VICTORIA

GOVERNMENT GAZETTE.

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No. 375] FRIDAY, NOVEMBER 24. [1939

Factories and Shops Acts.

DETERMINATION OF THE FLOCK BOARD.

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

NOTE.—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.

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 12th July, 1939, by the Flock Board, and published in the *Government Gazette* on the 25th July, 1939, hereby issue an adjusted determination showing the adjusted wages rates to be paid to any person employed—

(*a*) in the process, trade, or business of—
- (i) making flock, mungo, felt, or wadding;
- (ii) cleaning wool by beating, blowing, or similar machines where such work is not subject to the Determination of any Wages Board heretofore appointed;

(*b*) in connexion with any process, trade, or business set out in paragraph (*a*)—
- (i) as a storeman, packer, or sorter;
- (ii) in assisting a storeman, packer, or sorter;
- (iii) as an assembler, collector, or checker of goods in course of receipt or despatch.

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

(2)

IMPROVERS.

Wages per Week of 44 Hours.

Age.	Males. s. d.	Females. s. d.
Under 16 years..	19 0	17 0
16 years	24 3	19 0
17 „	32 6	22 3
18 „	35 9	26 6
19 „	47 6	31 6
20 „	53 6	36 0

PROPORTION (IN ANY PLACE).

Improvers.

One improver to every worker receiving not less than the minimum wage.

Note.—For the purpose of calculating the proportion of improvers to workers receiving not less than the minimum wage only one working employer in any establishment covered by this Determination shall be classed as a worker receiving not less than the minimum wage and no such working employer or any person employed in connexion with any establishment covered by this Determination shall be regarded as a worker receiving not less than the minimum wage unless such person is usually employed in the establishment for 44 hours each week on work covered by this Determination or in supervising work covered by this Determination

OTHER EMPLOYEES.

Wages per Week of 44 Hours.

—

MALES.	s. d.
Woollen pickers	87 0
Feeders of—	
Rag machines	85 0
Other machines	85 0
Rippers	85 0
Person in charge of milling machine	85 0
Persons in charge of hardening machine ..	85 0
Persons in charge of tentering machine	85 0
Assistant to persons in charge of milling machine	82 6
Assistant to person in charge of hardening machine	82 6
Assistant to person in charge of tentering machine	82 6
Cotton pickers	80 0
All others	80 0
Leading hands, if in charge of four or more workers	5s. a week extra
FEMALES.	
Feeders of rag machines	53 0
Feeders of machines other than rag machines ..	47 3
Rippers	44 9
Woollen pickers	47 3
Cotton pickers	44 9
All others	44 9
Leading hands, if in charge of four or more workers	5s. a week extra

NOTE.—The Board has determined that no apprentice shall be taken in the trade.

(3) SHIFT WORK.—(*a*) By mutual agreement between the employer and employees, shifts may be worked between midnigh on Sunday and midnight on the following Saturday.

(*b*) In addition to the rates set out in Clause (2) of this Determination, adult workers employed on afternoon and/or night shift shall be paid 4s. per week. Male junior employees shall be paid 2s. per week extra if engaged on afternoon and/or night shift.

(*c*) Shift workers shall not be required to work in excess of 56 hours in any one week.

(4) TIME OF BEGINNING AND ENDING WORK.—For workers other than shift workers :—

Time of Beginning.	Time of Ending.
7 a.m.	6 p.m. on six days in the week.

(5) OVERTIME.—

Shift workers—

(*a*) all time worked before or after the usual hours of commencing and finishing a shift in excess of 44 hours;

(*b*) within the usual hours of commencing and ending a shift in excess of 44 hours;

Other workers—

(*a*) all time worked before or after the times of beginning and ending work prescribed in Clause (4) herein; or

(*b*) within such times of beginning and ending work in excess of 44 hours in any week—

shall be paid for at the rate of time and a half.

(6) PROHIBITION OF EMPLOYMENT.—No person under the age of eighteen years shall be engaged in the operation of feeding a rag machine.

(7) REST PERIODS.—A rest period of ten minutes in the forenoon and ten minutes in the afternoon shall be given all female workers without any deduction from wages.

(8) TEA MONEY.—Any employee required to work overtime for a period in excess of one hour after the time fixed in clause (4) for ending work shall be allowed 1s. tea money in addition to overtime rates as prescribed for in this Determination. Provided that this clause shall not apply where the employee was notified 24 hours previously of the intention to work overtime.

(9) TERMS OF EMPLOYMENT.—Employees who work less than 44 hours in any week may be paid the ordinary wages rate calculated *pro rata* according to the number of hours worked.

(10) HOLIDAYS.—(*a*) An employee shall be entitled to be absent from his employment without deduction of pay on any of the following holidays, viz.:—New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Christmas Day, and Boxing Day.

(*b*) An employer shall not terminate the employment of a weekly employee for the purpose of evading payment for the holidays prescribed by this Determination.

(*c*) Where an employee is dismissed within a week of any such holiday the re-engagement of such employee within three days of such holiday shall be prima facie evidence that the employment was terminated for the purpose of evading payment for such holiday.

(*d*) 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 had been employed by the employer for a period of at least a week prior to the termination of the employment.

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

(11) SPECIAL RATES.—Time and a half shall be the special rate for all work done on Sunday, and double time for all work done on New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, 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, then the special rate shall be payable only for the day so substituted.

(12) PIECEWORK.—That the lowest piecework prices to be paid to persons for doing work of the kinds specified in the following Schedule shall be :—

Feeding a flock machine .. .. 1s. 2½d. per cwt.

Flock Board.

Piece Rates.	Males per Cwt.		Females per Cwt.	
	Sorting to Grade or Quality.	Sorting to Grade or Quality and Sorting to Colours.	Sorting to Grade or Quality.	Sorting to Grade or Quality and Sorting to Colours.
	s. d.	s. d.	s. d.	s. d.
Wool, shoddy or mantle clips	8 3	16 6	4 9	9 6
Hosiery	28 0	56 0	15 9	31 6
Wholesale tailoring factory clips	8 3	16 6	4 9	9 6
Bespoke tailors and dressmakers' clips	12 6	25 0	7 3	14 6
Shirt factory cottons	1 9	3 6	1 0	2 0
Cottons, other than shirt factory cottons	3 6	7 0	2 0	4 0
Sweepings	7 3	14 6	4 0	8 3
Rags (not including cutting and metalling)	2 0	4 0	1 0	2 3
	Ripping.		Ripping and Sorting to Grade or Quality.	
	Males.	Females.	Males.	Females.
Ripping woollens—	s. d.	s. d.	s. d.	s. d.
By machine	3 3	2 0	6 3	4 0
By hand	9 6	5 9	19 0	11 6

NOTE.—The above piecework prices shall be calculated on the weight of material supplied to the pieceworker.

F. A. MARZORINI,
Secretary for Labour.

Melbourne, 22nd November, 1939.

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No. 376] FRIDAY, NOVEMBER 24. [1939

Factories and Shops Acts.

DETERMINATION OF THE GAS WORKS BOARD.

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

NOTE.—The application of this Determination is as follows:—

(*a*) Clauses 1 to 31 inclusive apply to the cities of Ballarat, Bendigo, and Warrnambool, the area within a radius of 20 miles of the G.P.O., Melbourne, 10 miles of the G.P.O., Geelong, and the borough of Castlemaine.

(*b*) Clause 1 and clauses 32 to 43 inclusive apply to the whole of the State outside, and excepting those places enumerated in the preceding paragraph.

(*c*) Clause 44 applies to the whole of the State.

