



# VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 118]

MONDAY, MAY 29.

[1939

Factories and Shops Acts.

## DETERMINATION OF THE HOTEL AND RESTAURANT 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 which since the 21st day of November, 1938, has had the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons—

- (a) employed in a restaurant, coffee palace, hotel, eating-house, or any premises for which a colonial wine licence or billiard table licence is in force or which are occupied as a club, but not including persons subject to the jurisdiction of any other Board heretofore appointed;
- (b) employed in the business of a caterer;
- (c) employed in connexion with the sale of aerated waters, fruit juice drinks, cordials, coffee, chocolate, cocoa, milk, or any other non-intoxicating beverage whatsoever consumed on the premises;
- (d) employed whole or part time selling confectionery, or pastry in any place in which the business of a restaurant is carried on—

has made the following Determination, namely:—

(1) That on the 1st June 1939, the last previous Determination of this Board shall be revoked and replaced by this Determination.

### HOTELS.

(2)

### APPRENTICES AND IMPROVERS.

	Wages (see below for Deductions where Board or Lodgings Provided).				PROPORTION (IN ANY PLACE).  MALES OR FEMALES.  <i>Apprentices.</i>  One apprentice to every three or fraction of three workers receiving not less than the minimum wage.  <i>Improvers.</i>  Such number of improvers as shall not, together with apprentices, exceed, in the aggregate, one to every three or fraction of three adult weekly workers receiving not less than the minimum wage.
	Within a radius of 25 miles of the General Post Office, Melbourne; and in the Town of Mildura.		In all other parts of Victoria.		
	Males.	Females.	Males.	Females.	
	Per Week of 44 hours.		Per Week of 44 hours.		
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	
Improvers employed in the bar—					
18 years of age or under ..	50 6	..	50 6	..	
19 years of age .. .. .	54 6	..	54 6	..	
20 years of age .. .. .	64 6	..	64 6	..	
Apprentices and all other Improvers—					
16 years of age or under ..	33 0	54 9	27 9	51 6	
17 years of age .. .. .	40 6	54 9	35 0	51 6	
18 years of age .. .. .	45 0	54 9	39 9	51 6	
19 years of age .. .. .	51 3	54 9	45 0	51 6	
20 years of age .. .. .	61 3	54 9	54 6	51 6	
Deductions from the above rates when the employee is supplied, by the employer, with board or lodging as follows:—	Deductions per week.				
Board of three meals on each day .. .. .	13 5	13 5	12 3	12 3	
Board of three meals on each day other than the employee's weekly day off .. .. .	11 6	11 6	11 6	11 6	
Lodging .. .. .	4 9	4 9	4 9	4 9	

OTHER EMPLOYEES.

