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[1939

Factories and Shops Acts.

DETERMINATION OF THE PLATE GLASS BOARD.

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 24th November, 1938, by the Plate Glass Board, and published in the *Government Gazette* on the 19th December, 1938, hereby issue an adjusted determination showing the adjusted wages rates to be paid to any persons employed in the trade of:—

(a) designing, bevelling, cutting, embossing, glazing, painting, silvering, or otherwise working all kinds of plate, sheet, or stained glass, or glass lenses or prisms;

(b) fixing in position all kinds of plate, sheet, or stained glass or glass lenses or prisms;

(c) packing all kinds of plate, sheet, or stained glass, or glass lenses or prisms;

including any labouring work in connexion with any of such operations.

(1) The adjusted rates shown herein shall be paid as from the beginning of the first pay period to commence in June, 1939.

(2) APPRENTICES AND IMPROVERS.

Apprentices.*				Improvers.										
WAGES PER WEEK OF 44 HOURS.				WAGES PER WEEK OF 44 HOURS.										
			Males. s. d.		Males s. d.	Females.† s. d.								
1st year	16	2	Under 16 years of age ..	..	14	7	..	13	6	
2nd "	24	5	16 and under 17 years of age ..	..	16	2	..	16	2	
3rd "	32	9	17 "	18	..	24	5	..	24	5
4th "	48	11	18 "	19	..	32	9	..	28	0
5th "	64	6	19 "	20	..	48	11	..	36	4
and thereafter the minimum wage.							20 "	21	..	64	6	..	44	0

† Female improvers may only be employed in the safety glass section.

PROPORTION OF APPRENTICES (BY ANY EMPLOYER).

Males.

One male apprentice to every three or fraction of three male workers receiving not less than the minimum wage.

PROPORTION OF IMPROVERS (BY ANY EMPLOYER).

Males.

Safety Glass Section—

One male improver to every three or fraction of three male workers receiving not less than the minimum wage.

Other Glass Section—

One male improver to every six or fraction of six male workers receiving not less than the minimum wage, provided that at least three such workers must be employed before an improver can be employed.

Provided further that in the classifications where no apprenticeship is provided one male improver to every four or fraction of four male workers receiving not less than the minimum wage.

Females.

Safety Glass Section—

Three female improvers to every female worker receiving not less than the minimum wage.

* Persons may only be apprentices to the following:—Bevelling, silvering, embossing, lead and copper glazing, and painting and designing.

No. 123.—6644/39.

(3) OTHER EMPLOYEES.

	Wages per Week of 44 Hours.	
	Within 20 Miles of G.P.O., Melbourne, 10 Miles of G.P.O., Geelong, at Warrnambool, and in the Mildura and Gippsland Districts.	Elsewhere in Victoria.
SAFETY GLASS SECTION.		
<i>Males.</i>		
Cutters	£ 5 2 0	£ 4 19 0
Bevellers	5 2 0	4 19 0
Packers	4 9 0	4 6 0
Autoclave attendants	4 10 0	4 7 0
Leading hand in laminating room	4 8 0	4 5 0
Edge sealers	4 5 0	4 2 0
Furnace attendants	4 6 0	4 3 0
Operator of edge grinding machine	4 8 0	4 5 0
Person rounding corners of glass	4 10 0	4 7 0
<i>Females.</i>		
Females engaged on scratch polishing machines	2 10 6	2 9 0
Females engaged in inspecting and testing	2 7 0	2 5 6
OTHER GLASS SECTION.		
Painter and designer on glass	£ 5 14 0	£ 5 11 0
Brilliant cutter	} 5 2 0	} 4 19 0
Other cutters		
Glazier		
Plate glass beveller		
Silverer		
Pencil hand embosser		
Persons assisting in glazing		
Persons packing or unpacking glass		
Persons assisting plate glass cutter		
Rubber-out embosser		
Cementer	5 7 0	5 4 0
Persons turning out lead from mill for lead-light glazier	4 9 0	4 6 0
All others	4 6 0	4 3 0
	4 5 0	4 2 0
	4 0 0	3 17 0

(4) **RIGHT OF ENTRY OF UNION OFFICIALS.**—A duly accredited representative of the Federated Furnishing Trade Society of Australasia shall have the right to enter employers' workshops during the midday meal hour for the purpose of interviewing employees on legitimate Union business on the following conditions:

- (a) That he produces his authority to the gatekeeper or such other person as may be appointed by the employer.
- (b) That he interviews employees only at the places where they are taking their meal.
- (c) That not more than one representative in all be at any workshop at any one time.
- (d) That no one representative visit a workshop more than once in each week.
- (e) That if any employer alleges that a representative is unduly interfering with his workshop or is creating disaffection amongst his employees or is offensive in his methods or is committing a breach of any of the previous conditions, such employer may refuse the right of entry but the representative shall have the right to bring such refusal before this Wages Board.

