



# VICTORIA GOVERNMENT GAZETTE.

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[1941

Factories and Shops Acts.

## DETERMINATION OF THE LEATHER-GOODS BOARD.

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 within the said Metropolitan District; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warnambool; 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 Wage Board appointed to determine the lowest prices or rates which may be paid to any person or persons or classes of persons (other than persons subject to the Determination of any Wages Board heretofore appointed) employed in the trade of—

(a) manufacturing or repairing—

- (1) leather or fabric gloves;
- (2) ladies' evening bags;
- (3) articles made wholly or partly of leather or a substitute for leather including bags, braces, cases, cricket balls, pads or other sporting goods, garters, pocket book covers, portmanteaux, purses, trunks, wallets, travel goods, suit and attache cases;
- (4) machine belting of all descriptions;
- (5) any other kind of leather goods;

(b) covering or lining with leather or a substitute for leather spectacle cases, portable gramophones, wireless cabinets, travellers' sample cases, music cases, surgical cases, or similar goods—

has made the following Determination, namely:—

(1) That on 22nd August, 1941, the last previous Determination of the Board shall be revoked and replaced by this Determination.

(2) WAGES PER WEEK OF 44 HOURS—

	Adjustable Weekly Wage.	Non-Adjustable.		Total Wage.
		Loading* Constant.	War-Time* Loading.	
Journeyman engaged in the manufacture or repair of machine belting..	£ s. d. 4 17 0	s. d. 5 0	s. d. 4 0	£ s. d. 5 6 0
All Other Journeymen .. .. .	5 3 0	5 0	4 0	5 12 0
Journeywomen .. .. .	2 12 0	2 6	2 0	2 16 9

\* These loadings shall not be subject to adjustment pursuant to cost of living fluctuations and shall not be taken into account in the calculation of overtime or other penalty rates prescribed by this Determination.

(3) FEMALES TO BE PAID MALE RATE.—Where a female is employed to do any of the following classes of work she shall be paid the rate which is prescribed for adult males:—

- (a) Wholly or partly making gladstone bags (except lining out or making doors or handles) and leather cases exceeding twelve inches in length (except music cases), bullion bags, trunks (except lining out trunks other than leather), hat boxes, camera, musical instrument, canvas and leather suit cases;
- (b) hand stitching cricket, punching, medicine or footballs, or pigskin leggings;
- (c) stiffening any article enumerated in item (a) above and item (f) below over twelve inches in length;
- (d) framing up or riveting by hand or machine ladies' hand bags, purses or wallets, making fibre cases over thirteen inches, making framed cases of any size;
- (e) stitching closed edges and welting trunks and suit cases by machine; and
- (f) riveting, clamping on or nailing frames and stiffening fibre cases over thirteen inches.

- (4) APPRENTICES—MALES.—(a) The probationary period of trainee apprentices or apprentices shall not exceed three months.  
 (b) The minimum rates of wage to be paid to apprentices or probationers shall be not less than the following :—

	Weekly Wage.	Non-Adjustable.		Total Wage.
		Loading* Constant.	War-Time* Loading.	
	s. d.	s. d.	s. d.	s. d.
<b>Five year terms—</b>				
First year's experience .. .. .	18 0	0 6	0 6	19 0
Second year's experience .. .. .	24 0	1 0	1 0	26 0
Third year's experience .. .. .	31 0	1 6	1 6	34 0
Fourth year's experience .. .. .	48 0	2 0	2 0	52 0
Fifth year's experience .. .. .	62 0	2 0	2 0	66 0
<b>Four year terms—</b>				
First year's experience .. .. .	19 0	0 6	0 6	20 0
Second year's experience .. .. .	31 0	1 0	1 0	33 0
Third year's experience .. .. .	48 0	2 0	2 0	52 0
Fourth year's experience .. .. .	62 0	2 0	2 0	66 0

\* Note:—These loadings shall not be subject to adjustment pursuant to cost of living fluctuations and shall not be taken into account in the calculation of overtime and other penalty rates prescribed by this determination.

(c) Experience in this clause means actual experience whether as an apprentice or otherwise, in any one or more of the operations provided as apprenticeship operations.

(d) Except as otherwise provided minors may be engaged in the following occupations under contracts of apprenticeship or trainee apprenticeship framed in conformity with this Determination :—

- Cutting or clicking;
- Trunks, leather bag and case maker;
- Fibre, veneer, canvas or other case maker;
- Machine belt maker;
- Sporting goods maker of leather;
- Ladies' hand bag, wallet and purse maker;
- Leather goods maker;
- Glove maker (other than sporting goods);
- Leather coats, hats or caps maker;
- Braces and suspenders maker;
- Machining.

(e) The period of apprenticeship shall not exceed four or five years, including any period of experience in the occupation to which the minor is being apprenticed prior to entering into the indenture of apprenticeship.

(f) An employer especially qualified to teach apprentices may, with the consent of this Wages Board, employ a greater proportion of apprentices to tradesmen than herein specified.

(g) Until further order any contract of apprenticeship may contain the following provision :—

If through lack of order or through financial difficulties the employer is unable at any time to find employment and training for an apprentice, and if a transfer to another employer cannot be arranged, the obligations and duties imposed by the indenture may with the concurrence of the apprentice and his guardian be suspended for a period agreed upon or if no such agreement is arrived at may be cancelled by the employer. The onus of proof of circumstances justifying such cancellation shall be on the employer.

(h) Any apprentice who cannot complete his full term of apprenticeship before reaching his twenty-second birthday may by agreement with his master serve as an apprentice until he reaches the age of twenty-three years.

(i) All wages shall be paid without deduction for specified holidays or for unavoidable absences through sickness to the number of four days per annum.

(j) The apprentice at the end of the calendar period of any year in which he has actually given service to the master upon less than the ordinary working days prescribed in this Determination, or in which he has unlawfully absented himself without the master's consent shall, for every day short of the said number of working days, and for every day of such absence, serve one day, and the calendar period of the succeeding year of his service shall not be deemed to begin until the said additional day or days shall have been served.

(k) The ordinary hours of employment of apprentices shall be the same in each workshop as those of journeymen.

(l) An apprentice under the age of eighteen years shall not be liable to work overtime unless he so desires.

(m) An apprentice shall not work under any system of payment by results.

(n) An employer shall not, either directly or indirectly, or by any pretence or device receive from any person or require or permit any person to pay or give any consideration in the nature of a premium or bonus for the taking or binding of any probationer or apprentice.

(5) (a) JUNIOR WORKERS—MALES.—Junior Workers may be employed at the following rates of pay :—

Age.	Weekly Wage.	Non-Adjustable.		Total Wage.
		Loading* Constant.	War-Time* Loading.	
	s. d.	s. d.	s. d.	s. d.
Under 16 years of age .. .. .	18 0	0 6	0 6	19 0
16 and under 17 years of age .. .. .	24 0	1 0	1 0	26 0
17 and under 18 years of age .. .. .	31 0	1 6	1 6	34 0
18 and under 19 years of age .. .. .	48 0	2 0	2 0	52 0
19 and under 20 years of age .. .. .	62 0	2 0	2 0	66 0
20 and under 21 years of age .. .. .	76 0	2 0	2 0	80 0

\* These loadings shall not be taken into account in the calculation of overtime or other penalty rates prescribed by this Determination.