	Wages (see below) (for Deductions where Board or Lodging is Provided).					
	Within a radius of 25 miles of the General Post Office, Melbourne, and in the Town of Mildura.		Within a radius of 5 miles of the principal post office at Geelong.		In all other parts of Victoria.	
	Males.	Females.	Males.	Females.	Males.	Females.
	Per Week of 44 Hours.	Per Week of 44 Hours.	Per Week of 44 Hours.	Per Week of 44 Hours.	Per Week of 44 Hours.	Per Week of 44 Hours.
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
Barman .. .. .	92 6	..	91 6	..	89 6	..
Cellarman .. .. .	103 6	..	102 6	..	100 6	..
Assistant Cellarman .. .. .	92 6	..	91 6	..	89 6	..
Steward .. .. .	92 6	..	91 6	..	89 6	..
Barmaids .. .. .	..	69 3	..	66 3	..	66 3
First cook where number of persons employed in kitchen is—						
Eight or more .. .. .	129 6	95 3	128 6	92 3	126 6	92 3
Five, six, or seven .. .. .	112 0	75 3	111 0	72 3	109 0	72 3
Three or four .. .. .	106 0	68 3	105 0	65 3	103 0	65 3
Other first cooks, or cook employed alone ..	100 0	67 3	99 0	64 3	97 0	64 3
Second cook where number of persons employed in kitchen is—						
Eight or more .. .. .	112 0	75 3	111 0	72 3	109 0	72 3
Five, six, or seven .. .. .	100 0	67 3	99 0	64 3	97 0	64 3
Other second cooks .. .. .	94 0	63 3	93 0	60 3	91 0	60 3
Night or relieving cook where number of persons employed in kitchen is—						
Eight or more .. .. .	112 0	75 3	111 0	72 3	109 0	72 3
Five, six, or seven .. .. .	100 0	67 3	99 0	64 3	97 0	64 3
Other night or relieving cooks .. .. .	94 0	63 3	92 0	60 3	91 0	60 3
Larder cook .. .. .	97 0	63 3	96 0	60 3	94 0	60 3
Pastrycook .. .. .	100 0	63 3	99 0	60 3	97 0	60 3
Stove, grill, fish, third or breakfast cook ..	94 0	59 3	93 0	56 3	91 0	56 3
Vegetable or assistant cook .. .. .	92 0	57 3	91 0	54 3	89 0	54 3
Oysterman .. .. .	88 0	..	87 0	..	85 0	..
Pantryman or kitchenman .. .. .	88 0	..	87 0	..	85 0	..
Storeman .. .. .	90 6	..	89 6	..	87 6	..
Head waiter .. .. .	93 6	..	92 6	..	90 6	..
Other waiters .. .. .	88 0	..	87 0	..	85 0	..
Night porter .. .. .	88 0	..	87 0	..	85 0	..
Day porter .. .. .	88 0	..	87 0	..	85 0	..
Billiard-room attendant .. .. .	88 0	..	87 0	..	85 0	..
Commissionaire or messenger .. .. .	88 0	..	87 0	..	85 0	..
Housekeeper, stewardess, or manageress ..	..	70 9	..	67 9	..	67 9
Laundress .. .. .	..	59 3	..	56 3	..	56 3
Head waitress .. .. .	..	59 3	..	56 3	..	56 3
Other waitresses .. .. .	..	55 3	..	52 3	..	52 3
Pantrymaid or kitchenmaid .. .. .	..	56 3	..	53 3	..	53 3
Housemaid .. .. .	..	56 3	..	53 3	..	53 3
Persons not otherwise provided for .. .. .	88 0	56 3	87 0	53 3	85 0	53 3
Deductions from the above rates when the employee is supplied, by the employer, with board or lodging as follows—						
Board of three meals on each day ..	13 5	13 5	12 3	12 3	12 3	12 3
Board of three meals on each day other than on the employee's weekly day off ..	11 6	11 6	11 6	11 6	11 6	11 6
Lodging .. .. .	4 9	4 9	4 9	4 9	4 9	4 9
Midday waitress or midday kitchenmaid or pantrymaid (employed only between 11.40 a.m. and 3 p.m.) .. .. .	..	Per Week of 20 Hours 30 6	..	Per Week of 20 Hours 27 6	..	Per Week of 20 Hours 27 6

NOTE.—A copy of this Determination shall be displayed at or near the entrance of every establishment where the Determination of this Wages Board applies.

Under the provisions of Section 7 of the Factories and Shops Act 1936 (No. 4461) every employer of any employee in any hotel is required to keep a time-book in the prescribed form wherein each employee shall enter daily a record of the hours worked.

(3) OVERTIME.—The following rates shall be paid for overtime:—

(a) Persons employed in the bar—

For all work done outside a period of 11 hours per day from the time of their beginning to the time of their ending work or in excess of 9 hours in any one day .. .. . Time and a half } Calculated on the rates fixed without board and lodging.

For all work done in any week (within a period of 11 hours per day from the time of their beginning to the time of their ending work) in excess of the maximum number of hours fixed as a week's work .. .. . Time and a half }

(b) All other persons—

For all work done outside a period of 13 hours per day from the time of their beginning to the time of their ending work or in excess of 10 hours in any one day .. .. . Time and a half } Calculated on the rates fixed without board and lodging.

For all work done in any week (within a period of 13 hours per day from the time of their beginning to the time of their ending work) in excess of the maximum number of hours fixed as a week's work .. .. . Time and a half }

(4) TERMS OF EMPLOYMENT.—All employees (other than casual employees) shall be engaged by the week and shall be paid weekly. Except in the case of misconduct by an employee forty-eight hours' notice shall be given by the employer or employee to terminate employment, or in lieu of such notice, two days' wages shall be paid by the employer or forfeited by the employee. When notice of termination of service has been given, employees shall be paid within 24 hours from the expiry of such notice.

