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[1938]

Factories and Shops Acts.

DETERMINATION OF THE GENERAL BOARD.

(Plaster Model Section.)

Adjusted pursuant to section 21 of the *Factories and Shops Act 1934* (No. 4275).

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

I FRANCIS ANTHONY MARZORINI, in pursuance of the powers contained in the *Factories and Shops Acts*, and in consequence of the provisions contained in a determination made on the 7th March, 1938, by the General Board, and published in the *Government Gazette* on the 31st March, 1938, hereby issue an adjusted determination showing the adjusted wages rates to be paid as from the beginning of the first pay period to commence in December, 1938, to any person or persons or classes of persons employed in manufacturing or preparing plaster models.

(1) WAGES PER WEEK OF 44 HOURS.

(a) Improvers.		(b) Other Employees.	
	s. d.		s. d.
Under 17 years of age	17 0	Persons engaged in making or preparing moulds	89 0
17 years of age	25 9	Persons engaged in coloring or decorating models—	
18 " "	34 3	(a) by hand	103 0
19 " "	46 3	(b) by spray, or otherwise than by hand	91 0
20 " "	50 6	Persons engaged in assembling or fining models	
		when taken from moulds	84 0
		All others	79 0
Proportion (in any place).			
One improver to every three adult employees.			

(2) PROHIBITION OF EMPLOYMENT.—The Board determines that no person shall be employed as an apprentice.

(3) WEEKLY HOURS.—That the number of hours to constitute an ordinary week's work shall be 44, to be worked as follows:—
On Saturday From 8 a.m. to 12 noon.
On Monday to Friday From 8 a.m. to 12 noon, and from 1 p.m. to 5 p.m.

(4) OVERTIME.—That all time worked outside the times of beginning and ending work prescribed in Clause (3) shall be paid for at the rate of time and a half for the first four hours' work, and double time thereafter. Provided that, in computing overtime, each day's work shall stand alone.

(5) HOLIDAYS.—(a) All employees, whether in a city or elsewhere, shall be granted the following holidays without deduction of pay:—The days observed as New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, and Boxing Day.

(b) If any of the above holidays occurs on a Sunday or Saturday and is not observed on any other day, then employees shall not be paid for such Sunday, and shall be paid for such Saturday as for a half day only when the working week consists of five and a half days.

(c) All employees whether in a city or elsewhere, shall be paid for the above holidays an amount for each holiday based on the actual weekly wage paid to them by the employer.

(d) Any employee absenting himself or herself from work on any portion of the working day preceding, or any portion of the working day succeeding a holiday provided for herein, other than Boxing Day and New Year's Day, without permission from the employer or without having reasonable cause for having absented himself or herself from work, shall not be entitled to payment for such holiday.

(e) Any employee who is employed on a Sunday or any holiday provided for herein shall be paid for that day at the rate of double time.

(6) TERMS OF EMPLOYMENT.—(a) 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 may pay 44 hours' wages: and vice versa the employee leaving his employment without notice shall forfeit 44 hours' wages, which may 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 finally the engagement, shall not deprive the employee of payment for any prescribed holidays occurring or observed between such notice to terminate and the re-engagement, if any.

F. A. MARZORINI,
Secretary for Labour.

Melbourne, 16th November, 1938.