(b) The proportion of Junior Workers and apprentices allowed shall be :—

Male Employee receiving at least Adult Male Basic Wage.	Junior Workers including Apprentices.
1 .. .. .	1
2 to 20 .. .. .	1 for every 2 such male employees
Over 20 .. .. .	A further 1 for every 3 such male employees over 20

In computing the proportion under this sub-clause the number of such male employees employed for the whole of the previous six months shall be taken.

Notwithstanding anything contained herein employers engaged in the manufacture of laminated belting may employ in the exclusive manufacture of such belting three male juniors to each adult male employee employed in the manufacture of laminated belts.

(6) JUNIOR WORKERS—FEMALES.—(a) Female Junior Workers may be employed at the following rates of pay:—

Experience.	Weekly Wage.	Non-Adjustable.		Total Wage.
		Loading* Constant.	War-Time* Loading.	
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
1st year's experience .. .. .	18 0	0 6	0 6	19 0
2nd year's experience .. .. .	24 0	1 0	1 0	26 0
3rd year's experience .. .. .	30 0	1 0	1 0	32 0
4th year's experience .. .. .	30 0	1 6	1 6	42 0
And thereafter the minimum wage prescribed for females for the class of work which they are doing.				

\* These loadings shall not be taken into account in the calculation of overtime or other penalty rates prescribed by this Determination.

(b) For the purposes of this clause "experience" shall mean any form of employment in this industry.

(c) Juniors employed under this clause shall on dismissal receive from their employer a certificate of the period of employment completed. Employers who willfully employ juniors without taking into account previous experience shall be guilty of a breach of this Determination.

(d) The proportion of female apprentices and junior workers shall not exceed two to one adult female receiving the minimum wage.

(7) DEFINITIONS.—(a) "Journeyman" shall mean a male employee 21 years of age or over, other than apprentices, provided that the rates prescribed for juniors between 19 and 21 years of age in clause 4 hereof shall operate until the junior has reached the age of 21 years.

(b) "Journeywoman" shall mean a female employee 21 years of age or over, or one who has worked four years or more on any work for which the rate prescribed is at least £2 16s. 8d. per week.

(c) "Union" shall mean the Australian Saddlery Leather Sail Canvas Tanning Leather Dressing and Allied Workers Trades Employees Federation.

(8) HOURS.—(a) 44 hours shall constitute a week's work.

(b) The regular hours of work shall not be earlier than 7 a.m. and not later than 6 p.m. on five days of the week and not earlier than 7 a.m. and not later than noon on Saturday or other day in which a half-holiday is kept.

(c) Not more than 8 hours 48 minutes (except if paid for at overtime rates) shall be worked in any one day in each week.

(9) MEAL TIME.—(a) Employees shall be allowed one meal break of not less than 30 minutes, such meal break to commence not later than 1 p.m.

(b) Meal intervals having been fixed shall not be altered except on seven days' notice to a shop steward employed in the factory, and where there is no shop steward, on notice to the secretary of the local branch of the Union.

(c) Any employee called upon to work during a meal hour shall be paid time and a half, and such time and a half shall continue until he or she has had a meal break.

(10) OVERTIME.—(a) All time worked on any day before or after the regular working hours or in excess of 8 hours 48 minutes on any one day, or in excess of 44 hours in any one week, shall be paid for at the rate of time and a half for the first four hours and double time thereafter.

(b) In computing overtime each day's work shall stand alone.

(c) Any employees required to work overtime for more than two hours in any one day without being notified the day before that they will be so required to work, shall either be supplied with a meal by the employer or paid 1s. 6d., but such payment need not be made to employees living in the same locality as their workshop who can reasonably return home for meals.

(d) If any employee pursuant to notice under the preceding sub-clause has provided a meal and is not required to work overtime he or she shall be paid 1s. 6d. for the meal so provided.

(11) PIECE-WORK.—(a) Subject to the employee receiving at least the minimum time rate an employer may remunerate, in respect of callings in which employees now work under a system of payment by results, any of his employees under any system of payment by results based on rates which will enable workers of average capacity to earn at least 10 per centum in excess of their weekly rates. Such piece-work rates shall be fixed by the Factory Board consisting of two representatives of any employer, one of his employees and one representative of the employees Union. If any such Board is unable to agree on any rate or rates proposed by the employer the matter in dispute shall be referred to this Wages Board.

(b) If the employees of any factory or the employees Union fail to appoint representation to any such Board or fail to attend a meeting of such Board called by the employer on a date not less than three days after the service of notice on the State secretary of the employees Union the employer may adopt piece-work rates which he deems reasonable without the authority of any Factory Board.

(c) Where an employee works part of a full week at piece-work rates and part at time rates he or she shall be paid so much as he or she is entitled to receive under such piece-work rates, plus the proportionate amount which he or she is entitled to receive under this Determination at time rates of pay.

(d) The Union may, during the currency of this Determination, apply to this Wages Board for correction or regulation of any piece-work rate, time bonus rate, task rate or any system of payment by results now in operation or hereafter introduced into any workshop controlled by an employer subject to this Determination.

(e) Where an employer has any person working under any system of payment by results referred to in this clause, he shall reduce into writing the terms under which such person is working and such document shall be signed by such person and the employer. Upon demand by an officer of the Union such document shall be shown to him, and he shall be allowed to make a copy of the same should he so desire. If the Union considers that any such document does not comply with the provisions of this clause, it may refer the question to this Wages Board for determination.

(f) As far as practicable different grades of work shall be equitably divided between employees working under any system of payment by results.

(g) Employees working in any system of payment by results shall be paid at rate and a half when called upon to work overtime outside their ordinary hours of work or beyond 8 hours 48 minutes on any one day or 44 hours in any one week.

(h) Employees working on any system of payment by results waiting on the employer's premises at the employer's request ready and willing to work shall, for each pay period, receive at least the time rate prescribed for their occupation.

(i) Journeymen on piece-work teaching learners (not in the employ of the piece-worker) on piece-work shall be paid 10 per centum of piece-work rates extra whilst so employed.

(12) TIME AND WAGES BOOKS, CARDS, ETC.—(a) Each employer shall keep in each factory, workshop or place where work is carried on by him, some card or check used in connexion with a mechanical clock or a time and wages book showing the name of each employee and his or her occupation, the hours worked each day and the wages and allowances paid each week.

(b) Where a time book is kept it shall be correctly entered up in ink, and shall be each week signed by the employee verifying the accuracy of the hours worked and the wages and allowances paid each week.

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

(d) The time and wages book shall be open for inspection to an officer of the Union duly accredited in writing by the Union during the usual office hours at the employer's office or other convenient place. Provided that an inspection shall not be demanded unless the secretary of the Union or the district secretary or organizer of any division suspects that a breach of the Determination has been committed. Provided also that only one demand for such inspection shall be made in any one fortnight at the same establishment.

(e) The official making such inspection shall be entitled to take a copy of entries in a time and wages book relating to the suspected breach of the Determination.

