



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 279]

SATURDAY, NOVEMBER 5.

[1938

Factories and Shops Acts.

DETERMINATION OF THE DENTAL MECHANICS BOARD.

This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder; such portions of the City of Sandringham as are not included in the said Metropolitan 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 accordance with the provisions of the Factories and Shops Acts, the Wages Board which since the 30th August, 1938, has had the power "to determine the lowest prices or rates which may be paid to any persons employed in the process, trade, business, or occupation of—

- (a) a dentist's surgical assistant granted a permit by the Dental Board of Victoria in pursuance of section 68 of the *Medical Act 1928*;
- (b) a dentist's mechanic;
- (c) making any article to be fitted in a human mouth;
- (d) a dentist's attendant."

has made the following determination, namely:—

(1) That on the 11th November, 1938, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Dentist's Mechanic.		Dentist's Attendant. (Apprentices and Improvers.)	Other Employees.	Minimum Wage.	Hours of Work per Week.
Apprentices.	Improvers.				
Wages per week of 40 hours.		Wages per week of 44 hours.		<i>s. d.</i>	
<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	Dentist's Surgical Assistant ..	140 0	40
1st six months .. 7 6	1st six months 7 6	1st year .. 15 0	Dentist's Mechanic ..	105 6	40
2nd " " .. 13 0	2nd " " .. 13 0	2nd " .. 25 0	Dentist's Attendant ..	53 0	44
3rd " " .. 18 6	2nd year .. 46 6	3rd " .. 40 0			
4th " " .. 22 6	3rd " .. 85 0				
3rd year .. 29 0		And thereafter the minimum wage.			
4th " .. 37 6					
5th " .. 47 6					
6th " .. 72 6					
And thereafter the minimum wage.					
PROPORTION (IN ANY PLACE).					
APPRENTICES.					
One apprentice to every three or fraction of three workers receiving not less than the minimum wage.					
An amended indenture of apprenticeship prescribed was approved on 3rd September, 1925.					
IMPROVERS.					
One improver to every ten or fraction of ten workers of the same sex receiving not less than the minimum wage.					

(3) TIMES OF BEGINNING AND ENDING WORK—

For the following persons shall be:—

		ATTENDANTS.	
Time of Beginning.		Time of Ending.	
8.30 a.m.	.. ..	6 p.m.	on Monday, Tuesday, Wednesday, and Thursday.
9 a.m.	.. ..	9 p.m.	on Friday.
8.30 a.m.	.. ..	1 p.m.	on Saturday.

		ALL OTHERS.	
Time of Beginning.		Time of Ending.	
9 a.m.	.. ..	12 noon	on the day on which the half-holiday is observed.
9 a.m.	.. ..	5.30 p.m.	on the other working days of the week.

- (4) HOURS.—Forty-four hours for attendants and 40 hours for all others shall constitute a week's work.
 (5) OVERTIME.—(a) No employee shall be required to work more than two hours' overtime in any one week outside the hours of beginning and ending work without his or her consent.
 (b) No employee under the age of sixteen years shall be employed working overtime.
 (c) The following rate shall be paid for all work done:—

- (i) Outside the hours fixed in Clause (3) } Time and a half.
- (ii) Within the hours fixed in Clause (3) in excess of the number of hours as fixed for a week's work }

- (6) MEAL MONEY.—All employees who work overtime—
 (a) in excess of three hours on the day on which the half-holiday is observed;
 (b) in excess of one hour on the other working days of the week;
 shall be paid 2s. meal money in addition to overtime rates.

(7) SUNDAYS AND HOLIDAYS.—(a) Double time shall be the rate payable for all work done on Sundays, New Year's Day, Australia Day, Anzac Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, King's Birthday, Show Day (Metropolitan District only), Melbourne Cup Day (Metropolitan District only), 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 be payable only for work done on the day so substituted.
 (b) All weekly wage employees shall be granted the holidays mentioned in Clause (a) without deduction of pay.

(8) EMPLOYMENT FOR LESS THAN FULL WEEK.—(a) Casual employees (i.e., persons employed during any week for not more than half the hours fixed for an ordinary week's work) shall be paid—
 (i) in any week in which two or more public holidays occur Time and a half.
 (ii) in any other week Time and a quarter.

(b) Persons who are employed during any week for more than one-half the maximum number of hours fixed in this Determination as a week's work, but for less than 40 hours in the case of males, or 44 hours in the case of females, shall (subject to Clause (15)) be paid not less than the ordinary wages rate calculated *pro rata* according to the number of hours worked.

(9) TERMINATION OF EMPLOYMENT.—(a) Except in the case of misconduct by an employee, seven days' notice of termination of employment shall be given by either employer or employee, or one week's wages shall be paid or forfeited in lieu thereof. This provision shall only apply in the case of an employee who has been employed continuously for four weeks or more.
 (b) Where the employer terminates the employment of an employee within one week of a day on which a holiday occurs, the employee shall be paid for such holiday or holidays prescribed by the Determination provided that such employee has been employed by the employer for a period of at least four weeks prior to the termination of employment.

(10) PAY DAY.—All earnings shall be paid not later than Thursday of each week.

(11) ANNUAL HOLIDAYS.—(a) An employee, on completion of each twelve months' continuous employment, shall receive one week's annual leave on full pay to be given at a time to be arranged by the employer, provided that such leave shall be given within 60 days of its becoming due and that an employee having applied for such leave shall be given at least fourteen days' notice of the date from which leave is to commence.
 (b) Notwithstanding anything contained in sub-clause (a) an employee who has been in the continuous employment of an employer for not less than nine calendar months either from the date of his first commencing work with such employer or from the date when he resumed work after a holiday as hereinbefore provided and who is dismissed for any reason (other than misconduct) shall be entitled to a half-day's holiday for each month of such employment.
 (c) For the purpose of administering the provisions of sub-clauses (a) and (b) any service prior to 14th November, 1938, shall not be taken into account.

(12) SICK PAY.—Any employee not attending for duty who has had not less than twelve months' service with the same employer shall not lose his pay for the actual time lost if such employee produces or forwards within 48 hours of the commencement of such absence evidence satisfactory to the employer that his non-attendance was due to personal ill-health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the grounds of personal ill-health or accident for more than seven days in each year commencing from 11th day of November, 1938.

(13) REFERENCE.—When any employee is dismissed or leaves his employment he shall be entitled to a reference stating his period of service.

(14) REST PERIOD.—When any spell of duty is for more than four hours, an interval of ten minutes, to be selected by the employer, shall be allowed in the third hour to females, apprentices and improvers for refreshment. The interval shall be as part of the time of duty, without deduction of pay.

(15) MIXED FUNCTIONS.—Any employee (other than a casual employee) who is engaged in any work for more than twenty hours at work in a higher class than he or she is ordinarily employed to perform shall, for all work performed during such week, be paid at the rate fixed for the higher class of work; but, if an employee is so engaged at work in a higher class for less than twenty hours in any week, he or she shall be paid *pro rata* according to the rates fixed in this Determination for the work actually performed.

(16) DEFINITIONS.—(a) Dentist's Surgical Assistant: One who is granted a permit by the Dental Board of Victoria in pursuance of section 68 of the *Medical Act 1928* and who practises dental surgery under the supervision of a dentist.
 (b) Dentist's Mechanic: One who is making any article to be fitted in a human mouth.
 (c) Dentist's Attendant: A female who waits on a dentist or dentist's assistant and who does not make, repair or alter any article to be fitted in a human mouth.

A. C. TINGATE, P.M., Chairman.

J. B. DEWAN, Secretary.

Melbourne, 20th October, 1938.