(5) CASUAL LABOUR.—Casual employee shall mean and be deemed to be any employee engaged for less period than the working week of 44 hours on the class of employment for which the casual is employed. This clause shall not apply to employees engaged by the week.

Casual employees shall be paid—

Males .. .. . Time and a half with a minimum of 5s. per day for a lunch waiter, or 6s. per day for any other engagement.

Females .. .. . 2s. 3d. per hour with a minimum of 4s. 6d. each engagement.

Casual employees shall be entitled to all fares exceeding 3d. per day necessarily incurred.

(6) LIVING IN ALLOWANCE.—No employee shall be compelled to board on the premises where he or she is employed. If the employer desires the employee to board on the premises where he or she is employed, then meals and accommodation shall be provided by the employer without any deduction in wages. If the employer and employee mutually agree that meals and accommodation shall be provided the amounts to be deducted shall be those set out in clause (2).

(7) **SPECIAL RATES.**—The special rate to be paid for all work done on Sundays by persons employed in the bar shall be time and a half, and the special rate to be paid to any person for all work done on New Year's Day, Australia Day, Union Picnic Day, Good Friday, Easter Monday, King's Birthday, Labour Day, Anzac Day, Christmas Day, or Boxing Day, shall be time and a half calculated on the rates fixed without board and lodging; 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.

(8) **ANNUAL LEAVE.**—Persons employed in the bar shall be granted two weeks' leave of absence on full pay, and all other persons one week's leave of absence on full pay on completion of each twelve calendar months' service. Such leave may be applied for and shall commence at any time within two months of such leave of absence becoming due. A *pro rata* leave of absence on full pay shall be granted to any employee who has worked three months or over. An employee shall receive at least seven days' notice of the day on which his annual leave is to begin.

(9) **DEFINITIONS.**—

- (a) "Barman" or "Barmaid" shall mean and be deemed to be a person usually employed for more than two hours in any one day or night, in the sale of liquor, over the bar, either wholesale or retail, in any hotel or other licensed premises.
- (b) "Cellarman" is an employee in charge of, responsible for and substantially engaged in looking after the contents of the cellar of an hotel.
- (c) "Assistant Cellarman" shall mean and be deemed to be a person who is substantially engaged in working in the cellar of an hotel.

**CLUBS.**

(10) APPRENTICES OR IMPROVERS.			
	WAGES PER WEEK OF 48 HOURS.		PROPORTION (IN ANY PLACE).  MALES OR FEMALES.
	Males.	Females.	
	<i>s. d.</i>	<i>s. d.</i>	
1st six months' experience ..	18 9	15 6	<i>Apprentices.</i>  One apprentice to every three or fraction of three workers receiving not less than the minimum wage.
2nd " " " " ..	24 6	23 6	
3rd " " " " ..	29 3	27 0	
4th " " " " ..	33 0	29 6	
5th " " " " ..	39 9	Minimum wage	
6th " " " " ..	47 9	Minimum wage	
4th year's " " ..	61 9	Minimum wage	<i>Improvers.</i>  One improver to every four or fraction of four workers receiving not less than the minimum wage.
Thereafter ..	Minimum wage	Minimum wage	