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 4th January, 1938, by the Gas Works 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, 1939, to any person or persons or classes of persons employed in or in connexion with making coal gas for trade or sale, but not including any person or persons or classes of persons subject to the Determination of any Wages Board heretofore appointed.

1. (*a*). **Within the Localities Set Out in Note (*a*).**

Improvers.	Wages per Week of 44 Hours.
	£ s. d.
Under 15 years of age	0 15 6
15 years and under 16 years of age	0 19 0
16 " " " 17 " "	1 3 0
17 " " " 18 " "	1 11 0
18 " " " 19 " "	2 2 6
19 " " " 20 " "	2 13 6
20 " " " 21 " "	3 9 6

For shift work an extra rate of 3s. 6d. shall be paid, but no improver under eighteen years of age shall be employed upon night shift.

(*b*).

Adults.	Wages per Week of 44 Hours. Within a Radius of 20 Miles of the G.P.O., Melbourne, 10 Miles of the G.P.O., Geelong, and the City of Warrnambool.	Wages per Week of 44 Hours. Within the Cities of Ballarat and Bendigo, and the Borough of Castlemaine.
	£ s. d.	£ s. d.
Patching and scurfing retorts and cleaning flues—man continuously employed as such..	5 1 0	4 18 0
Stoker in charge of gas or steam engine, or other works plant	5 1 0	4 18 0
Stoker, vertical retort	4 18 0	4 15 0
Stoking machine driver	4 18 0	4 15 0
Stoker, horizontal retort (machine)	4 16 0	4 13 0
Stoker, hand charging	4 14 0	4 11 0
Retort (vertical) operator	4 18 0	4 15 0
Operator vertical retort	4 18 0	4 15 0
Fireman retort house	4 18 0	4 15 0
Machine and stage man	4 16 0	4 13 0
Hydraulic and tar main attendant	4 15 0	4 12 0
Augerer and pipe jumper	4 14 0	4 11 0
Coke and coal conveyor attendant (day worker)	4 9 0	4 6 0
Greaser and oiler (in retort house)	4 7 0	4 4 0
Elevator and coal crusher attendant	4 6 0	4 3 0
Coke and coal conveyor attendant (shift worker)	4 6 0	4 3 0
Oxide breaker—man attending and operating	4 6 0	4 3 0
Purifier—man opening up, or emptying, or filling	4 6 0	4 3 0
All others	4 0 0	3 17 0

GENERAL EXTRA RATE FOR SHIFT WORK.

2. (1) For work done on shift at any time by an employee in operations customarily done on shift he shall be paid 1s. extra per shift.

(2) For work done on shift at any time by an employee in other operations he shall be paid 1s. 3d. extra per shift.

EXTRA RATE FOR LEADING HANDS.

3. "Leading hand" herein means one who has in any degree control, supervision, or direction of any other employee of the same grade.

Leading hands shall be paid, in addition to their prescribed weekly wage, the amount assigned to them in the following table:—

Table.

—	Per Day or Shift.
	s. d.
Leading stoker	2 0
Leading vertical retort house operator	2 0
Any other leading hand	1 6

Provided that this clause shall not apply to a leading stoker and/or leading vertical retort house operator when in charge of gas or steam engines or other works plant, but any such employee as aforesaid shall be paid the margin prescribed for the class of stoking performed, plus the appropriate leading hand rate.

RATE FOR OTHER THAN WEEKLY EMPLOYEES.

4. Any employee, other than one engaged on piecework, who is not employed for at least one full week shall for each day upon which he is required to attend for work be paid for the time worked at the relevant rate per week, plus 10 per cent.

PIECEWORK RATES.

5. In cases where piecework rates are now being paid for coal discharging the existing rates shall continue.

WORKING HOURS.

6. (1) Except as otherwise provided hereinafter the ordinary working hours of daymen shall not exceed 44 per week, comprising (unless otherwise agreed by the employer and his employees) eight hours each for the first five week days, to be worked between 7.30 a.m. and 5 p.m., and four hours on Saturday, to be worked between 7.30 a.m. and 12 noon. Provided that the employer shall have the option of arranging for the working of the said 44 hours during such first five week days and increasing the length of the day's work accordingly.

(2) Except as otherwise provided hereinafter, the ordinary working hours of shiftmen shall not exceed an average of 44 hours per week, to be worked in shifts not exceeding eight hours each including "crib" time reckoned as part of working time, such shifts to be distributed as the employer concerned may choose, but so as to make an aggregate shift time on duty not exceeding 48 hours in any one week, nor 176 hours in any period of four weeks, unless the excess time of duty is caused by arrangement between the employer and his employees.

(3) Unless otherwise agreed between the employer and his employees all shift work shall be so arranged as to allow each man, by rotation or otherwise, one clear day off in each week which week for this purpose shall be deemed to commence from the starting of the morning shift on Monday in each week unless otherwise agreed between the employer and his employees.

(4) For employees whose present ordinary working hours are less than 44 per week, the ordinary working hours and arrangement thereof shall continue as at present.

OVERTIME RATES FOR DAYMEN.

7. (1) *Over Prescribed Number of Ordinary Hours.*—Unless otherwise provided elsewhere herein, for any time worked by daymen on any one day in excess of the number of ordinary working hours prescribed for that day, payment shall be made at time and a half for the first two hours and at double time thereafter.

(2) *Outside Prescribed Time Limits.*—Unless otherwise provided elsewhere herein, for time worked at any time other than between 7.30 a.m. and 5 p.m. on Monday to Friday (both inclusive), or 7.30 a.m. and noon on Saturday, or if other time limits be agreed upon between the employer and his employees, at any other time than between such agreed limits, payment shall be made at time and a half for the first two hours and at double time thereafter.

(3) *Work after Recall.*—A dayman who after his ordinary day's work has departed from the place where he works and has reached his home or other stopping place without having been given notice that he would be required to do further work on that day, if recalled to do such work, shall be paid at the rate of double time for such work, with a minimum payment as for three hours at ordinary rates, but this sub-clause shall not apply to shift work.

(4) *Overtime Rates not Cumulative.*—If more than one of the foregoing provisions applies to the time worked, payment shall be obligatory under only one of such provisions and if one of such provisions prescribes a higher rate, only under that provision.

(5) *Shift Work as Prescribed in Clause* 8.—Overtime rates for shift work and shiftmen shall be as prescribed in clause 8 and this clause shall not apply to them.

SPECIAL EXTRA RATES FOR SHIFT WORK.

8. (1) *Shiftmen's Ordinary Hours.*—If an employee is required by the employer to do shift work, exceeding in length eight hours in any period of 24 hours, or 48 hours in any period of seven days, or an aggregate of 176 hours in any period of four weeks, he shall be paid for the excess time of working at time and a half for the first two hours and double time thereafter, unless the excess is worked as a result of an arrangement made between the employer and his employees, in which case he shall be paid for the excess time at ordinary rate. Provided that a shift worker who works two shifts in immediate succession shall be paid at the rate of double time for the second shift or part thereof, unless such second shift is worked by arrangement between the employees themselves, in which case the excess time shall be paid for at ordinary rates.

(2) *Daymen Put on Shift Work after doing Day's Work.*—Except in the case of arrangement between the employees themselves any dayman who after completing his ordinary day's work is put on to shift work shall be paid for all time worked on shift at time and a half, the payment to be in addition to payment for his ordinary work, and shall be entitled to absent himself from his ordinary work on the following day without incurring any deduction from his week's wages therefor. Provided that this sub-clause shall not apply to a dayman employed on the afternoon shift.