(13) **RIGHT OF ENTRY OF UNION OFFICIAL.**—(a) A duly accredited representative of the Union shall have the right to enter employers' workshops during the midday meal hour for the purpose of interviewing employees on legitimate Union business, on the following conditions:—

(i) that he produces his authority to the gatekeeper or such other person as may be appointed by the employer;

(ii) that he interviews employees only at the place where they are taking their meal;

(iii) that not more than one representative in all be in any workshop at any one time;

(iv) that no one representative visit a workshop more than once in each week; and

(v) that if any employer alleges that a representative is unduly interfering with his workshop or is creating disaffection amongst his employees or is offensive in his methods or is committing a breach of any of the previous conditions such employer may refuse the right of entry but the representative shall have the right to bring such refusal before this Wages Board.

(b) Where a Union official holding the right of entry under this clause suspects that a breach of the Determination is occurring or has occurred he shall be afforded the opportunity to enter the factory during working hours and view the work in question: Provided that during such inspection the official shall not obstruct or interfere with the work in any way or converse with the employees while at work.

(14) **PAYMENT FOR WORK ON SUNDAYS AND HOLIDAYS.**—(a) All work performed on Sundays and holidays shall be paid for at the rate of not less than double time.

(b) An employee called upon to work on a Sunday or holiday shall be paid for a minimum of four hours' duty.

(15) **EMPLOYER TO FIND WORKSHOP, ETC.**—The employer shall find workshops, light and bench room and supply all materials used in connexion with the trade free of charge to the employees.

(16) **OUTDOOR WORK.**—Except as to work in the machine belting trade all work shall be performed at the shop or factory of the employer and no employer shall give out work to be performed at any other place.

(17) **CERTIFICATE OF SERVICE.**—Any junior worker when leaving or being discharged from his or her employment shall be given by the employer a certificate stating the date when such employment began and the date when such employment terminated.

(18) **LIMITATION OF EMPLOYERS LIABILITY.**—An employee entitled to the benefit of this Determination may at any time within nine months from any payment by way of wages in accordance with this Determination becoming due to him or her but not later, sue for the same in any Court of competent jurisdiction.

(19) **POSTING DETERMINATION AND NOTICES.**—(a) In each factory in which five or more employees are employed, the employer shall provide a notice board in the workroom of each department and the Union shall be permitted to post formal shop and union notices on such board: Provided that the notices so posted shall be signed by the President, Secretary or Shop Steward of the Union.

(b) Every employer shall post and keep posted a copy of this Determination in a place accessible to all employees.

(20) **PAYMENT OF WAGES.**—(a) Employers shall pay all moneys due at least once in each week before knock-off time, and not later than Thursday in each week.

(b) Any employee dismissed by his employer and who has worked only a portion of a week shall be paid on ceasing work for all time worked during that week less any deductions that the employer may be lawfully entitled to make hereunder.

(c) Each employer shall be entitled to retain in hand from each employee an amount equal to two days' wages of such employee.

(21) **HOLIDAYS.**—(a) All employees shall be entitled to the holidays hereinafter mentioned or any day observed in lieu thereof without deduction of pay:—New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Christmas Day, Boxing Day.

(b) In the Metropolitan District, as defined in the Factories and Shops Acts and the Order in Council thereunder, Melbourne Cup Day shall be observed as a holiday in lieu of King's Birthday.

(c) Piece-workers shall be paid for such holidays even though not worked at the ordinary rates payable to employees not on piece-work doing the same class of work. The rate shall be one-sixth of the appropriate weekly wage in factories working on six days per week and one-fifth in factories working five days per week.

(d) If an employee's engagement is terminated within two weeks of any of the holidays abovementioned, he or she shall be paid for such holiday or holidays unless he or she commences work with another employer and is paid by such employer for such holiday or holidays.

(e) Where an employee is absent from his or her employment on the working day or part of the working day before or after a holiday without reasonable excuse or without the employer's consent, such employee shall not be entitled to payment for such holiday. The amount to be deducted shall be one-sixth or one-fifth as the case may be of the appropriate weekly wage.

(22) **ANNUAL LEAVE.**—(a) A period of seven consecutive days leave shall be allowed annually to all employees after twelve months' continuous service (less the period of annual leave).

(b) Annual leave shall be given at a time fixed by the employer within a period not exceeding six months from the date when the right to annual leave accrued and after not less than one week's notice to the employee provided that the giving of annual leave may with the consent of the Secretary for Labour be postponed for a period to be specified in cases where the exigencies of the war render it impracticable to give it within the said period of six months.

(c) An employer may allow annual leave to an employee before the right thereto has accrued due but where leave is taken in such a case a further period of annual leave shall not commence to accrue until after the expiration of the twelve months in respect of which annual leave had been taken before it accrued.

(d) If after six months' continuous service in any qualifying twelve-monthly period an employee leaves his employment or his employment is terminated by the employer through no fault of the employee the employee shall be paid one-sixth of a week's wage at ordinary rates for the occupation in which the employee was ordinarily employed immediately prior to the end of the engagement in respect of each completed two months of continuous service in respect of which leave has not been granted hereunder.

(e) Each employee before going on leave shall be paid a week's wage at ordinary rates for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave. Payment in the case of employees employed on piece or bonus work or any other system of payment by results shall be at time rates.

(f) The annual leave provided for by this clause shall be allowed and shall be taken and except as provided by sub-clause (d) hereof payment shall not be made or accepted in lieu of annual leave.

(g) Notwithstanding anything herein provided an employer who gives to an employee leave of absence without loss of pay throughout the interval of time from and after the day observed as Boxing Day to the 31st day of December inclusive shall be deemed thereby to fulfil all obligations to that employee under this clause in respect of the period of twelve months' service referred to in sub-clause (a) hereof. The provisions of sub-clause (c) hereof shall apply to this sub-clause.

(h) Where leave has been granted to an employee pursuant to sub-clauses (c) or (g) hereof before the right thereto has accrued due and the employee subsequently leaves or is discharged from the service of the employer before completing the twelve months' continuous service in respect of which the leave was granted the employer may for each two complete months of the qualifying period of twelve months not served by the employee deduct from whatever remuneration is payable upon the termination of the employment one-sixth of the amount of wage paid on account of the annual leave, which amount shall not include any sums paid for any of the prescribed public holidays.

(i) For the purposes of this clause service shall be deemed to be continuous notwithstanding—

- (i) any interruption or determination of the employment by the employer if such interruption or determination has been made merely with the intention of avoiding obligations hereunder in respect of leave of absence;
- (ii) any absence from work on account of sickness or accident or military service and in calculating the period of twelve months' continuous service absence on account of sickness or accident to the extent of fourteen days in any twelve months shall be deemed to be part of the period of continuous service;
- (iii) any termination of the employment by the employee if such termination has been made merely with the intention of preventing the operation of sub-clause (g) hereof; and
- (iv) breaks arising from slackness of work.

(j) Except as provided by sub-clause (g) hereof the annual leave prescribed by this clause shall be exclusive of any of the public holidays prescribed by this award and if any such holiday falls within an employee's period of annual leave there shall be added to that period one day for each such holiday falling as aforesaid.