**OTHER EMPLOYEES.**

	† WAGES.			
	Within a radius of 25 miles of the General Post Office, Melbourne, the Cities of Bendigo, Ballarat, Geelong, and Warrnambool, and the Town of Mildura.		In all other parts of Victoria.	
	Males.	Females.	Males.	Females.
	Per Week of 48 Hours.	Per Week of 48 Hours.	Per Week of 48 Hours.	Per Week of 48 Hours.
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
Steward ..	88 6	..	88 6	..
First cook where the number of persons employed in the kitchen is—				
Eight or more ..	117 6	78 0	117 6	78 0
Five, six, or seven ..	101 6	66 0	101 6	66 0
Three or four ..	92 3	63 6	92 3	63 6
Other first cooks or cook employed alone ..	88 3	63 6	86 6	63 6
Second, or night or relieving, cook when the number of persons employed in the kitchen is—				
Eight or more ..	97 6	66 0	97 6	66 0
Five, six, or seven ..	87 6	58 0	87 6	58 0
Less than five ..	86 0	56 0	84 6	56 0
Larder cook ..	86 0	56 0	84 6	56 0
Pastrycook shall be paid the rates fixed by the Pastrycooks Board				
Sweets cook ..	88 0	58 0	87 6	58 0
Stove, grill, third, or breakfast cook ..	86 0	53 6	84 6	53 6
Vegetable or assistant cook ..	84 6	53 6	83 6	53 6
Oysterman ..	87 0	..	85 6	..
Pantryman or kitchenman ..	84 0	..	82 6	..
Storeman ..	84 0	..	84 0	..
Head waiter ..	86 0	..	86 0	..
Other waiters ..	84 0	..	82 6	..
Night porter ..	84 0	..	82 6	..
Day porter ..	84 0	..	82 6	..
Billiard-room attendant ..	84 0	..	82 6	..
Commissionaire or messenger ..	84 0	..	82 6	..
Housekeeper, Stewardess, or Manageress ..	..	63 6	..	63 6
Laundress ..	..	52 0	..	52 0
Head waitress ..	..	52 0	..	52 0
Other waitresses ..	..	49 6	..	49 6
Pantrymaid or kitchenmaid ..	..	49 6	..	49 6
Counterhand ..	..	49 6	..	49 6
Housemaid ..	..	49 6	..	49 6
Persons not otherwise provided for ..	84 0	49 6	82 6	49 6
		Per week of 20 hours. Provided that a minimum payment of 15s. shall be paid each week irrespective of the number of hours worked.		Per week of 20 hours. Provided that a minimum payment of 15s. shall be paid each week irrespective of the number of hours worked.
Midday waitress or midday kitchenmaid or pantrymaid (employed only between 11.40 a.m. and 3 p.m.) ..	..	29 0	..	29 0

**NOTE.**—A copy of this Determination shall be displayed at or near the entrance of every establishment where the Determination of this Wages Board applies.

† Except in the case of an apprentice, an improver, a midday waitress, a midday kitchenmaid or pantrymaid, or a casual employee the minimum wage shall be, where the employer—

- (a) boards the employee and provides three meals per day, one of which shall be a substantial meal, 14s. per week less :

- (b) boards the employee and provides three meals per day, where substantial meals are not provided, 8s. 10d. per week less ;
- (c) provides only two meals per day for an employee who is employed between 6 a.m. and 3 p.m. or between 11.30 a.m. and 11.45 p.m., 8s. 10d. per week less ; or
- (d) boards and lodges the employee, 19s. 3d. per week less.

Notwithstanding any other condition in this clause no deduction for meals shall be made for a public holiday when the employee is not required to work on such public holiday.

In computing the amount to be deducted for meals where an employee works for less than six days a week the amount to be allowed as a deduction for each day shall be  $\frac{2}{17}$  of the amount herein provided for a weekly deduction.

(11) TERMS OF EMPLOYMENT.—Employees (other than casual employees, midday waitresses and midday kitchenmaids or pantrymaids) who in any week work for less than 48 hours, shall for such week be paid as follows:—

- (a) For work done during a week in which any of the public holidays mentioned in clause (15) occurs:—
  - (i) Time and a third for all work done on days other than the public holiday
  - (ii) The rate fixed in clause (15) for work done on the public holiday

Provided that the earnings of an employee in any such week shall not exceed ordinary wages rates for an ordinary week's work plus such amount of the special rate fixed in clause (15) as is greater than ordinary time.
- (b) For work done during any other week.—Time and a third up to but not exceeding ordinary wages rates for an ordinary week's work.

(12) OVERTIME.—The following rates shall be paid for overtime:—

(a) Persons employed in the bar—

For all work done outside a period of 12 hours per day from the time of their beginning to the time of their ending work	Time and a half	} Calculated on the rates fixed without board and lodging.
For all work done in any week (within a period of 12 hours per day from the time of their beginning to the time of their ending work) in excess of the maximum number of hours fixed as a week's work	Time and a half	

(b) All other persons—

For all work done outside a period of 13 hours per day from the time of their beginning to the time of their ending work	Time and a half	} Calculated on the rates fixed without board and lodging.
For all work done in any week (within a period of 13 hours per day from the time of their beginning to the time of their ending work) in excess of the maximum number of hours fixed as a week's work	Time and a half	