(3) *Daymen Put on to Shift Work before Finishing Ordinary Day's Work.*—Except in the case of arrangement between the employees themselves any dayman put on to shift work after doing portion only of his ordinary day's work, shall be paid the prescribed rate for the time actually worked on day work, and at the prescribed rate for the shift work from the time he commences the shift work until such time as he has worked in day work and shift work combined eight hours, Monday to Friday inclusive, or four hours, Saturday (where he works six days per week), or 8 hours 48 minutes, Monday to Friday inclusive (where he works five days per week), and for ensuing time at time and a half for the first two hours, and then at double time.

(4) "*Clash*" *Day Work.*—If an employee solely because of the "clashing" of shifts on the roster is on the day of the clash employed otherwise than on his ordinary shift he shall nevertheless be paid for his work on that day not less than at the prescribed rate for his ordinary shift.

(5) *Work on "Day Off."*—For all work on his day off in the week a shift man shall be paid at double time if the day be a Sunday or a holiday not observed on a Sunday, and at time and a half if it be another day, but if at the request of another employee he works as a substitute on the day for the other employee, he shall be paid at the rate at which the latter would have been paid.

(6) *Work on Sunday.*—For all shift work on a Sunday, not being his day off, a shiftman shall be paid at time and a half, but if his shift work during the weekly pay period which includes the Sunday does not exceed two shifts he shall be paid at double time for the work on the Sunday.

(7) *Relieving on Sunday.*—If an employee is required to relieve a shiftman on a Sunday, the relieving employee shall be paid at the rate of time and a half, but if on a Sunday the usual number in any gang is increased, the extra man or men required shall be paid at double time.

(8) *Mixed Shift and other Work on Sunday.*—If an employee is brought in on a Sunday for work, other than relieving a shiftman, and commences duty which entitles him to double time, and is, therefore, required to do shift work, he shall be paid at double time for the whole of the work done by him on that day.

(9) *Work on a Holiday.*—For all work on a holiday, other than one observed on a Sunday, a shiftman shall be paid at double time.

SUNDAYS.

9. (1) Any employee may be required to work on any Sunday.

(2) For any work done on a Sunday the employee—other than a shiftman—shall be paid at double time, with a minimum payment as for two hours at such rate.

(3) For work done by a shiftman on a Sunday payment shall be made as prescribed in clause 8.

(4) Any weekly employee who in the ordinary course of his work is required to work on Sundays, shall be entitled to one clear day off in each calendar week, and if required to work on his day off, shall for all such work be paid at double time, if the day be a Sunday or a holiday, and at time and a half if it be another day, but if at the request of another employee he works on the day as a substitute for the other employee he shall be paid at the rate at which the latter would have been paid.

MIXED FUNCTIONS.

10. (1) Except as otherwise provided herein or by mutual arrangement between the employees themselves, an employee required to do more than one class of work in the course of a day shall for the whole of that day be paid as if he had throughout his work on that day done that one of those classes of work for which the highest rate is prescribed.

(2) A dayman called upon for shift work after his ordinary work shall be paid as provided in clause 8 hereof, and is excepted from this clause.

(3) Subject to the foregoing an employer may require an employee to do any class of work not outside the scope of the employee's engagement.

HOLIDAYS.

11. (1) The days on which the following days are observed as holidays in the district in which the employers works are situated shall for the purposes of this Determination be holidays :—

New Year's Day; Australia Day; Good Friday; Easter Monday; Anzac Day; King's Birthday; Eight Hours Day; Christmas Day; Boxing Day—

and also within 20 miles of the General Post Office, Melbourne, Melbourne Cup Day, and also elsewhere than within such 20 miles, one day to be agreed upon by the employer and employees concerned.

Provided that in cases where days or parts of days are substituted for any of the holidays above prescribed, the arrangements at present in existence shall continue.

(2) Any employee may be required by the employer to work on any holiday.

(3) Notwithstanding that an employee engaged by the week is not required to work on a holiday no deduction shall be made from his wages therefor, except in the following cases for which the employer may make a deduction proportionate to the time that the employee in the ordinary course would have worked on the holiday if it had been an ordinary working day :—

(*a*) if without leave from the employer he absent himself on the working day next prior to or on that next after a holiday and does not work on the holiday; and

(*b*) where the employee is absent without leave on the working days next prior to and next after a holiday and does not work on the holiday: provided that if a holiday falls during accident leave, the employee shall have an additional day added to such leave for the holiday.

(4) If a holiday other than one observed on a Sunday falls on the weekly clear day off of an employee, as prescribed by clauses 6, 8, or 9 (4) of this Determination, the employee shall be paid his ordinary wages for the time worked during the week in which the holiday occurs, plus the ordinary rate for the time he would have worked if the holiday were not his day off, but shall not be so paid if the employee without leave from the employer absents himself from work on the working day next before or on that next after the holiday.

(5) For work done by a shiftman on a holiday he shall be paid as provided in clause 8 hereof.

ANNUAL LEAVE.

12. The existing conditions in respect of annual leave for an employee shall continue until changed by agreement between the employees and the employer concerned, except: —

(1) that if any of the prescribed holidays so falls in the week as in the ordinary course to entitle him to be paid in respect of that holiday although he does not work thereon, and that holiday happens to fall within that employee's period of annual leave the number of days in that period shall be reckoned in addition to the holiday;

(2) that the number of days in that period of annual leave shall be reckoned in addition to any days off of the employee in excess of one for each consecutive seven days during that period; and

(3) that in calculating the amount to be paid to the employee in respect of each week of leave, in addition to any amount payable to him otherwise than because of the rate for shift work prescribed by clause 2 hereof, 1s. shall be allowed to him for every 50 shifts worked by him during the twelve months preceding the leave and not previously allowed to him in such a calculation.

DIRT MONEY AND OTHER EXTRA PAYMENTS.

13. (1) "Dirty work" herein means work which the foreman and workman concerned agree is of an unusually dirty or offensive nature.

(2) The following employees shall be paid dirt money at the rate of one penny per hour for the time they are engaged upon the following work :—

(*a*) Yardmen removing dust from the top of retort benches, hydraulic, and foul mains and bridge pipes.

(3) Yardmen employed cleaning out washers, automatic C.W.G. plant shall be paid 1s. 6d. for each washer completely cleaned, in addition to their ordinary rate of pay for the time occupied on such work.

RATE FOR WET PLACES.

14. Any employee working in a place which the foreman or ganger concerned decides is a wet place shall be paid an additional 8d. for the day irrespective of the time during which he works in that place during the day.

Provided that this clause shall not apply if the employer supplies him with top boots or other covering reasonably sufficient to exclude the wet.

MEAL TIMES AND ALLOWANCES.

15. (1) Except as otherwise provided elsewhere herein a meal break of at least 45 minutes (if a six-day week be worked) or at least 42 minutes (if a five-day week be worked) shall be allowed to employees other than shiftmen.

(2) Such meal break shall begin at 12 noon or at such other regular time as may be agreed upon by the employer and employees concerned, but in special circumstances of emergency only, the employer may require it to begin at some definite time not earlier than 11.30 a.m. not later than 12.15 p.m.

(3) Any employee required to work throughout more than five hours without a suitable interval for a meal, shall, for all time worked in excess of the five hours before being allowed such interval, be allowed an extra payment at double time.

(4) If an employee is required to continue or resume work during the prescribed meal break he shall for the time of continuance or resumption until the full meal break is given be entitled to an extra payment at time and a half.

(5) If the prescribed meal break of an employee is curtailed he shall for the time of curtailment be entitled to an extra payment at time and a half.

