing apparel for trade or sale, except to a person who has been licensed by the Chief Inspector of Factories as an outside worker. Provided that no such outside worker shall employ any other person or persons whatsoever in wholly or partly preparing or manufacturing such articles of clothing or wearing apparel save and except members of such worker's own family.

(b) Every such outside worker shall be paid the prescribed piece-work prices.

(c) Every outside worker shall be provided, free of charge, with cotton, silk, thread, and all other sewings and trimmings used in the manufacture of garments.

(d) In the case of an employer delivering or collecting the work of such outside worker, the same shall be done without charge to such outside worker.

(e) Every employer who has work done elsewhere than in his factory or workshop shall keep a record book, which shall contain a correct account written in ink as follows :—

- (i) The name and full address of the outside worker.
- (ii) The number of articles and description of work given out.
- (iii) The price paid for such work.

(f) The record book mentioned in the preceding sub-clause shall be signed each week by each outside worker, verifying the accuracy of the amount of remuneration received, and shall be open for inspection at any time by any authorized officer of the Department of Labour.

W. W. HARRIS, Chairman.

REX L. CECIL, Secretary.

Melbourne, 20th July, 1937.