(13) CASUAL LABOUR.—Casual employees (i.e., persons employed during any week for not more than one-half the maximum number of hours fixed in this determination as a week's work) shall be paid—

	For the first 5 hours' work done on any one day.		Thereafter.		
	Per Hour.		Per Hour.		
	s.	d.	s.	d.	
Males .. .. .	2	3	1	7	With a minimum of 6s. 9d. for work done on any one day With a minimum of 5s. 3d. for work done on any one day
Females .. .. .	1	9	1	2	

(14) TRAVELLING.—The special rate to be paid to employees who work away from their employer's place of business for time occupied in travelling between the employer's place of business and work, or between the employee's residence and work shall be 2s. per hour.

(15) SPECIAL RATES.—The special rates payable to persons for work done on New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, or Boxing Day shall be time and a half, calculated on the rates fixed without board and lodging; 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.

(16) UNIFORMS.—Where any female employee is required by the employer to wear a special uniform (other than a black, white, or black and white uniform) such uniform shall be provided by the employer.

(17) ANNUAL LEAVE.—All persons (other than Casual Employees) employed in clubs shall be granted one week's leave of absence on full pay on completion of each twelve calendar months' service. Such leave may be applied for and shall commence at any time within two months of becoming due, provided that if an employee leaves or is dismissed before being granted leave, he or she shall be entitled to a week's wage in lieu of same. An employee shall receive at least seven days' notice of the day on which his annual leave is to begin. An employee who leaves or is dismissed after having worked for three months or over shall be entitled to a *pro rata* leave or payment in lieu thereof.

(18) DEFINITIONS.—(a) "Sweets Cook" shall include any person manufacturing cakes or pastry for meals supplied by the employer.

(b) "Substantial Meal."—A substantial meal shall consist of food comprising soup, entrée, or joint, vegetables and sweets, and on Fridays, a choice of fish.

(c) "Full Pay" shall mean the rate prescribed in the Determination for the class of work performed, without any deductions whatever.

(19) TERMINATION OF EMPLOYMENT.—Employees (other than Casual Employees) shall except in a case of misconduct by either employer or employee, give or receive two days' notice of termination of employment.

**RESTAURANTS, COFFEE PALACES, EATING-HOUSES, AND ALL OTHER PLACES EXCEPT HOTELS AND CLUBS.**

(20) APPRENTICES OR IMPROVERS.

Wages per week of 48 hours.			PROPORTION (IN ANY PLACE). MALES OR FEMALES. <i>Apprentices.</i> One apprentice to every three or fraction of three workers receiving not less than the minimum wage. <i>Improvers.</i> One improver to every four or fraction of four workers receiving not less than the minimum wage.
	Males.	Females.	
	s. d.	s. d.	
1st six months' experience ..	18 6	15 6	
2nd " " " " ..	25 3	23 6	
3rd " " " " ..	29 0	27 3	
4th " " " " ..	32 9	29 3	
5th " " " " ..	39 9	Minimum wage	
6th " " " " ..	48 0	Minimum wage	
4th year's experience ..	61 3	Minimum wage	
Thereafter .. .. .	Minimum wage	Minimum wage	

OTHER EMPLOYEES.