(k) For the purpose of this clause a month shall be reckoned as commencing with the beginning of the first day of the employment or period of employment in question and as ending at the beginning of the day which in the latest month in question has the same date number as that which the commencing day had in its month and if there be no such day in such subsequent month shall be reckoned as ending at the end of such subsequent month.

(l) Any employee who leaves his employment without giving the notice prescribed by this award shall forfeit his right to annual leave or payment under sub-clause (d) hereof.

(23) CONTRACT OF EMPLOYMENT.—(a) Employment shall be terminable on either side by a week's notice given at any time during the week or if terminated without notice by (1) the employer by payment of one week's wages, or (2) by the employee by payment of two days' wages.

(b) This shall not affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty or misconduct, and in such cases wages shall be paid up to the time of dismissal only: Provided that the employer may deduct payment for any day or part thereof on which an employee cannot be usefully employed because of any stoppage of work by an organization or groups of employees or through any breakdown of machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible, and may deduct two days payment for any day or part thereof on which an employee is absent from duty from any cause whatsoever (except sickness or accident) without the consent of the employer.

(c) An employee absent through illness or accident shall not be entitled to payment for more than four days in any one year. For this purpose a year shall commence on the 15th day of October. An employee before becoming entitled to sick pay shall, if required to do so by the employer, produce a doctor's certificate or other sufficient evidence of sickness.

(d) Casual employees, that is employees for whom a full week's work is not provided may be employed and shall be paid 10 per centum in addition to the total wages prescribed for their occupation.

(24) TRAVELLING TIME.—Any employee sent to work at a place other than his or her ordinary place of employment shall be paid all fares and out of pocket expenses incurred in going to or from such place of employment, and shall, if the travelling is done outside ordinary hours, be paid at ordinary rates for the time spent in travelling with a maximum of eight hours per day.

(25) REST PERIOD.—A rest period of ten minutes shall be given to all female employees between the hours of 9.30 a.m. and 11.30 a.m. The interval shall be counted as time of duty without deduction of pay. During such period the employees may leave their seats but not the premises.

(26) REST ROOM.—In factories where ten or more female employees are employed, a properly ventilated rest room shall be provided for the use of such female employees where reasonably practicable. It shall contain a suitable couch and seating accommodation.

(27) DINING ACCOMMODATION.—(a) In factories where five or more employees are employed and it is or becomes reasonably practicable so to do a separate room or portion of the factory or workshop shall be set aside by the employer as a dining room and therein the employer shall provide adequate table and seating accommodation.

(b) Hot water shall be provided free of charge to be available to employees immediately meal time commences.

(c) The employer shall provide the necessary labour to keep such room clean.

(d) If such dining room is not regularly used by a reasonable number of the employees the employer shall be released from his obligations under sub-clauses (a) and (b) hereof.

(28) FIRST-AID OUTFIT.—(a) The employer shall provide and continuously maintain an efficient first-aid outfit in each factory controlled by him.

(b) An efficient first-aid outfit shall be that prescribed by the Factories and Shops Acts and the regulations thereunder, but in cases where there is no legislation on the subject, the first-aid outfit shall contain the following equipment:—

Article.	Quantities to be kept in Ambulance Chest.	
	Factories and Workshops in which not more than 30 persons are employed.	Factories and Workshops in which more than 30 persons are employed.
Antiseptic solution .. .. .	1 bottle	1 bottle
Bandages, cotton and gauze .. .. .	½ doz. assorted sizes	½ doz. assorted sizes
Iodine, tincture .. .. .	1 oz.	2 oz.
Castor Oil .. .. .	1 oz.	2 oz.
Manual, first-aid .. .. .		
Petroleum, carbolyzed .. .. .	1 jar	1 jar
Picric acid solution, made according to the following recipe or prescription— 1½ teaspoonsful of powdered picric acid; 3 oz. absolute alcohol; 2 pints distilled water		
Pins, Safety .. .. .	1 packet	1 packet
Sal Volatile .. .. .	1 oz.	6 oz.
Scissors .. .. .	1 pair	1 pair
Tourniquet .. .. .	1	1
Cotton, absorbent .. .. .	an adequate assortment	an adequate assortment
Gauze, sterilized and plain .. .. .		
Lint, absorbent .. .. .		
Plaster, adhesive .. .. .		

(29) UNION BUSINESS.—Officers or members of the Union or any branch thereof may leave their work to attend to the business of the Union after at least three days' notice has been given to the employer but without being paid while absent.

(30) PERIODICAL ADJUSTMENT OF WAGES.—The wages rates set out for males in clause (3) are based upon the following basic wage, and, pursuant to the provisions of section 21 of the *Factories and Shops Act 1934*, the board determines that such rates shall be automatically increased or decreased by the same amount and at the same time as such basic wage. The basic wage shall be adjusted as prescribed in clause (31).

*Basic Wage.*

Needs Basic Wage (adjustable on Capital Cities Index Number)..	Loading (Constant).		War-Time Loading		Total Basic Wage.	
	Per week. £ s. d.	Per week. £ s. d.	Per week. s. d.	Per week. s. d.	Per week. £ s. d.	Per week. £ s. d.
Four capitals (excluding Perth and Adelaide) .. .. .	4 1 0	0 5 0	4 0		4 10 0	

(31) ADJUSTMENT OF BASIC WAGE.—(a) Until the beginning of the first pay period to commence in November, 1941, the amount of the basic wage shall be as prescribed in clause (30).

(b) For work done during each future period of or near a quarter beginning with the first pay period to commence in a November, a February, a May, or an August, the amount of the needs basic wage shall be adjusted by the following method according to the position and fluctuations (if any) of the Commonwealth Statistician's "All Items" retail price index numbers.

(c) For the purposes of this Determination the expression "Commonwealth Statistician's Index Numbers" or any like expression means the numbers stated to be such index numbers in any document purporting and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer, or to be signed by or on behalf of the Commonwealth Statistician.

(d) Adjustment is to be based upon the equating of index number 1,000 with a wage of 81s.

(e) The index number for the four capital cities (Sydney, Melbourne, Brisbane and Hobart) (weighted average) is to be applied.

(f) The index number for the calendar quarter next preceding the period of or near a quarter for which the adjustment is made is to be ascertained.

(g) The amounts assigned in the following table (or in any extension thereof) to the index number division comprising that number are to be ascertained.

(h) The basic wage shall be of those assigned amounts during such period of or near a quarter:—

*Table.*

Index Number Divisions.	Needs Basic Wage (Adjustable).		Loading Constant.		War-Time Loading.		Total Basic Wage.	
	Per week. £ s. d.	Per week. £ s. d.	s. d.	s. d.	Per week. £ s. d.	Per week. £ s. d.	Per week. £ s. d.	Per week. £ s. d.
797-808 .. .. .	3 5 0						3 14 0	
809-820 .. .. .	3 6 0						3 15 0	
821-833 .. .. .	3 7 0						3 16 0	
834-845 .. .. .	3 8 0						3 17 0	
846-858 .. .. .	3 9 0						3 18 0	
859-870 .. .. .	3 10 0						3 19 0	
871-882 .. .. .	3 11 0						4 0 0	
883-895 .. .. .	3 12 0						4 1 0	
896-907 .. .. .	3 13 0						4 2 0	
908-919 .. .. .	3 14 0		5 0	4 0			4 3 0	
920-932 .. .. .	3 15 0						4 4 0	
933-944 .. .. .	3 16 0						4 5 0	
945-956 .. .. .	3 17 0						4 6 0	
957-969 .. .. .	3 18 0						4 7 0	
970-981 .. .. .	3 19 0						4 8 0	
982-993 .. .. .	4 0 0						4 9 0	
994-1006 .. .. .	4 1 0						4 10 0	
1007-1018 .. .. .	4 2 0						4 11 0	
1019-1030 .. .. .	4 3 0						4 12 0	
1031-1043 .. .. .	4 4 0						4 13 0	

(i) Any extension of this table must be of the same construction as the table.