(6) Subject to observance of sub-clause (3) hereof, an employee may notwithstanding sub-clauses (4) and (5) hereof, be required to work at ordinary rates during the prescribed meal break for the purpose of making good break downs of plant or upon routine maintenance of plant (including oiling and greasing) which can only be done whilst such plant is idle.

(7) A dayman required to work overtime beyond 12.30 p.m., on Saturday, or 5.30 p.m. on any other day, or to work on the afternoon shift without having been notified on the previous day that he would be so required, shall be paid 1s. 6d. meal allowance.

If after having been so notified he provides himself with a meal and is not required to work such overtime or afternoon shift, he shall be paid 1s. 6d. meal allowance.

Sick Leave.

16. An employee after having completed three weeks' continuous service immediately preceding the day upon which he reasonably absents himself from work because of disability due to his own ill health, and who within 48 hours after the commencement of the absence produces evidence satisfactory to the employer of such disability by medical certificate or otherwise shall without incurring any deduction of pay be entitled to leave of absence during such disability for a period or periods not exceeding in the aggregate ten days in each year, beginning with the 1st day of December, 1937.

The rate of wage payable to the employee during such leave of absence without deduction of pay shall be the prescribed ordinary rate or averaged rates for the work done by him during his last six working days next before his absence began.

Accident Leave.

17. (1) An employee after having completed three weeks' continuous service immediately preceding the day upon which he reasonably absents himself from work because of disability due to bodily injury arising out of or in the course of his employment, and who within 48 hours after the commencement of the absence produces evidence satisfactory to the employer of such disability by medical certificate or otherwise shall without incurring any deduction of pay be entitled to leave of absence during such disability for a period or periods not exceeding in the aggregate two weeks in each year beginning with the 1st day of December, 1937.

The rate of wage payable to the employee during such leave of absence without deduction of pay shall be the prescribed ordinary rate or averaged rates for the work done by him during his last six working days next before his absence began.

(2) If weekly payments are payable by the employer to the employee under a Workers Compensation Act or other like Act in respect of the injury to the employee, payments made in pursuance of this clause may be treated by the employer as a discharge so far as their amount goes of his liability to pay the weekly payments under such Act.

Employment Conditions of Pieceworkers.

18. Existing conditions relating to working hours, waiting time, holidays, and leave for pieceworkers employed on coal discharging shall continue.

Conditions of Engagement.

19. (*a*) Except as otherwise hereinafter provided, all employees shall be engaged by the week, the employment to be terminable only by a week's notice on either side, which notice may be given at any time during any week.

(*b*) Provided that for misconduct or neglect of duty by an employee, his employment may be determined forthwith without notice, in which case he shall be entitled only to an amount for wages proportionate to the amount of work done before such determination such amount for wages to be paid forthwith.

(*c*) From the commencement of an employee's service during a time not exceeding two weeks, the employer may engage him by the day, subject to payment of the rate of wage prescribed for other than weekly employees.

(*d*) Subject to any express limitation in the terms of his engagement and to his right to determine his employment by a week's notice, an employee to become entitled to the benefits of this Determination must do such kinds of work at such times as the employer may require him to do for the time being, but the employer shall in respect of such work observe any applicable provisions of this Determination as to special or extra rates.

(*e*) If an employee absents himself from duty or does not attend for duty, the employer, subject to the provisions for sick leave and accident leave hereinafter contained, may deduct from the employee's wages an amount proportionate to the length of the employee's absence or non-attendance.

Payment of Wages.

20. Subject to wages being paid weekly existing conditions relating to times and places of payment of wages shall continue.

Tools.

21. Existing conditions as to the supply of sufficient and efficient tools in working order shall continue.

Standard of Work.

22. (1) The employer shall not, while existing conditions exist, increase the standard of work beyond the present limit in existing retort houses.

(2) The standard of work for men working in saturators in sulphate houses, while existing conditions exist, shall not be increased.

(3) Stokers hand charging shall be allowed a minimum of half an hour's rest period between each stoking time.

Purifier Lids.

23. After the purifier box lids are lifted two hours shall elapse before men are sent into the purifiers to work.

Condition of Working Places.

24. (1) Retort houses shall, as far as is practicable, be made and kept rainproof by the employer.

(2) The employer shall keep cellars and other work places well lighted, and so far as is practicable, shall keep them properly drained and free from water.

(3) The employer shall, as far as is practicable, repair and keep in repair the floor of the retort house, coal store, and coke stage.

Oilskins.

25. To any employee required to work in the rain adequate oilskins, if reasonably necessary in the circumstances, shall be supplied by the employer.

Clogs and Aprons.

26. The employer shall, when necessary, provide and replace clogs for the use of men working on the top of retort benches, pitch pan men, and scurfers and patchers.

Gas Masks.

27. The employer shall supply suitable gas masks to employees in cases where considered necessary by the management.

First Aid.

28. The employer shall provide all requisite first aid appliances at the works.

Accommodation.

29. (1) The employer shall at the works provide for employees adequate mess rooms and boiling water, washing and changing rooms, with hot and cold showers, and lock-up cupboards.

(2) The employer shall at the works provide for employees suitable sanitary conveniences, and cause them to be cleansed every day, except on Sundays and holidays, and to be left uncleansed in no case for more than one day.

EMPLOYMENT, PROMOTION, AND SENIORITY.

30. (1) In making promotion or in the shortening of hands efficiency shall be the first consideration, and in the case of men of equal efficiency, the employer shall give preference to the one with the higher seniority as shown by the seniority list. Provided that for the purposes of seniority each works or department shall be regarded separately. Provided further that in the case of the Metropolitan Gas Co., notwithstanding anything herein contained to the contrary, in shortening hands the said company shall, after placing efficiency foremost, transfer from one works to the other employees of not less than twelve months' continuous service, in the case where there are employees at the other works who have not been in the company's service for a continuous period of twelve months, the one such works being the West Melbourne, and the other the South Melbourne manufacturing station.

"Efficiency" herein means special qualifications and aptitude, including suitability in age for the discharge of the duties of the position to be filled together with merit and good and diligent conduct.

(2) Seniority lists shall be compiled by the employer showing in respect of each department the name of every employee of the employer covered by this Determination, the date of entering the department, and the date of entering the service of the employer.

(3) The lists shall be compiled to show employees in the order of their entering the department, but in the case of an employee who returns to a department after leaving it at his own request, such date shall be the date of re-entering the department.

(4) The date of entering the service of the employer shall be the date of entry continuous with the present employment, but an employee discharged by the employer and re-employed within four weeks shall retain his seniority.

(5) At each works or department a copy of the list affecting such works or department shall be kept, and shall be open to the inspection of any official named by the union, at any reasonable time.

(6) The employer, if and when reasonably so required, shall supply copies of such lists of the employees of such employer to the secretary of the union.

THE UNION.

31. (1) When the consent of the officer in charge has been obtained or has been unreasonably refused, any official named by the union shall be allowed, at any time or times, to enter any of the employer's works to make any necessary enquiries in regard to complaints submitted by employees.

(2) Any employee named by the union shall be allowed at any time or times approved by the employer, and at any of the employer's works, to collect union dues.

(3) Any employee named by the union shall be allowed by the employer reasonable leave of absence from duty, without pay, to attend to union business, when the absence does not interfere with the employer's operations.

Notices relating to the union and a copy of this Determination may be posted by any employee authorized by the union upon the notice board in the mess room, and on any other place provided by the employer for the purpose.

Each employer shall keep a copy of this Determination, posted in an accessible place in the works, and shall permit shop and union formal notices to be posted alongside.