	Wages.†			
	Within a radius of 25 miles of the General Post Office, Melbourne.		In all other parts of Victoria.	
	Males.	Females.	Males.	Females.
	Per week of 48 hours.	Per week of 48 hours.	Per week of 48 hours.	Per week of 48 hours.
<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	
Barmen or cellarmen (employed in or in connexion with wine saloons) .. .. .	90 9	..	90 9	..
Barmaids (employed in or in connexion with wine saloons) .. .. .	..	66 3	..	66 3
First cook where the number of persons employed in the kitchen is—				
Eight or more .. .. .	114 6	77 6	114 6	77 6
Five, six, or seven .. .. .	99 0	64 0	99 0	64 0
Three or four .. .. .	90 9	61 6	90 9	61 6
Other first cooks or cook employed alone .. .. .	88 6	61 6	86 3	61 6
Second cook where the number of persons employed in the kitchen is—				
Eight or more .. .. .	94 6	64 0	94 6	64 0
Five, six, or seven .. .. .	84 6	56 3	84 9	56 3
Other second cooks .. .. .	84 6	54 0	83 0	54 0
Night or relieving cook .. .. .	84 9	54 0	82 9	54 0
Larder cook .. .. .	84 9	54 0	82 9	54 0
Pastrycook shall be paid the rates fixed by the Pastrycooks Board				
Sweets cook .. .. .	86 0	54 9	84 3	54 9
Stove, grill, third, or breakfast cook .. .. .	84 6	52 0	82 9	52 0
Vegetable or assistant cook .. .. .	81 6	52 0	80 3	52 0
Oysterman .. .. .	84 0	..	84 0	..
Pantryman or kitchenman .. .. .	81 0	..	79 0	..
Storeman .. .. .	84 9	..	84 9	..
Head waiter .. .. .	84 9	..	84 9	..
Other waiters .. .. .	81 0	..	79 0	..
Night porter .. .. .	81 0	..	79 0	..
Day porter .. .. .	81 0	..	79 0	..
Billiard-room attendant .. .. .	81 0	..	79 0	..
Commissionaire or messenger .. .. .	81 0	..	79 0	..
Housekeeper or stewardess .. .. .	..	61 6	..	61 6
Laundress .. .. .	..	50 6	..	50 6
Head waitress .. .. .	..	50 6	..	50 6
Other waitresses .. .. .	..	48 6	..	48 6
Pantrymaid or kitchenmaid .. .. .	..	48 6	..	48 6
Counterhand .. .. .	..	48 6	..	48 6
Housemaid .. .. .	..	48 6	..	48 6
Persons not otherwise provided for .. .. .	81 0	48 6	79 0	48 6
		Per week of 20 Hours. Provided that a minimum payment of 15s. shall be paid each week irrespective of the number of hours worked.		Per week of 20 Hours. Provided that a minimum payment of 15s. shall be paid each week irrespective of the number of hours worked.
Midday waitress or midday kitchenmaid or pantrymaid (employed only between 11.40 a.m. and 3 p.m.) .. .. .		29 0		29 0

NOTE.—A copy of this Determination shall be displayed at or near the entrance of every establishment where the Determination of this Wages Board applies.

Under the provisions of Section 7 of the Factories and Shops Act 1936 (No. 4461) every employer of any employee in any restaurant is required to keep a time-book in the prescribed form wherein each employee shall enter daily a record of the hours worked.

† Except in the case of an apprentice, an improver, a midday waitress, a midday kitchenmaid or pantrymaid, or a casual employee, the minimum wage shall be where the employer—

- (a) boards the employee and provides three meals per day, one of which shall be a substantial meal, 12s. 8d. per week less;
- (b) boards the employee and provides three meals per day, where substantial meals are not provided, 8s. 6d. per week less;
- (c) provides only two meals per day for an employee who is employed between 6 a.m. and 3 p.m. or between 11.30 a.m. and 11.45 p.m., 8s. 6d. per week less; or
- (d) boards and lodges the employee, 17s. 10d. per week less.

Notwithstanding any other condition in this clause no deduction for meals shall be made for a public holiday when the employee is not required to work on such public holiday.

In computing the amount to be deducted for meals where an employee works for less than six days a week, the amount to be allowed as a deduction for each day shall be  $\frac{1}{7}$  of the amount herein provided for a weekly deduction.

(21) TERMS OF EMPLOYMENT.—Employees (other than casual employees, midday waitresses, and midday kitchenmaids or pantrymaids) who in any week work for less than 48 hours shall for such week be paid as follows:—

- (a) For work done during a week in which any of the public holidays mentioned in clause (25) occurs:—
  - (i) Time and a third for all work done on days other than the public holiday
  - (ii) The rate fixed in clause (25) for work done on the public holiday
 Provided that the earnings of an employee in any such week shall not exceed ordinary wages rates for an ordinary week's work plus such amount of the special rate fixed in clause (25) as is greater than ordinary time.
- (b) For work done during any other week:—Time and a third up to but not exceeding ordinary wages rates for an ordinary week's work.