(5) **TERMS OF ENGAGEMENT.**—Except as herein in this Determination provided, all employees shall be employed by the week. Employees to become entitled to the weekly wage prescribed by this Determination must be available and ready and willing to perform such work as the employer shall from time to time require on the days and during the hours usually worked by the class of employee affected. Where the majority of the employees of any establishment or of any department of such establishment agree to work part time for any period or to close down for any period on days other than the prescribed holidays, the provisions of the weekly wage shall not apply to any employee of such establishment or department during such periods.

Employment for the first two weeks of service at any time shall be from hour to hour at the weekly rate fixed.

(6) **TEMPORARY WORK.**—(a) Temporary employees shall be paid at the hourly rate prescribed for the particular class of work with the addition of 10 per cent.

(b) The hourly rate for any work for which a weekly rate is prescribed by this Determination is to be ascertained by dividing the weekly rate by the number of hours which constitute the employee's ordinary working week.

(7) **TIME BOOK OR RECORD.**—(a) Employers shall provide at each shop, factory or place where work is being carried on a time book or record which shall contain a correct account of the hours worked and the wages received by each employee. Such time book or record shall be kept correctly entered up in ink and shall be open for inspection by a duly accredited official of the Federated Furnishing Trade Society of Australasia during the usual office hours at the office or other convenient place. Provided that no inspection shall be demanded unless the accredited official of such Society suspects that a breach of this Determination has been or is being committed and provided also that only one demand for such inspection shall be made in any one fortnight at the same establishment. The official making such inspection shall be entitled to take a copy of entries in any time and wages book relating to the suspected breach of this Determination.

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

(8) **OVERTIME.**—Except in the case of shift work—

(i) All time worked—

- (a) before or after the usual times of beginning and ending work;
- (b) in excess of nine hours per day;
- (c) in excess of 44 hours in any week;

shall be paid for at the rate of time and one-half for the first four hours and double time thereafter, provided that all time worked between the hours of 9 p.m. and 7.30 a.m. shall be paid for at double time.

(ii) All work done outside the times of beginning and ending work on any holiday specified in clause (19) shall be paid for at the rate of double ordinary time.

(iii) No person under the age of seventeen years shall be permitted to work more than four hours overtime in any week.

(9) **SHIFT WORK.**—Shift work may be worked in the Safety Glass Section, and where such shift work is worked the following conditions shall apply :—

- (a) Any afternoon or night shift which does not continue for five successive shifts shall be paid at the rate of time and a half.
- (b) Except as hereinafter provided, for any afternoon or night shift which has been in operation for five successive shifts or more and less than one month 10 per cent. more than ordinary rates shall be paid and after such shifts have continued for more than one month $7\frac{1}{2}$ per cent. more than ordinary rates shall be paid.
- (c) Shift workers shall be paid overtime at the rate of time and a half for the first four hours and double time thereafter for all time worked in excess of shift hours.
- (d) Employees who during a period of engagements work only on night shifts shall be paid at the rate of time and a quarter.
- (e) When employees are called upon to work afternoon and night shifts only they shall change over week and week about and shall be paid 10 per cent. above ordinary rates for both shifts.
- (f) When employees work day and afternoon shifts only they shall change over week and week about and shall be paid 10 per cent. extra for afternoon shifts.
- (g) The ordinary hours of actual work or duty exclusive of meal breaks off duty (if any) of employees working on shift shall not exceed—
 - (i) eight in any one day or,
 - (ii) 48 in any one week, or
 - (iii) an average of 44 per week during any period of three weeks of such employment upon such shifts.

(10) **TERMINATING EMPLOYMENT.**—Employment to be terminated only by a week's notice on either side, and such notice may be given at any time during the week. This shall not affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty, or misconduct, or to deduct payment for any time the employee cannot be usefully employed because of any strike, or through any breakdown of machinery, or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

An employer shall not terminate the employment of an employee for the purpose of evading payment for the holidays prescribed by this Determination.

Where an employee is dismissed within seven days prior to any such holiday, the re-engagement of such employee within seven days after such holiday shall be prima facie evidence that the employment was terminated for the purpose of evading payment for such holiday.

