VICTORIA GOVERNMENT GAZETTE.

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No. 260] TUESDAY, JUNE 25. [1940

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 9 (DRAPERS AND MEN'S CLOTHING).

NOTE.—1. On the 9th March, 1921, this Board was appointed in lieu of the Drapers Board and the Men's Clothing Board.

2. This Determination on the 24th June, 1940, applied 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 within the said Metropolitan District; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to "determine the lowest prices or rates which may be paid to any persons employed in the business of a seller of—

(*a*) any article of men's or boys' clothing (whether made to order or otherwise), mercery, or wearing apparel, including underclothing, hats, and caps;

(*b*) goods usually sold by drapers or haberdashers, including mantles, costumes, millinery, gloves, stockings, and underclothing," has made the following Determination, namely:—

(1) That on the 24th June, 1940, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Apprentices or Improvers. Wages per Week of 46 Hours.						
Experience.	Commencing Age. 15 years or under.	16 years.	17 years.	18 years.	19 years.	20 years.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Males—						
1st year—						
1st 6 months	18 6	18 6	22 0	23 0	23 0	28 6
2nd 6 months	18 6	18 6	22 0	23 0	23 0	40 6
2nd year—						
1st 6 months	23 0	23 0	28 6	37 6	37 6	49 6
2nd 6 months	23 0	23 0	28 6	37 6	43 6	54 0
3rd year—						
1st 6 months	27 0	31 0	38 0	52 6	52 6	63 0
2nd 6 months	27 0	31 0	38 0	52 6	63 0	70 6
4th year ..	35 0	41 0	52 6			
5th year ..	43 0	52 6				
6th year, and until 21 years of age ..	52 6					
Females—						
1st year—						
1st 6 months	13 0	17 0	22 0	23 0	24 0	25 6
2nd 6 months	13 0	17 0	22 0	23 0	24 0	25 6
2nd year—						
1st 6 months	18 6	22 6	25 6	27 0	27 6	28 6
2nd 6 months	18 6	22 6	25 6	27 0	27 6	34 6
3rd year—						
1st 6 months	23 6	25 6	28 6	28 6	28 6	37 6
2nd 6 months	23 6	25 6	28 6	28 6	28 6	39 6
4th year ..	25 6	28 6	34 6			
5th year ..	28 6	34 6				
6th year, and until 21 years of age ..	34 6					

Other Employees. Wages per Week of 46 Hours.	Within the Metropolitan District.	Outside the Metropolitan District wherever this Determination applies.
—	s. d.	s. d.
Males.		
Manager (other than departmental manager), i.e., a person entrusted with the control or superintendence of a shop, notwithstanding he may be under the orders of a superior who does not devote his whole time to the management of the said shop	120 0	120 0
Departmental manager, i.e., a person in control of three or more salesmen or saleswomen 21 years of age or over, notwithstanding he may be under the orders of a superior who does not devote his whole time to the management of such department	112 0	112 0
Person in charge of an order tailoring establishment	120 0	120 0

Apprentices or Improvers	Other Employees. Wages per Week of 46 Hours. —	Within the Metropolitan District. s. d.	Outside the Metropolitan District wherever this Determination applies. s. d.
PROPORTION (in any Shop or Place).	*Males.*		
APPRENTICES.	Pattern-men, assemblers, or salesmen—		
	21 years of age	79 0	69 6
	22 years of age	89 0	80 6
	23 years of age or over	106 0	101 0
Males.	Canvassers, who are in any way connected with the sale of goods	109 0	109 0
One male apprentice to every three or fraction of three male workers receiving not less than 69s. 6d. per week of 46 hours.	Collectors who, in addition to their duties of collecting, are in any way connected with the sale of goods	109 0	109 0
Females.	Foreman packer or storeman, i.e., a person in control of four or more packers or storemen, notwithstanding he may be under the orders of a superior who does not devote his whole time to the management of such department	98 0	98 0
One female apprentice to every three or fraction of three female workers receiving not less than 39s. 6d. per week of 46 hours.	Packers or storemen	93 6	93 6
	Porters	93 6	93 6
An indenture of apprenticeship prescribed by the Board was approved on 25th January, 1924.	All others	106 0	101 0
	Females.		
IMPROVERS.	Manageress (other than departmental manageress), i.e., a person entrusted with the control or superintendence of a shop stocking dress or Manchester goods, drapery furnishing, prints, silks, or men's clothing, notwithstanding she may be under the orders of a superior who does not devote his whole time to the management of the said shop	120 0	120 0
Males. One male improver to every male person receiving not less than 69s. 6d. per week of 46 hours.	Departmental manageress— (*a*) in control of three or more salesmen or saleswomen 21 years of age or over, in dress, Manchester, drapery furnishing, prints, silks, or men's clothing departments, notwithstanding she may be under the orders of a superior who does not devote his whole time to the management of such department	112 0	112 0
Females. Two female improvers to one female person .. / Four female improvers to two female persons and thereafter— / One female improver to each additional female person — receiving not less than 39s. 6d. per week of 46 hours.	(*b*) In control of three or more saleswomen 23 years of age or over in any other department, notwithstanding she may be under the orders of a superior who does not devote his whole time to the management of such department	64 0	62 0
Provided that one female improver in lieu of one male improver or one male improver in lieu of one female improver may be employed.	Saleswomen selling goods usually sold in dress, Manchester, drapery, furnishing, prints, silk, or men's clothing departments—		
	21 years of age	79 0	70 0
	22 years of age	89 0	80 6
	23 years of age or over	106 0	101 0
	Other saleswomen or pattern women, or assemblers—		
	21 years of age	43 0	39 6
	22 years of age	49 0	44 0
	23 years of age or over	54 6	50 6
	Packers	93 6	93 6
	Canvassers who are in any way connected with the sale of goods	54 6	54 6
	Porters	93 6	93 6
	All others	54 6	50 6