(32) **Within the Localities Set Out in Note (*b*).**

(*a*) Improvers.	Wages per Week of 44 Hours.	(*b*) Other Employees.	Wages per Week of 44 Hours.
	£ s. d.		£ s. d.
Under 15 years of age	0 15 6	Stokers	4 7 0
15 years and under 16 years of age ..	0 19 0	All others	3 17 0
16 " " " 17 " " ..	1 3 0		
17 " " " 18 " " ..	1 11 0		
18 " " " 19 " " ..	2 2 6		
19 " " " 20 " " ..	2 13 6		
20 " " " 21 " " ..	3 9 6		

NOTE.—The Board has determined in accordance with section 25 (1) of the amended *Factories and Shops Act* 1934, that the process, trade, business, or occupation is so unskilled that no person shall be taken as an apprentice.

TIMES OF BEGINNING AND ENDING WORK.

33. The times of beginning and ending work of persons other than stokers shall be between the hours of:—

7.30 a.m. and 5 p.m. on the first five week days.
7.30 a.m. and 12 noon on Saturday.

HOURS OF WORK.

34. (*a*) The ordinary working hours of stokers shall not, without payment for overtime, exceed eight per day, and shall be completed within ten hours of the time fixed for commencing work.

(*b*) The ordinary working hours of persons other than stokers, without payment for overtime, shall not exceed 44 per week, comprising eight hours each day for the first five week days and four hours on Saturday.

Provided that the employer shall have the option of arranging for the working of the said 44 hours during such first five week days, and increasing the length of the day's work accordingly.

OVERTIME.

35. That the following rates shall be paid as overtime:—

To Stokers— (i) for any time in excess of eight hours in any one day .. .. .. (ii) for any time (excluding that provided for under (i)) in excess of 176 hours in a period of four weeks *To Other Workers*— (iii) for any time in excess of eight hours in any one day .. .. .. (iv) for any time (excluding that provided for under (iii)) in excess of 44 hours in any week	Time and a half for the first two hours of such work, and double time thereafter.

ALLOWANCE FOR STOKERS.

36. In addition to the overtime rates, set out in clause 35, stokers who work between the hours of 6 p.m. and 6 a.m. shall be paid $^{26}/_{44}$ of 1d. for each hour so worked.

TIME WAGES.

37. Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall for each hour worked up to 22 hours be paid:—

(*a*) In any week in which two or more public holidays occur	At the ordinary wages rate with an addition of fifty per centum.
(*b*) In any other week	At the ordinary wages rate with an addition of thirty-three and one-third per centum.

SUNDAYS AND HOLIDAYS.

38. (*a*) The following days shall be holidays:—New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, and Boxing Day. Any days which are prescribed by the laws of the State to be observed in lieu of the holidays abovementioned will be treated as the days to which this clause applies.

(*b*) All employees, other than stokers, shall be free from duty on holidays without loss of pay for the day, but any employee may be required for duty on any Sunday or holiday, and if so required, shall be entitled to double rate for the day. The rates for stokers for Sundays and holidays shall be time and a half for Sundays, and double time for holidays.

CONDITIONS APPLICABLE TO STOKERS.

39. (a) All work shall be so arranged as to allow each stoker by rotation or otherwise one clear day off in each week. A week shall be deemed to commence from the starting time on Monday in each week.

(b) For all duty on his day off in the week, not being a Sunday or a holiday, the minimum ordinary rate prescribed for a stoker shall be increased by one half, but in the case of a Sunday or a holiday shall be doubled.

(c) For all time on a Sunday (not being his day off) the minimum ordinary rate for a stoker shall be increased by one half.

(d) For all duty on holidays the minimum ordinary rate prescribed for a stoker shall be doubled.

PAYMENT OF WAGES.

40. Payment of wages due up to 6 a.m. on the preceding Monday shall be made on Thursday of each week, or in accordance with the practice existing at the time of the making of this Determination, provided that such wage shall be paid not later than Friday of each week.

ANNUAL LEAVE.

41. Every employee who serves an employer continuously for one year shall be allowed by the employer leave of absence in that year or in the following year for a continuous period of one week of seven days.

ABSENCE THROUGH SICKNESS OR ACCIDENT.

42. (a) Any employee not attending for duty will lose his pay for the time of such non-attendance, unless he produces or forwards, within twenty-four (24) hours of the commencement of such absence, a medical certificate or other evidence satisfactory to the management that his non-attendance was due to personal accident arising out of and in the course of his employment, or to personal ill health, necessitating such absence.

(b) In the case of personal accident or personal illness, necessitating such absence referred to in (a), the pay for the week in which such accident or illness occurs, shall be calculated on his pay at ordinary rates for the six working days up to and including the day such accident or illness occurs. Provided, however, that if such accident or illness necessitates absence beyond the week in which same occurs, the employer will for such period of absence, not exceeding in all ten days, pay the employee in the manner hereinbefore provided. The maximum amount of pay for days not worked owing to such accident or illness necessitating absence as aforesaid shall be a total of ten days' full pay in any year. For the purpose of this clause, a year shall be calculated as follows:—From 1st of August in each year to 31st July next following.

TIME BOOK OR OTHER RECORD.

43. That every employee shall indelibly record daily his or her correct times of beginning and ending work in a book, or on time cards, or by a mechanical contrivance, which shall be furnished by the employer.

Within the Localities Set Out in Note (c).

DEFINITIONS.

44. In this Determination, unless the contrary intention clearly appears:—

"Ordinary time" means a rate of wage per hour equal in amount to the prescribed weekly wage divided by the prescribed number of ordinary hours of work.

"Time and a half" means one and a half the amount of ordinary time.

"Double time" means double the amount of ordinary time.

"Shift work" means work which is continuous, except that the employee is allowed to have his meal time included in his period of work.

"Shiftman" means an employee engaged upon shift work.

"Dayman" means an employee other than a shiftman.

"The union," wherever referred to in this Determination, means The Federated Gas Employees Industrial Union—Victorian Section.

F. A. MARZORINI,
Secretary for Labour.

Melbourne, 22nd November, 1939.

By Authority: T. RIDER, Government Printer, Melbourne.

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No. 377] FRIDAY, NOVEMBER 24. [1939

Factories and Shops Acts.

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

DETERMINATION OF THE CARETAKERS BOARD.

NOTE.—This Determination applies to the following parts of Victoria, namely :—The Metropolitan District and the Geelong District as defined in the Factories and Shops Acts, such portions of the City of Sandringham as are not included within the said Metropolitan District, the cities of Ballarat, Bendigo, and Warrnambool, and the boroughs of Eaglehawk and Sebastopol.

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 4th July, 1939, by the Caretakers Board and published in the *Government Gazette* on 13th July, 1939, hereby issue an adjusted determination showing the adjusted wages to be paid to persons employed as caretakers of buildings—

(*a*) in which any process, trade, business, or occupation is carried on for profit ;

(*b*) which are temporarily untenanted but in which, ordinarily, any process, trade, business, or occupation is carried on for profit ;

(*c*) which contain flats ;

(*d*) which contain halls let for public entertainment or for other purposes.

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

(2) IMPROVERS.

Wages per week of 46 hours.	s.	d.	—
			PROPORTION (in any place).
Under 18 years of age	36	0	One improver to every worker receiving not less than 82s. per week of 46 hours.
18 to 19 years of age	46	0	
19 to 20 years of age	56	6	NOTE.—The Board has determined that no apprentice shall be taken in the trade.
20 to 21 years of age	67	0	

OTHER EMPLOYEES.

WAGES PER WEEK OF 46 HOURS.