Where the employer terminates the employment within one week of a day on which a holiday occurs, the employee shall be paid for such holiday or holidays prescribed by this Determination, provided that such employee has been employed by the employer for a period of at least one week prior to the termination of the employment.

Should an employee be dismissed during the course of a week any wages due to him or her shall be paid to him or her forthwith, or shall be posted to him or her within 24 hours.

(11) **PAY DAY.**—All employees shall be paid weekly on any other day than Saturday.

No employer shall hold more than two days' pay in hand.

Any employee kept waiting for his or her pay on pay day for more than a quarter of an hour after the usual time for ceasing work shall be paid overtime rates after that quarter of an hour and as for a quarter of an hour at least.

(12) **MIDDAY MEAL.**—An interval of not less than 30 minutes shall be allowed for the midday meal between the hours of 12 noon and 2 p.m.

(13) **TEA MONEY.**—All employees required to work beyond the usual time of ending work shall be allowed 2s. tea money in addition to overtime rates as prescribed for in this Determination when the usual time of ending work is exceeded by two hours.

(14) **PIECE-WORK.**—The Board determines under the provisions of the Factories and Shops Act that any employer may fix and pay piece-work prices to any person employed at any work for which the Board has a fixed minimum wage, provided that any such employer shall base such piece-work prices on the earnings of an average worker working under like conditions, and such piece-work prices shall be fixed so that an average worker can earn not less than 10 per centum in addition to the wages rates that are fixed by the Board for such work.

(15) **ALLOWANCES FOR TRAVELLING TIME AND BOARD.**—All time reasonably occupied by an employee in travelling to or from work outside the shop and outside ordinary hours and in travelling to and from work in a country district if engaged in the metropolitan district for employment in a country district, shall be treated as time of duty and paid for at ordinary rates up to a maximum of eight hours for the journey, except on Sundays when time and a half rates shall be paid up to a maximum of eight hours for the journey. Provided that, where an employee proceeds direct from his or her home to a job outside the factory, he or she shall be paid for all time reasonably occupied in travelling to the job in excess of the time usually taken to go from his or her home to the factory.

All fares and reasonable travelling expenses incurred by an employee in such travelling, including the cost (if any) incurred for meals—together with the reasonable cost of board and lodging if the employee has to be away from his or her home for a night—shall be paid to the employee.

The fares allowed shall be first class where the employee has to travel all night in connexion with his or her employer's business, and in other cases the fares shall be second class.

The foregoing travelling and accommodation allowances shall be paid additional to the usual rates for the time employees are working.

When it is more convenient for the employee to go direct to the job from his or her home he or she shall do so, and start and cease work at the usual times customary at the factory, provided that any extra expense incurred by him or her in travelling shall be borne by the employer.

(16) **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, and Boxing Day.

All employees working on piece-work or task-work shall be granted the same holidays as are granted to weekly wage workers, and they shall, subject as hereinafter provided, be paid for such holidays the amount for each holiday based on the minimum weekly wage as set out in this Determination for the class of work performed.

If any of the above holidays occur on a Sunday or Saturday and are 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 but not otherwise.

All other weekly employees shall be paid for the above holidays an amount for each holiday based on the actual weekly wages paid to them by the employer.

Any employee absenting himself or herself from work on any portion of the working day preceding 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.

(17) **MIXED FUNCTIONS.**—Where an employee is engaged in any one week for more than half of such week at work in a higher class than he or she is employed to perform, he or she shall be paid for the full week at the highest rate payable for any such work under the Determination; but if he or she is engaged for less than half of any such week, he or she shall only be paid at the rates fixed by this Determination for the work he or she actually performs.

(18) SICKNESS, ACCIDENTS.—Any employee not attending duty shall lose his or her pay for the actual time of non-attendance unless he or she produces or forwards within 24 hours of the beginning of his or her absence evidence satisfactory to the management that his or her non-attendance was due to personal accident arising out of or in the course of his or her employment or to personal ill-health sufficient to incapacitate him or her for his or her usual work.

An employee shall not be entitled to payment for non-attendance on the ground of accident or ill-health for more than six days in each year.

For the purpose of this clause a year shall mean a period of twelve months commencing on the 17th day of August in each year.

(19) SPECIAL RATES.—Double time shall be the rate for all work done on Sundays, New Year's Day, Australia Day (26th January), Good Friday, Labour Day (21st April), Easter Monday, Anzac Day, King's Birthday, Boxing Day, or Christmas 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.

F. A. MARZORINI,
Secretary for Labour.

Melbourne, 16th May, 1939.