(3) TIMES OF BEGINNING AND ENDING WORK.

	Time of Beginning.	Time of Ending.
On the usual half-holiday	9 a.m.	12.45 p.m.
On the usual late trading night, or the night previous to a Public Holiday	9 a.m.	9 p.m.
On all the other working days of the week	9 a.m.	6 p.m.

(4) OVERTIME.*

The following rates shall be paid for all work done:—

(*a*) By persons (including apprentices and improvers) employed as salesmen or saleswomen—

(1) Before 9 a.m. .. .. Five times the ordinary rate.

(2) Outside the times of ending work .. .. .. Double time.

(*b*) By all other persons—Outside the times of beginning and ending work. Double time.

* NOTE.—Section 117 (2) Act 3677 provides that:—Any person may, if notice in writing has previously been sent to the chief inspector, be employed in any shop or at any work in connexion with a shop for any time not exceeding three hours in any one day beyond the ordinary working hours, provided that the total number of days in any one year on which in any shop or at any work in connexion with a shop any such person is so employed shall not exceed twenty-five.

Section 105, however, makes it an offence for an employer to detain an employee later than half an hour on a half-holiday.

(5) MEAL MONEY.

Any employee required to work after the usual finishing hour of work or before the usual commencing hour of work beyond one hour shall be paid not less than 1s. 6d. meal money in addition to the overtime rates as prescribed for in this Determination.

(6) TIME RATE.

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 23 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.

and for each hour worked beyond the 23 hours aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

Provided that no person shall be employed for less than four consecutive hours on any one working day between the hours of 9 a.m. and 6 p.m. on Monday to Thursday and between the hours of 9 a.m. and 9 p.m. on Friday or for less than 3¾ hours on Saturday.

(7) MEAL INTERVALS.

All employees shall be allowed the following meal intervals with permission to leave the shop for the whole of such intervals viz.:—

From Monday to Friday, one hour for lunch between noon and 3 p.m., and in addition, on Friday, three-quarters of an hour for tea between the hours of 5 p.m. and 7.15 p.m.

(8) REST PERIOD.

All employees shall be allowed two rest intervals on each day as follows:—(a) The first of ten minutes to be allowed between the time of commencing work and the usual meal interval; (b) the second of ten minutes to be allowed between the usual meal interval and the time of ceasing work for the day. Such intervals are to be counted as part of time worked.

(9) TERMINATION OF EMPLOYMENT.

Except where the conduct of an employee justifies instant dismissal, seven days' notice of termination of employment shall be given by either employer or employee, or one week's wages shall be paid or forfeited in lieu thereof. This provision shall only apply in the case of an employee who has been employed continuously for three months or more.

(10) NOTICE OF INTENTION TO RATION.

Where an employer owing to slackness of trade desires to ration his employees, he shall give at least one clear working day's notice to each employee of his intention to ration such employee.

(11) ANNUAL HOLIDAYS.

Any employee who has been in the service of the same employer for a period of not less than twelve months shall be granted holidays on full pay for a period of ten consecutive working days in each year (exclusive of the holidays specified in clause (13)), and such holidays shall be given within three months of completion of each twelve months' service. Should an employee's services be terminated before the expiration of twelve months' service he shall be entitled to *pro rata* holidays on full pay; but should an employee be dismissed at any time for misconduct before the expiration of any period of twelve months of such employment, he shall not be entitled to any annual leave or any *pro rata* payment in lieu thereof. Fourteen days' notice shall be given by the employer to the employee before the latter commences his annual holidays aforesaid.