(j) In all cases where for the same class of work the same rates have been prescribed for journeywomen as are prescribed for journeymen, the rates for such journeywomen shall be increased or decreased in the same manner and by the same amount as the rates for journeymen.

(k) The rates for all other adult female employees shall, at the same time, be adjusted so as to be 54 per cent. of the needs basic wage (calculated to the nearest 3d.) plus 50 per cent. of the male loading payable from time to time to adult male employees, plus a margin of 8s. 6d.

(l) The rates for piece-workers shall at the same time be increased or decreased in the same proportion as the weekly rates for the same class of work.

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

E. G. WILLIAMS, Secretary.

Melbourne, 7th August, 1941.



# VICTORIA GOVERNMENT GAZETTE.

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No. 257]

FRIDAY, SEPTEMBER 5.

[1941

Factories and Shops Acts.

## DETERMINATION OF THE HAM AND BACON CURERS BOARD.

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

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed either inside or outside a factory or work-room in the process, trade, or business of a ham and bacon curer," has made the following Determination, namely:—

(1) That on the 5th September, 1941, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2) IMPROVERS.  
Wages.

	Adjustable Weekly Rate.	Constant Loading.	Total Weekly Wage.
	s. d.	s. d.	s. d.
First six months' experience .. .. .	22 3	0 6	22 9
Second six months' experience .. .. .	24 9	0 6	25 3
Second year's experience .. .. .	35 0	0 6	35 6
Third year's experience .. .. .	44 6	1 0	45 6
Fourth year's experience .. .. .	64 0	1 6	65 6
Fifth year's experience and until reaching the age of 21 years .. .. .	77 6	2 0	79 6

*Proportion (in any place)*—The number of improvers employed in any one ham and bacon establishment shall not exceed one to every three or fraction of three adult weekly employees. An employer actually working in a factory for the whole or a substantial part of his time shall be treated as an adult for the purpose of this clause.

(3) OTHER EMPLOYEES.  
Wages.

	Adjustable Weekly Rate.	Non Adjustable.		Total Weekly Wage.
		Constant Loading.	War Loading.	
	£ s. d.	s. d.	s. d.	£ s. d.
<i>a) Other than Small Goods Section—</i>				
Leading hands in the slaughtering and curing departments .. .. .	5 7 0	6 0	3 0	5 16 0
General assistants in the slaughtering department, cutter-up, rollers, bacon trimmers and leading hands in the lard and tallow department .. .. .	4 19 6	6 0	3 0	5 8 6
First assistant in the curing department .. .. .	4 19 6	6 0	3 0	5 8 6
Other assistants in the curing department .. .. .	4 14 6	6 0	3 0	5 3 6
Employees in the lard and tallow department, gut runners, smoke fillers, smoke room and drying room employees, packers, washers of hams and bacon and ham baggers .. .. .	4 12 6	6 0	3 0	5 1 6
Yardmen { For 48 hours per week .. .. .	4 16 0	6 0	3 0	5 5 0
{ For 44 hours per week .. .. .	4 10 0	6 0	3 0	4 19 0
All others .. .. .	4 9 6	6 0	3 0	4 18 6
<i>(b) Small Goods Section—</i>				
Small goods men (i.e., men employed principally on mixing machines) .. .. .	5 5 0	6 0	3 0	5 14 0
Filler-men .. .. .	4 18 0	6 0	3 0	5 7 0
Small goods makers, other than small goods men as above mentioned, small goods sellers, from cart who collect cash, boners, salters, scalders and cookers .. .. .	4 18 0	6 0	3 0	5 7 0
Packing room hands .. .. .	4 11 0	6 0	3 0	5 0 0
Linkers and table hands .. .. .	4 11 0	6 0	3 0	5 0 0
Yardmen { For 48 hours per week .. .. .	4 16 0	6 0	3 0	5 5 0
{ For 44 hours per week .. .. .	4 10 0	6 0	3 0	4 19 0
All others .. .. .	4 7 0	6 0	3 0	4 16 0

(4) CASUAL EMPLOYEES.—(a) A casual employee, that is, an employee who is not employed for a full week, shall be paid one-sixth of the weekly wage prescribed in this Determination for the class of work he performs, plus 10 per cent. of such one-sixth for each day or part of a day on which he is employed. For time worked in excess of 8 hours on any one day, time and half rates shall be paid.

(b) Where a casual employee is required to perform more than one class of work on any one day, he shall be paid for the whole of that day at the highest wage prescribed in this Determination for any of the work which he performs.

(c) In addition to the rate payable under sub-clause (a) hereof, casual employees shall be paid all fares above 4d. per day reasonably and necessarily incurred.

(5) SPECIAL RATES AND ALLOWANCES.—Where an employee is temporarily transferred during working hours from one factory to another, the employer shall pay such employee all costs of transit and travelling time.

(6) HOURS OF LABOUR.—The ordinary hours of employment in ham and bacon factories shall be 44 per week, to be worked in five days of eight hours and one day (Saturday) of four hours, or five days of eight hours forty-eight minutes each, continuously except for meal hour breaks at the discretion of the employer between 7 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 7 a.m. and noon on Saturday. Provided that the spread of hours herein prescribed may be altered by mutual agreement between an employer and his employees.

(7) MEAL INTERVALS.—(a) Employees shall be granted one hour for lunch on a full working day between noon and 2 p.m.

(b) Employees called upon to start work before 7 a.m. shall be allowed one hour for breakfast to commence before 10 a.m.

(c) Meal intervals, where allowed, shall not be counted as part of the daily or weekly hours worked.

(8) MEAL ALLOWANCE.—Employees required to work overtime for more than two hours on any one day without having been notified on the preceding day that they would be required so to work shall be paid the amount of 1s. 6d. in addition to any overtime payment to which they may be entitled.

(9) OVERTIME.—All time worked :—

(a) In excess of 44 hours per week ;

(b) in excess of 9 hours on five days of the week and 5½ hours on the day on which the ordinary hours of work are fixed to finish not later than 12.30 p.m.; or

(c) before the fixed starting time or after the fixed finishing time ;

shall be paid for at overtime rate, namely, time and a half.

No employee shall be called upon to work overtime after 7 p.m. without a break of one hour or payment of 2s. tea money.

(10) HOLIDAYS.—(a) The following days, or the days observed in lieu thereof, except for the unavoidable delivery of small goods, shall be holidays and shall be paid for as though worked—

New Year's Day, Australia Day, Good Friday, Easter Monday, Anzac Day, Labour Day, King's Birthday, Christmas Day, Boxing Day, and Union Picnic Day.