—	Within the Metropolitan and Geelong Districts as defined in the Factories and Shops Acts and the City of Warrnambool. s. d.	All Other Parts of Victoria where this Determination Applies. s. d.
Persons engaged weekly to take care of buildings which contain—		
41 or more flats	89 0	86 0
21 to 40 flats	85 0	82 0
20 or less flats	80 0	77 0
Persons engaged weekly to take care of buildings which contain halls let for public entertainment or for other purposes	80 0	77 0
Other caretakers of buildings in charge of—		
11 or more cleaners	117 6	114 6
4 to 10 cleaners	107 6	104 6
1 to 3 cleaners	96 6	93 6
All others	85 0	82 0

(3) Where an employee is required by his employer to reside on the premises where he is employed no deduction shall be made from the wages of such employee for rent, fuel, or light.

(4) TIMES OF BEGINNING AND ENDING WORK FOR ALL PERSONS OTHER THAN THOSE EMPLOYED IN CONNEXION WITH FLATS OR HALLS :—

	Time of Beginning.	Time of Ending.
On the usual half-holiday	6 a.m. ..	1.20 p.m.
On the usual late trading night, or the night previous to a Public Holiday	6 a.m. ..	9.20 p.m.
On all other working days of the week	6 a.m. ..	9 p.m.

No. 377.—15996/39.

(5) NOTICE OF HOURS.—Every employer shall notify the hours at which he requires his employee to commence and cease work. Work done outside the hours notified shall be paid for at overtime rates. Such hours when notified shall not be changed except by a week's notice.

(6) OVERTIME.—The following rates shall be paid for all work done:—

(a) by persons employed in connexion with Flats or Halls—

Outside the hours of commencing and ceasing work notified by the employer in accordance with clause 5	Time and a half.
In excess of 46 hours in any week	Time and a half.

(b) by all other persons—

Outside the times of beginning and ending work as fixed in clause 4—	
(i) Between midnight and 6 a.m.	Double time.
(ii) At any other time	Time and a half.
Outside the hours of commencing and ceasing work notified by the employer in accordance with clause 5—	
(i) Between midnight and 6 a.m.	Double time.
(ii) At any other time	Time and a half.
Within such prescribed times, but in excess of 46 hours in any one week	Time and a half.

provided that overtime shall not be paid more than once in respect of the same period of work.

(7) TERMS OF EMPLOYMENT.—(a) All employees other than casual employees shall be engaged by the week and shall be paid weekly. Employees to become entitled to payment on a weekly basis 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. Notice equivalent to 46 working hours shall 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 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 46 working hours' notice, except in circumstances referred to above, the employer may pay 46 hours' wages; and vice versa, the employee leaving his employment without notice shall forfeit 46 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.

(8) CASUAL EMPLOYEES.—i.e., persons engaged for less than the working week of 46 hours shall be paid for the first 23 hours at the rate of time and a quarter and for every hour thereafter ordinary time. Such payment shall be in addition to any overtime to which they may be entitled under clause 6.

(9) ANNUAL LEAVE.—Any employee who has been in the service of an employer for a period of not less than twelve months shall be granted with pay eight working days in each year (exclusive of the holidays mentioned in clause 10) and such holiday shall be given within three months of the completion of twelve months' service. provided that, for the purposes of this clause, any service prior to the 19th July, 1939, in the case of caretakers of flats and halls and to the 29th September, 1938, for all other caretakers shall not be taken into account.

Provided further, that any employee who leaves or is dismissed before the expiration of twelve months shall be given or paid for holidays pro rata in accordance with the length of service, viz., one day for each complete six weeks of service.

(10) SPECIAL RATES.—Time and a half shall be the rate payable for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, King's Birthday, 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.

Any employee other than one employed in connexion with flats and halls who is required to work on any such days after 8 a.m. shall be paid for at least 4 hours' work.

(11) CLEANING MATERIALS.—All materials and implements for cleaning purposes shall be provided and maintained by the employer.

(12) The employer shall nominate himself or some other person as being the person who shall have the ultimate control and direction of the work of the caretaker.

(13) TIME BOOK.—Every employee shall indelibly record and initial daily his correct times of beginning and ending work in a book which shall be furnished by the employer. Such book shall be open for inspection by the Secretary or Assistant Secretary of the Victorian Branch of the Federated Miscellaneous Workers' Union between the hours of 9 a.m. and 5 p.m. of any working day except Saturday at the employer's office or other convenient place provided that only one demand for each inspection shall be made at the same establishment in any calendar month. Such demand shall not be made unless the Secretary or Assistant Secretary of the Union suspects that a breach of this Determination has been committed.

F. A. MARZORINI,
Secretary for Labour.

Melbourne, 22nd November, 1939.

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No. 378] FRIDAY, NOVEMBER 24. [1939

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 19 (CONFECTIONERY, PASTRY, FRUIT AND VEGETABLE).

NOTES—(a) 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 made thereunder; such portion of the City of Sandringham as is not included within the said District; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell: and the boroughs of Eaglehawk and Sebastopol.

(b) On the 21st December, 1922, the Board was deprived of the power to determine the lowest prices or rates which may be paid to any persons employed whole or part time selling confectionery or pastry in any place in which the business of a restaurant is carried on, and such power was conferred exclusively on the Restaurant Board.

(c) On the 4th December, 1929, the power to determine the lowest prices or rates which may be paid to any persons employed in any bread shop was taken from the Shops Board No. 18 (Miscellaneous Shops) and conferred exclusively on the Shops Board No. 19 (Confectionery, Pastry, Fruit, and Vegetable).

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to "determine the lowest prices or rates which may be paid to any persons employed in confectionery and pastry shops, or fruit and vegetable shops," has made the following Determination, namely:—

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

(2)

Apprentices or Improvers.						Other Employees.
Males.	Females.					
Wages per week of 48 hours.	Wages per week of 48 hours.					Wages per week of 48 hours.
—	In any shop wherein employees' wages are subject solely to this Determination.		In any other Shop.			
	s.	d.		s.	d.	
15 years of age or under ..	15 years of age or under ..	17 0	15 years of age or under ..	17	6	MALES— s. d.
16 years of age .. 24 0	16 years of age ..	19 0	16 years of age ..	20	0	21 years of age 58 6
17 ,, ,, .. 29 6	17 ,, ,, ..	23 6	17 ,, ,, ..	25	0	22 years of age 68 6
18 ,, ,, .. 37 0	18 ,, ,, ..	27 6	18 ,, ,, ..	29	6	23 years of age or over .. 80 0
19 ,, ,, .. 45 0	19 ,, ,, ..	32 6	19 ,, ,, ..	34	6	
20 ,, ,, .. 54 0	20 ,, ,, ..	38 0	20 ,, ,, ..	40	0	FEMALES—
PROPORTION (in any Shop or Place). One apprentice and one improver to every three or fraction of three workers receiving not less than the minimum wage.						In any shop wherein employees' wages are subject solely to this Determination 46 0
						In any other shop 50 0

(3) OVERTIME.—Any employee who in any week works for any time in excess of 48 hours shall be paid for such extra time at the rate of time and a half.

(4) TIME WAGES.—Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall be paid, for time worked up to 24 hours, at the ordinary wages rate with an addition of thirty-three and one-third per centum, and for time worked beyond the 24 hours aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

No. 378.—16154/39.

(5) References.—Every employee, on the termination of his or her engagement, shall be given by the employer, if the employee so desires, a certificate setting out the employee's length of service and qualifications.