(22) OVERTIME.—The following rates shall be paid for overtime:—

(a) Persons employed in wine saloons—

For all work done outside a period of 11 hours per day from the time of their beginning to the time of their ending work .. Time and a half } Calculated on the rates fixed without board and lodging.  
 For all work done in any week (within a period of 11 hours per day from the time of their beginning to the time of their ending work) in excess of the maximum number of hours fixed as a week's work .. Time and a half }

(b) All other persons—

For all work done outside a period of 13 hours per day from the time of their beginning to the time of their ending work .. Time and a half } Calculated on the rates fixed without board and lodging.  
 For all work done in any week (within a period of 13 hours per day from the time of their beginning to the time of their ending work) in excess of the maximum number of hours fixed as a week's work .. Time and a half }

(23) CASUAL LABOUR.—Casual employees (i.e., persons employed during any week for not more than one-half the maximum number of hours fixed in this Determination as a week's work) shall be paid—

(a) All casual workers other than those employed by caterers—

	For the first 5 hours' work done on any one day.	Thereafter.	
	Per Hour.	Per Hour.	
	s. d.	s. d.	
Males .. ..	2 1	1 8	With a minimum of 3 hours' pay for work done on any one day.
Females .. ..	1 8	1 3	

(b) Casual workers employed in the business of a caterer—

Persons employed on racecourses—

Barmen .. .. 3s. 5d. per hour }  
 All others— }  
 Males .. .. 2s. 11d. per hour }  
 Females .. .. 1s. 10d. per hour } With a minimum of 4 hours' pay for work done on any one day.  
 Persons employed on show grounds, picnic grounds, or recreation grounds— }  
 Males .. .. 2s. 11d. per hour }  
 Females .. .. 1s. 10d. per hour }

Persons employed on a shop day (i.e., persons employed preparing for a function on the day before such function or cleaning up on the day after such function)—

Males .. .. 13s. 3d. per day of 8 hours.  
 Females .. .. 8s. per day of 8 hours.

Where the employer does not provide a midday meal for a casual worker employed on a shop day such worker shall be paid 1s. per day extra.  
 All others—

	For the first 5 hours' work done on any one day.	Thereafter.	
	Per Hour.	Per Hour.	With a minimum for each day as follows:— For employees who work only during a theatre interval, viz., between 9 p.m. and 10 p.m. .. 2s. 6d. For employees who work at any function which takes place between 12.30 p.m. and 3 p.m. or between 5.30 p.m. and 8 p.m. on any day— Males .. .. 6s. Females .. .. 5s. For any other employee .. .. 4 hours' pay
	2s. 2d.	1s. 4d.	
Males .. ..	2s. 2d.	1s. 4d.	
Females .. ..	1s. 9d.	1s. 4d.	

(24) TRAVELLING.—The special rate to be paid to employees who work away from their employer's place of business for time occupied in travelling between the employer's place of business and work, or between the employee's residence and work, shall be 2s. per hour.

(25) SPECIAL RATES.—The special rate to be paid to casual workers employed in the business of a caterer for work done on Sunday, Good Friday, or Christmas Day shall be double time, and the special rate to be paid to all other employees for work done on New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, or Boxing Day shall be time and a half, calculated on the rates fixed without board and lodging; 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.

(26) UNIFORMS.—Where any female employee is required by the employer to wear a special uniform (other than a black, white, or black and white uniform) such uniform shall be provided by the employer.

(27) ANNUAL LEAVE.—All persons (other than casual employees) employed in restaurants shall receive one week's leave of absence (exclusive of the holidays mentioned in clause (25)) on full pay on completion of each twelve calendar months' service. Such leave may be applied for and shall commence at any time within four months of becoming due provided that if an employee leaves or is dismissed before being granted leave he or she shall be entitled to payment of a week's wage in lieu of same. An employee shall receive at least seven days' notice of the day on which the annual leave is to begin. An employee who leaves or is dismissed after having worked for three months or over shall be entitled to a *pro rata* leave or payment in lieu thereof.

(28) DEFINITIONS.—(a) "Sweets cook" shall include any person manufacturing cakes or pastry for meals supplied by the employer.

(b) "Substantial meal" shall consist of food comprising soup, entrée, or joint, vegetables and sweets, and on Fridays, a choice of fish.

(c) Full pay shall mean the rate prescribed in the determination for the class of work performed without any deductions whatever.

(29) TERMINATION OF EMPLOYMENT.—Employees (other than casual employees) shall except in a case of misconduct by either employer or employee, give or receive two days' notice of termination of employment.

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

J. W. RYAN, Acting Secretary.

Melbourne, 8th May, 1939.