For work done in the delivery of small goods on these days, time and a half rates shall be paid up to 9.30 a.m., and on Good Friday up to 11.30 a.m.

(b) In Melbourne, Melbourne Cup Day shall be observed as a holiday instead of King's Birthday.

(c) On any such holidays, except Christmas Day, Anzac Day and Union Picnic Day, employees if required shall work for not more than two hours but on Good Friday for not more than four hours at time and a half rates.

(d) If an employee is dismissed within fourteen days before any of the holidays above-mentioned and is re-engaged within fourteen days after any of the holidays above-mentioned he shall be deemed to have been dismissed for the purpose of evading payment for such holidays and any payment so evaded shall be due and payable to the employee.

(e) For any work done on holidays except as provided in the preceding sub-clauses of this clause double time shall be paid.

(11) ANNUAL LEAVE.—(a) Except as hereinafter provided, a period of seven consecutive days' leave shall be allowed annually to all employees after twelve months' continuous service (less the period of annual leave.)

(b) Annual leave shall be given at a time fixed by the employer within a period not exceeding three months from the date when the right to annual leave accrued and after not less than one week's notice to the employee concerned.

(c) An employer may allow annual leave to an employee before the right thereto has accrued due but where leave is taken in such case a further period of annual leave shall not commence to accrue until after the expiration of the twelve months in respect of which annual leave had been taken before it accrued.

(d) If after six months' continuous service in any qualifying twelve-monthly period an employee leaves his or her employment or his or her employment is terminated by the employer through no fault of the employee the employee shall be paid one-sixth of a week's wage in respect of each completed two months of continuous service in respect of which leave has not been granted hereunder.

(e) Each employee before going on leave shall be paid a week's wage. For the purpose of this sub-clause and sub-clause (d) hereof the week's wage shall be at the rate prescribed by clauses (2) and (3) of this determination for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of the employment, as the case may be.

(f) The annual leave provided for by this clause shall be allowed and shall be taken and except as provided by sub-clause (d) hereof payment shall not be made or accepted in lieu of annual leave.

(g) Notwithstanding anything herein provided an employer who gives to an employee leave of absence without loss of pay throughout the interval of time—

(i) between the days observed hereunder as the Christmas Day holiday and the New Year's Day holiday ; or

(ii) between the day immediately preceding the Good Friday holiday and the Monday next after the Easter Monday holiday

shall be deemed thereby to fulfil all obligations to that employee under this clause in respect of the period of twelve months' service referred to in sub-clause (a) hereof. The provisions of sub-clause (c) hereof shall apply to this sub-clause.

(h) Where leave has been granted to an employee pursuant to sub-clauses (c) or (g) hereof before the right thereto has accrued due and the employee subsequently leaves or is discharged from the service of the employer before completing the twelve months' continuous service in respect of which the leave was granted the employer may for each two complete months of the qualifying period of twelve months not served by the employee deduct from whatever remuneration is payable upon the termination of the employment one-sixth of the amount of wage paid on account of the annual leave, which amount shall not include any sums paid for any of the holidays prescribed in clause (10) of this determination.

(i) For the purposes of this clause service shall be deemed to be continuous notwithstanding—

(i) any interruption or determination of the employment by the employer if such interruption or determination has been made merely with the intention of avoiding obligations hereunder in respect of leave of absence ;

(ii) any absence from work on account of sickness or accident or military service and in calculating the period of twelve months' continuous service absence on account of sickness or accident to the extent of fourteen days in any twelve months shall be deemed to be part of the period of continuous service ; or

(iii) any termination of the employment by the employee if such termination has been made merely with the intention of preventing the operation of sub-clause (g) hereof.

(j) Except as provided by sub-clause (g) hereof the annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by clause (10) of this determination, and if any such holiday falls within an employee's period of annual leave here shall be added to that period one day for each such holiday falling as aforesaid.



(k) For the purpose of this clause a month shall be reckoned as commencing with the beginning of the first day of the employment or period of employment in question and as ending at the beginning of the day which in the latest month in question has the same date number as that which the commencing day had in its month and if there be no such day in such subsequent month shall be reckoned as ending at the end of such subsequent month.

(l) Where the employer is a successor or assignee or transmittee of a business, if an employee was in the employment of the employers' predecessor at the time when he became such successor or assignee or transmittee the employee in respect of the period during which he was in the services of the predecessor shall for the purpose of this clause be deemed to be in the service of the employer.

(12) SUNDAY WORK.—All work performed on Sundays except attention to horses or other live stock shall be paid for at double rates. For attention to horses or other live stock on Sundays ordinary rates shall be paid.

(13) PAYMENT OF WAGES.—(a) Wages due under this Determination to a weekly employee shall be paid in cash not later than Thursday in each week.

(b) Employers may, if they so desire, keep two days' pay in hand.

(c) Where the services of an employee are dispensed with all wages owing to him shall be paid to him on the day of dismissal

(d) Wages due under this Determination to a casual employee shall be paid immediately on the termination of work on each day on which he is engaged.

(e) By agreement with their employees country bacon factories may pay wages fortnightly on Friday nights.

(14) TIME BOOKS.—(a) Each employer at each place at which he carries on business under this Determination shall provide a time book or time sheet in which each day's hours of work of each employee shall be entered (including overtime, if any), and the wages received each week; such entries shall, at least once a week, be vouched for by the signature of the employer or his representative or manager.

(b) The time book or time sheet so entered and vouched for if countersigned by an employee representing the Union of employees shall be evidence of the time actually worked by an employee for all purposes under this Determination, including overtime.

(c) The time book or time sheet shall, on demand, be produced by the employer for inspection at the place where it is kept at any time between 10 a.m. and 4 p.m. Monday to Thursday inclusive and between 10 a.m. and 1 p.m. on Friday to an official of the Australasian Meat Industry Employees Union who has been authorized, in writing, to inspect the same by the general secretary or the secretary of a State branch of the said Union; or to an official of the Master Butchers Meat and Allied Trades Federation of Australia who has been authorized, in writing, to inspect the same by the general secretary or the secretary of a State branch of the said Federation.

(d) An inspection shall not be demanded unless the secretary of the Union or Federation or the district secretary or organizer of any division of the Union or Federation suspects that a breach of this Determination is being or has been committed.

(e) Only one demand for such inspection shall be made in any one fortnight at the same establishment and no inspection shall be demanded on a Saturday.

Provided that one further demand may be made within a fortnight of a previous demand if the secretary, district secretary, or organizer certifies in writing that the reason for such further demand is that he suspects that a breach of this determination is being or has been committed and that such certificate is produced to and a copy thereof handed to the employer or his responsible officer at the time of demanding such further inspection.

(f) The official making an inspection shall be entitled to take a copy of entries in the time book or time sheet relating to the suspected breach of this Determination.