(12) SICK PAY.

Any employee not attending for duty who has had not less than 12 months' service with the same employer shall lose his or her pay for the actual time lost unless 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, but such employee shall not be entitled to payment for non-attendance on the grounds of personal ill-health or accident for more than six days in each year commencing from the 25th October.

(13) SPECIAL RATES FOR SUNDAYS AND HOLIDAYS.

The special rates for all work done on Sundays or the undermentioned Public Holidays shall be—

Sunday .. .. Double time.

New Years Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Christmas Day, Boxing Day, or after 12.30 p.m. on Show Day in localities mentioned in the Twelfth Schedule to the *Public Service Act* 1928 within the area to which this Determination applies .. .. Time and a half.

Easter Saturday—

(a) In the area enclosed by and including Flinders-street, Spencer-street, Lonsdale-street, and Spring-street in the City of Melbourne .. .. Five times the ordinary rate.

(b) In all other places where this Determination applies .. .. Double time.

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.

(14) BICYCLE ALLOWANCE.

Where a bicycle is provided by an employee and is required to be used in connexion with his employer's business, an allowance of 1s. 6d. per week in addition to the ordinary wage shall be paid to such employee.

(15) REFERENCE.

An employee, on severing his or her connexion with an employer, shall be entitled to and shall receive from such employer a reference in writing, stating his or her period of service and qualifications. This provision shall only apply in the case of an employee who has been employed continuously for three months or more.

(16) TIME AND WAGES RECORDS.

An employer shall keep time and wages records showing the name of each employee, the hours worked each week by, and the wages and overtime paid to each employee.

J. W. CLARKE, Chairman.

L. M. BRADY, Secretary.

Melbourne, 5th June, 1940.

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No. 261] TUESDAY, JUNE 25. [1940

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 15 (GROCERS).

NOTE.—This Determination on the 28th June, 1940, applied to the following parts of Victoria, viz.:—The Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder, and such portions of the city of Sandringham as are not included in 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.

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 person or persons or classes of persons wheresoever employed in the business of a grocer, including a seller of tea," has made the following Determination, namely:—

(1) That on the 28th June, 1940, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Apprentices or Improvers.

WAGES.	Per Week of 48 Hours.
Under 15 years of age ..	16 3
15 years of age	22 6
16 years of age	31 0
17 years of age	39 6
18 years of age	48 6
19 years of age	62 6
20 years of age	68 9

Provided that any apprentice or improver without previous experience entering the trade at 16, 17, or 18 years of age may be paid for his first and second year's service 20 per cent. less than the rates fixed above.

The Board has prescribed a form of indenture which must be used.

PROPORTION (in any shop or place).

Apprentices.

One apprentice to every three or fraction of three workers receiving not less than 82s. 6d. per week of 48 hours.

Improvers.

One improver to every three workers receiving not less than the rates fixed in this Determination for grocers' assistants 23 years of age or over.

"Worker" includes an owner or partner acting as working manager.

Other Employees.	Wages. Within the Cities of Ballarat and Bendigo, and the Boroughs of Eaglehawk and Sebastopol.	Within the Cities of Geelong, Geelong West, and Warrnambool, and the Town of Newtown and Chilwell.	All other parts of Victoria where this Determination applies.	Per Week of—
	s. d.	s. d.	s. d.	Hours.
Manager, i.e., the principal employee in any shop, except a shop in which an owner or partner is working manager ..	109 0	111 0	115 0	48
Head cellarman, i.e., the principal employee engaged in testing, blending, reducing, or fining wines or spirits ..	101 6	103 6	107 6	48
Canvasser, i.e., an employee soliciting or collecting orders ..	88 0	90 0	94 0	48
Driver of motor vehicle with a carrying capacity of not more than 25 cwt.	83 3	85 3	89 3	48*
Driver of motor vehicle with a carrying capacity of over 25 cwt.	86 0	88 0	92 0	48*
Driver of three or more horses ..	88 0	90 0	94 0	48*
Driver of two horses	86 0	88 0	92 0	48*
Driver of one horse	83 3	85 3	89 3	48*
Stableman	81 3	83 3	87 3	51
All others—				
21 years of age	82 6	82 6	82 6	48
22 years of age	83 3	85 3	89 3	48
23 years of age or over ..	88 0	90 0	94 0	48

* Including time occupied in attending to horses or motor vehicles.