(6) Special Rates.—Time and a half shall be paid for all work done on Sundays, or any of the undermentioned public holidays, viz.—

New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Show Day (in such localities mentioned in the Twelth Schedule to the *Public Service Act* 1928 as are within the area to which this Determination applies), Melbourne Cup Day, Anzac Day, Christmas Day or Boxing Day. If any other day be substituted by Act of Parliament or Proclamation for any of the abovementioned holidays, the special rate shall be payable only for work done on the day so substituted.

(7) Sick Leave.—Any employee not attending for duty, who has had not less than 12 months' service with the same employer, shall be paid for the actual time lost if such employee produces or forwards, within 24 hours of the commencement of such absence, evidence satisfactory to the employer that his or her non-attendance was due to personal ill-health or accident necessitating such absence.

Provided that the employer shall not be obliged to pay the employee for such absence in respect of more than six days in any one year commencing from the 1st December.

(8) Annual Holidays.—Any employee who has been in the service of the same employer for a period of not less than twelve months from the 1st December, 1939, shall be granted holidays on full pay for a period of one week in each year exclusive of the holidays specified in clause (6) herein. Such holidays shall be given within three months of the completion of each twelve months' service. Provided that the annual holidays, by agreement in writing between an employer and his employees, may be taken at any time convenient to both. Should an employee be dismissed for any reason other than misconduct at any time after nine months' service, but before the expiration of any period of twelve months he or she shall be entitled to *pro rata* holidays on full pay.

(9) Payment of Wages, Etc.—Payment of all wages, overtime, special rates, and allowances due shall be made during working hours not later than Thursday each week

(10) Bicycle Allowance.—Where any person uses his or her own bicycle in the delivery or collection of goods for the employer, or in connexion with the employer's business, such person shall receive the sum of 2s. 6d. weekly in addition to any rate prescribed otherwise by this Determination.

(11) Clothing Allowance.—Where any person wears, whilst at work, any washable outer-garment, dress, or headwear, such garment, dress or headwear shall be supplied free of charge by the employer. The employer shall defray the cost of any necessary laundering of such garment, dress, or headwear or alternatively shall make, in addition to the payment of any rate prescribed otherwise by this Determination, a weekly allowance of 2s. 6d. to the wearer of such garment, dress or headwear.

(12) Time and Wages Record.—The employer shall keep a time and wages record in the English language showing the name, age and sex of each worker, the number of hours worked each week, and the wages and overtime paid each week.

Such record shall be open for inspection by a duly accredited representative of any of the following bodies, viz.—The Shop Assistants and Warehouse Employees' Federation of Australia, the Victorian Refreshment and Confectionery Shopkeepers' Association, the Melbourne and Metropolitan Retail Fruiterers and Greengrocers' Association, and the Victorian Master Pastrycooks' Association.

(13) Rest Period.—On each day when not less than four hours' continuous work is done, a rest period of 10 minutes in addition to any prescribed meal interval shall be given. Such rest period shall count as part of time worked.

(14) Meal Intervals.—Every person shall be allowed and shall receive the following meal intervals, with permission to leave the shop during the whole of such intervals, viz.—

On each day when work is done—1 hour for lunch, to be taken between 12 noon and 3 p.m.

On each day when work is done after 7.30 p.m.—An additional interval of three-quarters of an hour, to be taken between 5 p.m. and 7.15 p.m.

(15) Termination of Employment.—Except in a case where an employee has been guilty of a misdemeanour, seven days' notice of termination of employment shall be given by either employer or worker, or a week's wages paid or forfeited, as the case may be, in lieu thereof.

J. K. McCASKILL, Chairman.

REX L. CECIL, Secretary.

Melbourne, 8th November, 1939.

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No. 379] FRIDAY, NOVEMBER 24. [1939

Factories and Shops Acts.

DETERMINATION OF THE IRONMOULDERS BOARD.

NOTES.—A. This Determination applies to the whole of the State of Victoria.

B. (*a*) Section 168 of the *Factories and Shops Act* 1928 (No. 3677) extends the powers of this Board to "steel moulding."

(*b*) The following trades were proclaimed on 13th January, 1932, as apprenticeship trades under the *Apprenticeship Act* 1928 for the Metropolitan Districts:—Jobbing Moulding and Coremaking, Jobbing Brass Moulding and Coremaking.

Full particulars of the apprenticeship regulations for these trades may be obtained on application to the Secretary, Apprenticeship Commission, Gisborne-street, Melbourne, C.2. (Price 3d.)

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to "determine the lowest prices or rates of payment which may be paid to any person or persons or classes of persons (other than moulders employed in moulding metal bedsteads) employed in the process, trade, or business of an ironmoulder," has made the following Determination, namely:—

(1) That as from the beginning of the first pay period to commence in December, 1939, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Apprentices or Improvers.	Per Week of 44 hours. s. d.
WAGES.	
1st year	15 0
2nd year ..	21 6
3rd year ..	35 9
4th year ..	58 0
5th year ..	72 9
PROPORTIONS (IN ANY PLACE).	
Apprentices.	
One apprentice to every three or fraction of three workers receiving not less than 80s. per week of 44 hours.	
An indenture of apprenticeship prescribed by the Board was approved on 5th November, 1911.	

Other Employees.	Per Week of 44 Hours. Within the Metropolitan District and such Portion of the City of Sandringham as is not included within the said District and the Cities of Geelong and Warrnambool. £ s. d.	All other Parts of Victoria where this Determination applies. £ s. d.
WAGES.		
Pipe Moulders making Pipes (other than Steam and Hydraulic Pipes) on a Bank or Cast Vertically.		
Bank pipe moulders—		
5 and 6 inch, headmen	5 5 0	5 5 0
5 and 6 inch, footman	4 14 0	4 14 0
4 inch and under, headmen	4 18 0	4 18 0
4 inch and under, footmen	4 10 0	4 10 0
Vertical pipe moulders—		
Rammers, coremakers, corers, or casters	4 8 0	4 8 0
Dressers of pipes, including dressers on emery wheels	4 8 0	4 8 0
Furnacemen	4 12 0	4 12 0
Furnacemen's assistant (i.e., any person assisting in daubing ladles, charging, mixing, daubing, and breaking pig iron)	4 7 0	4 7 0
Persons Employed in making Pipes by machinery.		
Coremakers—		
5 and 6 inch, faucet	5 5 0	5 5 0
5 and 6 inch, spigot	4 14 0	4 14 0
4 inch and under, faucet	4 18 0	4 18 0
4 inch and under, spigot	4 10 0	4 10 0
Finishers and Casters—		
5 and 6 inch	5 5 0	5 5 0
4 inch and under	4 18 0	4 18 0