(15) RIGHT OF ENTRY.—A duly accredited representative of the Australasian Meat Industry Employees Union shall have the right to enter employers' premises during the meal hour for the purpose of interviewing employees on legitimate Union business on the following conditions:—

(a) that he produces his authority to the manager or such other person as may be appointed by the employer;

(b) that he interviews employees only at the place where they are taking their meal;

(c) that not more than one representative visits the premises at any one time;

(d) that not more than one representative visits the same premises more than once in a week; and

(e) that if any employer allege that a representative is unduly interfering with his business or is creating disaffection amongst his employees or is offensive in his methods or is committing a breach of any of the previous conditions such employer may refuse the right of entry.

(16) ENGAGEMENT.—(a) Except in casual employment, all employment shall be by the week. An employee, to become entitled to payment on a weekly basis, shall perform such work as the employer shall from time to time require on the days and during the hours usually worked by the class of employee affected.

(b) Employment other than casual shall be terminated only by a week's notice on either side, and such notice may be given at any time during the week. This shall not affect the right of an employer to dismiss an employee without notice for malingering, inefficiency, neglect of duty, or misconduct, in which case wages shall be paid up to the time of dismissal only, or to deduct payment for any day on which an employee cannot be usefully employed because of any strike or through any breakdown of machinery, or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

(c) An employee not attending for duty shall lose his pay for the actual time of such non-attendance unless he produces or forwards to his employer, within twenty-four hours of the commencement of such absence, evidence satisfactory to the employer that his non-attendance is due to personal accident arising out of and in the course of his employment or to personal ill-health necessitating such absence. Provided that an employee shall not be entitled to payment for non-attendance on the ground of personal accident or personal ill-health or both, for more than six days in each year. An employer may, by an agreement with any employee, grant such employee a clear week's holiday on full pay in lieu of payment for absences through sickness.

For the purposes of this clause, the period between the coming into operation of this clause and the first day of July, 1940, shall constitute a year, and thereafter each year shall commence on the 1st day of July.

(17) MIXED FUNCTIONS.—Where an employee performs on any day functions of a mixed character, he shall be paid for that day the wage rate applicable to the function for which the highest rate is payable.

(18) LEAVE TO ATTEND UNION BUSINESS.—Leave of absence from work to attend any Union business shall be allowed by the employer to any employee member of the Australasian Meat Industry Employees Union named by such Union, provided fair and reasonable notice is given to the employer. Provided also that such leave shall be restricted to one employee at a time in the employment of any one employer and such employee shall not be entitled to payment for the time he is so absent from his employment.

(19) MISCELLANEOUS PROVISIONS.—(a) The employer shall provide boiling water for the use of employees at meal times.

(b) First aid appliances and requisites shall be provided free of cost by employers for the use of employees meeting with injuries while on duty.

(c) The employer shall provide for his employees reasonable facilities for the taking of meals and changing of clothes.

(20) POSTING DETERMINATION.—A copy of this Determination shall be posted up by the employer in a conspicuous place accessible to all employees.

(21) PERIODICAL ADJUSTMENT OF WAGES.—The wages rate set out in clause (3) are based upon the following basic wage and pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically increased or decreased by the same amount, and at the same time as such basic wage. Provided that the wages of improvers above 21s. set out in Clause (2) shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 6d., half or less than half of 6d. to be disregarded.

The basic wage shown hereunder shall be adjusted as prescribed in Clause (22).

**BASIC WAGE.**

Place.	Basic Wage.	Additional Constant Loading.	War Loading.	Index No. Set Assigned.
	£ s. d.	s. d.	s. d.	
Within the area to which this Determination applies .. ..	4 1 0	6 0	3 0	Five towns Victoria

(22) ADJUSTMENT OF BASIC WAGE.—(a) Until the beginning of the first pay period to commence in November, 1941, the amount of the basic wage shall be as prescribed in Clause (21).

(b) During each future successive period beginning with the first pay period to commence in a November, a February, a May, or an August, the amount of the basic wage shall be adjusted by the following method according to the position and fluctuations (if any) of the Commonwealth Statistician's "All Items" retail price index numbers.

For the purposes of this Determination the expression "Commonwealth Statistician's retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician:—

- (1) The index number set to be applied to a place is that assigned to Five Towns Victoria.
- (2) The index number for the calendar quarter next preceding the period of thirteen weeks for which the adjustment is made is to be ascertained.
- (3) The amount assigned in the following table (or in any extension thereof) to the index number division comprising that number is to be ascertained.
- (4) The basic wage shall be of that assigned amount during such successive period plus the additional constant loading as prescribed in Clause (21).

Index Number Divisions.	Basic Wage.	Index Number Divisions.	Basic Wage.
	£ s. d.		£ s. d.
834-845 .. .. .	3 8 0	933-944 .. .. .	3 16 0
846-858 .. .. .	3 9 0	945-956 .. .. .	3 17 0
859-870 .. .. .	3 10 0	957-969 .. .. .	3 18 0
871-882 .. .. .	3 11 0	970-981 .. .. .	3 19 0
883-895 .. .. .	3 12 0	982-993 .. .. .	4 0 0
896-907 .. .. .	3 13 0	994-1006 .. .. .	4 1 0
908-919 .. .. .	3 14 0	1007-1018 .. .. .	4 2 0
920-932 .. .. .	3 15 0	1019-1030 .. .. .	4 3 0

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

D. B. MORGAN, Secretary.

Melbourne, 18th August, 1941.



# VICTORIA GOVERNMENT GAZETTE.

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[1941

Factories and Shops Acts.

## DETERMINATION OF THE HOTEL AND RESTAURANT BOARD.

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

NOTE.—On the 6th May, 1940, the following trade was proclaimed an Apprenticeship Trade as carried on in the Metropolitan District.

Cooking in hotels, clubs, restaurants, eating houses, coffee palaces in which three or more adults are permanently employed in the kitchen.

Full particulars of the Apprenticeship Regulations for this trade may be obtained on application to the Secretary, Apprenticeship Commission, Gisborne-street, Melbourne.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which since the 21st day of November, 1938 has had the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons—

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

has made the following Determination, namely:—

- (1) That on the 5th September, 1941, the last previous Determination of this Board shall be revoked and replaced by this Determination.

### HOTELS.

(2)

#### APPRENTICES AND IMPROVERS.

	Wages (see below for Deductions where Board or Lodgings Provided).				PROPORTION (IN ANY PLACE). MALES OR FEMALES.
	Within a radius of 25 miles of the General Post Office, Melbourne; and in the Town of Mildura.		In all other parts of Victoria.		
	Males.	Females.	Males.	Females.	
	Per Week of 44 hours.		Per Week of 44 hours.		
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	
Improvers employed in the bar—					<p><i>Apprentices.</i></p> <p>One apprentice to every three or fraction of three workers receiving not less than the minimum wage.</p> <p><i>Improvers.</i></p> <p>Such number of improvers as shall not, together with apprentices, exceed, in the aggregate, one to every three or fraction of three adult weekly workers receiving not less than the minimum wage.</p>
18 years of age or under ..	55 0	..	55 0	..	
19 years of age ..	59 6	..	59 6	..	
20 years of age ..	70 6	..	70 6	..	
Apprentices and all other Improvers—					
16 years of age or under ..	36 0	57 9	30 9	54 6	
17 years of age ..	43 6	57 9	38 0	54 6	
18 years of age ..	49 0	57 9	42 9	54 6	
19 years of age ..	55 9	57 9	49 6	54 6	
20 years of age ..	67 3	57 9	59 6	54 6	
Deductions from the above rates when the employee is supplied, by the employer, with board or lodging as follows:—	Deductions per week.				
Board of three meals on each day ..	13 5	13 5	12 3	12 2	
Board of three meals on each day other than the employee's weekly day off ..	11 6	11 6	11 6	11 6	
Lodging ..	4 9	4 9	4 9	4 9	

OTHER EMPLOYEES.