(3) TIMES OF BEGINNING AND ENDING WORK.

—	Drivers.		All others except Stablemen.	
	Time of Beginning.	Time of Ending.	Time of Beginning.	Time of Ending.
On the day of the usual half-holiday	8.10 a.m.	1 p.m.	8.40 a.m.	1 p.m.
On the usual local late trading night or on the night previous to a public holiday	8.10 a.m.	7 p.m.	8.40 a.m.	9 p.m.
On the other working days of the week	8.10 a.m.	6.30 p.m.	8.40 a.m.	6 p.m.

(4) OVERTIME.

The following rate shall be paid for overtime :—

Stablemen—

For all work done in excess of 51 hours in any one week .. .. } Time and a half.

All others—

Outside the hours fixed in Clause 3 .. .. } Time and a half.

Within the hours fixed in Clause 3 in excess of the number of hours fixed for an ordinary week's work .. .. } Time and a half.

(5) ORDINARY WEEK'S WORK.

The number of hours which shall constitute an ordinary week's work shall be as follow :—

Stablemen .. .. 51 hours.
All others .. .. 48 hours.

(6) 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 each hour worked up to 24 hours, as follows :—

(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.

For time worked beyond the 24 hours aforesaid, he shall be paid the ordinary wages rate up to but not exceeding the rate prescribed by this Determination for an ordinary week's work, together with any overtime rate which is applicable.

(7) ALLOWANCES.

(a) Where, in conformity with the custom of the trade, an employee wears, when at work, a washable outer garment, the laundering of which is not paid for by the employer, such employee shall be paid 2s. 6d. per week in addition to the ordinary rate.

(b) Where an employer directs an employee to use his bicycle in the performance of his duties, such employee shall be paid an allowance at the rate of 1s. 0d. per week.

(8) TERMINATION OF EMPLOYMENT.

Except in a case where an employee has been guilty of a misdemeanor, seven days' notice of termination of employment shall be given by either employer or worker. If such notice be not given, a week's wages shall be paid or forfeited, as the case may be, in lieu thereof.

(9) MEAL INTERVAL.

A meal interval of at least one hour shall be allowed between the hours of 12 noon and 2 p.m. daily.

(10) SPECIAL RATES.

Double time shall be the special rate payable for all work done on Sunday, and time and a half the special rate payable for all work done on New Year's Day, 26th January (Australia Day), Good Friday, Easter Monday, 21st April (Labour Day), King's Birthday, Show Day (in such localities mentioned in the Twelfth Schedule to the *Public Service Act* 1928 as are within the area to which this Determination applies), Christmas Day or Boxing Day; but, if any other day be substituted by Act of Parliament or Proclamation for any of the above-mentioned holidays, the special rate shall be payable only for work done on the day so substituted.

(11) MEAL MONEY.

For each day upon which more than one hour's overtime is worked, each person who works such overtime shall be paid 1s. 6d. meal money in addition to the prescribed overtime rate.

(12) ANNUAL HOLIDAYS.

(i) Any employee who has been in the service of an employer for a period of not less than twelve months shall be granted one week's holiday (exclusive of the holidays mentioned in Clause 10) in each year on full pay. Such holiday shall be given within three months of the completion of twelve months' service.

Seven days' notice shall be given by the employer to the employee before the latter commences his week's holiday aforesaid.

(ii) Any employee who has been for not less than six months in an employer's service, and whose engagement is terminated, shall receive one half-day's holiday payment for each month spent in such employer's service.

(13) REFERENCES.

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

(14) RENT OF RESIDENCE.

The employer shall not charge any manager or assistant who is required to reside on the premises in connexion with the shop in which the business of such employer is carried on a greater sum as rent for such premises than 10s. 0d. per week.

(15) SICK PAY.

Any employee not attending for duty shall lose his or her pay for the actual time lost unless such employee has had not less than twelve months' service with the same employer, and he or she produces or forwards within twenty-four 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, but such employee shall not be entitled to payment for non-attendance on the grounds of personal ill-health or accident for more than four days in each year commencing from the 8th December, 1938.

(16) PAY DAY.

Payment of wages, including overtime, meal money, special rates, and allowances shall be made not later than Thursday of each week.

(17) TIME AND WAGES RECORD.

The employer shall keep a time and wages record showing the name 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 the Shop Assistants and Warehouse Employees' Federation of Australia or of the Grocers' Association of Victoria.

RAY H. BEERS, P.M., Chairman.

REX L. CECIL, Secretary.

Melbourne, 12th June, 1940.

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