Apprentices or Improvers.	Other Employees.	Per week of 44 hours. Within the Metropolitan District and such Portion of the City of Sandringham as is not included within the said District and the Cities of Geelong and Warrnambool.	Per week of 44 hours. All other Parts of Victoria where this Determination applies.
	Ironmoulding and Cast Malleable Ironmoulding.	£ s. d.	£ s. d.
Improvers.	Jobbing moulders or coremakers	5 10 0	5 7 0
	Agricultural stove dairying implement moulders or core makers ..	5 0 0	4 17 0
One improver to every three or fraction of three workers receiving not less than 80s. per week of 44 hours.	Machine or plate moulders or coremakers—		
	1st six months	4 9 0	4 6 0
	2nd six months	4 12 0	4 9 0
	3rd six months	4 15 0	4 12 0
	After two years	5 0 0	4 17 0
	Irondressers using pneumatic hammer	4 14 0	4 14 0
	Irondressers (including dressers on emery wheels)	4 8 0	4 8 0
	Furnacemen	4 12 0	4 12 0
	Furnacemen's assistant (i.e., any person assisting in daubing ladles, charging, mixing daubing, and breaking pig iron)	4 7 0	4 7 0
	Annealers of malleable iron castings	4 4 0	4 4 0
	Shot-blast and sand-blast dressers who are not protected from flying shot and sand by a properly enclosed cabin	4 12 0	4 12 0
	Shot-blast and sand-blast dressers who are protected from flying shot and sand by a properly enclosed cabin	4 8 0	4 8 0
	Steel Moulding.		
	Steeldressers using pneumatic hammer	4 16 0	4 16 0
	Dressers (including dressers on emery wheels)	4 10 0	4 10 0
	Crucible furnacemen	5 6 0	5 6 0
	Assistant crucible furnacemen	4 10 0	4 10 0
	Converter furnacemen (i.e., persons in charge of a converter) ..	4 18 0	4 18 0
	Assistant converter furnacemen (i.e., persons in charge of a cupola)	4 10 0	4 10 0
	Electric furnacemen	5 6 0	5 6 0
	Assistant electric furnacemen	4 10 0	4 10 0
	Annealers	4 4 0	4 4 0
	Shot-blast and sand-blast dressers who are not protected from flying shot and sand by a properly enclosed cabin	4 14 0	4 14 0
	Shot-blast and sand-blast dressers who are protected from flying shot and sand by a properly enclosed cabin	4 10 0	4 10 0
	Labourers.		
	Labourers (steel moulding)	4 2 0	4 2 0
	All other labourers	4 0 0	4 0 0

(3) Overtime.—(*a*) Moulders (except Pipe Moulders).

All time worked outside ordinary daily hours shall be paid for at the rate of time and a half for the first four hours and double time thereafter, such double time to continue until the employee has been relieved from work for at least eight hours: Provided that an employee shall not be entitled to payment for such rest period.

(*b*) All others.

All time worked outside the ordinary daily hours in any place shall be paid for at the rate of time and a half, and each day shall carry its own overtime.

(4) Shift Work.—i.e., for work done outside the ordinary time of starting and finishing for five or more days consecutively the rate to be paid shall be ordinary time with addition of five per cent.

Such shift workers times of starting and finishing to be arranged by mutual agreement.

All shift workers shall be paid overtime rates in excess of shift hours agreed upon.

Contract of Employment for Jobbing Moulders, Jobbing Coremakers, Plate and Machine Moulders, and Machine Coremakers.

(5) (*a*) With the exceptions hereinafter stated, employment may be by the week or by the hour. If by the week it shall be terminable on either side by one week's notice given on any day or (if the employer terminate it without such notice), by payment of one week's wages.

A contract for weekly employment may be terminated by any employer, without liability to pay for more than time actually worked for misconduct or for absence from work without reasonable excuse.

If an employee engaged by the week absents himself from duty, except on public holidays or for days for which he produces a certificate from a medical practitioner or other proof satisfactory to his employer of sickness (aggregating 4 days' sickness in each year), a sum proportionate to his time of absence may be deducted from his pay, i.e., one-sixth of the weekly wage for each day of absence, including Saturday in shops working six days and one-fifth in shops working five days per week: Provided that only time actually lost shall be deducted when an employee is absent with leave on a Saturday.

(*b*) If the contract of employment is for hourly hiring, the total amount of the rates prescribed in clause 2 hereof shall be increased by 5s. per week (with a proportionate amount added to the wages of apprentices or improvers), but such amount shall not be taken into account in computing overtime, Sunday and holiday rates.

(*c*) An employee starting work on hourly hiring shall be entitled to a minimum of four consecutive hours' work or to four hours pay for the job—such hours may be deemed to be consecutive if worked in ordinary hours at the end of a day and the beginning of the next succeeding day.

Meal Allowance.

(6) An employee required to work overtime for more than two hours without being notified the day before that he will be so required to work, shall either be supplied with a meal by the employer or paid 1s. 6d., or if work extends into a second meal hour 2s. 6d. for the two meals, but such payment need not be made to employees living in the same locality as their work-shop who can reasonably return home for meals.

If an employee pursuant to notice has provided a meal or meals and is not required to work overtime he shall be paid for each meal so provided.

PAYMENT FOR HOLIDAYS.

(7) (*a*) Employees, excepting jobbing moulders and jobbing coremakers, shall be entitled to the following public holidays (without deduction of pay except as hereinafter provided):—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day and Boxing Day, or such other day as is generally observed in the locality as a substitute for any of the said days respectively.

(*b*) Any employee who is absent without leave prior to a holiday and who does not resume work after the holiday shall not be entitled to holiday pay. An employee meeting with an accident at work before a holiday shall be paid for such holiday if no new hand is put on in his place.

(*c*) Where rationing is in operation during four weeks prior to a holiday occurring, such holiday shall be paid for proportionate to the time worked.

(*d*) Where an employee's services are terminated a week before the occurrence of a holiday and he is re-employed within two weeks after the holiday, or where an employee's services are terminated two weeks before the occurrence of a holiday and he is re-employed within a week after the holiday, or where an employee's services are terminated three weeks before the occurrence of a holiday and he is re-employed immediately after the holiday, payment shall be made for such holiday.

(8) SUNDAYS AND PUBLIC HOLIDAYS.—Double time shall be paid for all work done on Sundays, Good Friday, Easter Saturday, Easter Monday, Australia Day (26th January), Labour Day (21st April), King's Birthday, Christmas Day, Boxing Day, and New Year's Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named public holidays the special rate shall only be payable for work done on the day so substituted.

(9) DAY AND HOUR FOR PAYMENT OF WAGES.—All payments of wages shall be made within a quarter of an hour from the time of the worker ending work on each pay day.

(10) TERMINATION OF EMPLOYMENT.—Excepting for jobbing moulders and jobbing coremakers, four hours' notice of termination of employment shall be given by either employer or worker.

(11) TIME LOST THROUGH INJURY.—Any employee injured whilst at work shall, provided he returns to duty the same day, be paid at his ordinary rate of wages for the time lost in receiving first-aid or medical attention for the injury sustained.

(12) PIECE-WORK.—The Board determines under the provisions of Section 150 of the *Factories and Shops Act* 1928 that any employer may fix and pay piece-work prices to any person employed at any work in the process, trade, or business of an ironmoulder, 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 the wages that are fixed by the Board for such work.

W. W. HARRIS, Chairman.

J. V. WILLOX, Acting Secretary.

Melbourne, 14th November, 1939.

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No. 380] FRIDAY, NOVEMBER 24. [1939

APPOINTMENT OF ROYAL COMMISSION TO INQUIRE INTO CERTAIN MATTERS ASSOCIATED WITH THE MONEY LENDERS BILL 1938 AND THE MILK BOARD BILL 1939.

HIS Excellency the Governor of the State of Victoria, by and with the advice of the Executive Council thereof, doth, by an Order made on the twenty-fourth day of November, 1939, hereby appoint—

The Honorable CHARLES GAVAN DUFFY, a Judge of the Supreme Court of Victoria,

to be a Royal Commission to inquire into and report upon whether in connexion with the Money Lenders Bill in 1938 or the Milk Board Bill in 1939 and whether before or after the introduction into Parliament thereof—

(*a*) any bribe was accepted or agreed to be accepted by any member of Parliament, and, if so, by whom?

(*b*) any bribe was offered to any member of Parliament, and, if so, by whom?

(*c*) any persons entered into any agreement or formed any combination to bribe or to attempt to bribe any member of Parliament, and, if so, what persons?

C. W. KINSMAN,
Clerk of the Executive Council.

At Government House,
Melbourne, 24th November, 1939.

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