	Wages (see below for Deductions where Board or Lodging is Provided).			
	Within a radius of 25 miles of the General Post Office, Melbourne, within a radius of 6 miles of the principal Post Office at Geelong, and in the Town of Mildura.		In all other parts of Victoria.	
	Males.	Females.	Males.	Females.
	Per Week of 44 Hours.	Per Week of 44 Hours.	Per Week of 44 Hours.	Per Week of 44 Hours.
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
Barman .. .. .	98 6	..	95 6	..
Cellarman .. .. .	109 6	..	106 6	..
Assistant Cellarman .. .. .	98 6	..	95 6	..
Steward .. .. .	98 6	..	95 6	..
Barmaids .. .. .	..	72 3	..	69 3
First cook where number of persons employed in kitchen is—				
Eight or more .. .. .	135 6	98 3	132 6	95 3
Five, six, or seven .. .. .	118 0	78 3	115 0	75 3
Three or four .. .. .	112 0	71 3	109 0	68 3
Other first cooks, or cook employed alone .. .. .	106 0	70 3	103 0	67 3
Second cook where number of persons employed in kitchen is—				
Eight or more .. .. .	118 0	78 3	115 0	75 3
Five, six, or seven .. .. .	106 0	70 3	103 0	67 3
Other second cooks .. .. .	100 0	66 3	97 0	63 3
Night or relieving cook where number of persons employed in kitchen is—				
Eight or more .. .. .	118 0	78 3	115 0	75 3
Five, six, or seven .. .. .	106 0	70 3	103 0	67 3
Other night or relieving cooks .. .. .	100 0	66 3	97 0	63 3
Larder cook .. .. .	103 0	66 3	100 0	63 3
Pastrycook .. .. .	108 0	66 3	103 0	63 3
Stove, grill, fish, third or breakfast cook .. .. .	100 0	62 3	97 0	59 3
Vegetable or assistant cook .. .. .	98 0	60 3	95 0	57 3
Oysterman .. .. .	94 0	..	91 0	..
Pantryman or kitchenman .. .. .	94 0	..	91 0	..
Storeman .. .. .	96 6	..	93 6	..
Head waiter .. .. .	99 6	..	96 6	..
Other waiters .. .. .	94 0	..	91 0	..
Night porter .. .. .	94 0	..	91 0	..
Day porter .. .. .	94 0	..	91 0	..
Billiard-room attendant .. .. .	94 0	..	91 0	..
Commissionaire or messenger .. .. .	94 0	..	91 0	..
Housekeeper, stewardess, or manageress .. .. .	..	73 9	..	70 9
Laundress .. .. .	..	62 3	..	59 3
Head waitress .. .. .	..	62 3	..	59 3
Other waitresses .. .. .	..	58 3	..	55 3
Pantrymaid or kitchenmaid .. .. .	..	59 3	..	56 3
Housemaid .. .. .	..	59 3	..	56 3
Persons not otherwise provided for .. .. .	94 0	59 3	91 0	56 3
Deductions from the above rates when the employee is supplied by the employer with board or lodging as follows—		Deductions	per week.	
Board of three meals on each day .. .. .	13 5	13 5	12 3	12 3
Board of three meals on each day other than on the employee's weekly day off .. .. .	11 6	11 6	11 6	11 6
Lodging .. .. .	4 9	4 9	4 9	4 9
Midday waitress or midday kitchenmaid or pantrymaid (employed only between 11.40 a.m. and 3 p.m.) .. .. .	..	Per week of 20 hours.	..	Per week of 20 hours
		31 6		28 6

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

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

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

(a) Persons employed in the bar—

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

(b) All other persons—

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

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

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

Casual employees shall be paid—

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

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

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

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

(7) SPECIAL RATES.—The special rate to be paid for all work done on Sundays by persons employed in the bar shall be and a half, and the special rate to be paid to any person for all work done on New Year's Day, Australia Day, Union Day, Good Friday, Easter Monday, King's Birthday, Labour Day, Christmas Day, or Boxing Day, shall be time and a half on the rates fixed without board and lodging; but if any other day be by Act of Parliament or Proclamation substituted any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted.

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

(9) DEFINITIONS.—

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

**CLUBS.**

(10) APPRENTICES OR IMPROVERS.

Ordinary.	WAGES PER WEEK OF 44 HOURS.						PROPORTION (IN ANY PLACE).
	Males.			Females.			
	Ordinary Wage.	War Loading.	Total Wage.	Ordinary Wage.	War Loading.	Total Wage.	
16 years of age	<i>s.</i> 23	<i>s.</i> 1	<i>s.</i> 24	<i>s.</i> 23	<i>s.</i> 1	<i>s.</i> 24	<p>MALES OR FEMALES.</p> <p><i>Apprentices.</i></p> <p>One apprentice to every three or fraction of three workers receiving not less than the minimum wage.</p> <p><i>Improvers.</i></p> <p>One improver to every four or fraction of four workers receiving not less than the minimum wage.</p>
" "	32	1	33	24	1	25	
" "	36	1	37	28	1	29	
" "	42	1	44	30	1	32	
" "	51	2	54	32	1	34	
" "	67	3	70	38	1	39	

**OTHER EMPLOYEES.**

	† WAGES.														
	The Wages provided hereunder include War Loadings as follows:—														
	<table border="0"> <tr> <td>Males</td> <td>4s.</td> <td>0d.</td> <td>Per Week.</td> </tr> <tr> <td>Midday Waitresses, Midday Kitchenmaids or Pantrymaids</td> <td>1s.</td> <td>6d.</td> <td>" "</td> </tr> <tr> <td>Other Females</td> <td>2s.</td> <td>6d.</td> <td>" "</td> </tr> </table>				Males	4s.	0d.	Per Week.	Midday Waitresses, Midday Kitchenmaids or Pantrymaids	1s.	6d.	" "	Other Females	2s.	6d.
Males	4s.	0d.	Per Week.												
Midday Waitresses, Midday Kitchenmaids or Pantrymaids	1s.	6d.	" "												
Other Females	2s.	6d.	" "												
	Within a radius of 25 miles of the General Post Office, Melbourne, the Cities of Bendigo, Ballarat, Geelong, and Warrnambool, and the Town of Mildura.		In all other parts of Victoria.												
	Males.	Females.	Males.	Females.											
	Per Week of 44 Hours.	Per Week of 44 Hours.	Per Week of 44 Hours.	Per Week of 44 Hours.											
	<i>s.</i> 98	<i>s.</i> ..	<i>s.</i> 98	<i>s.</i> ..											
cook where the number of persons employed in kitchen is—															
Eight or more	127 6	83 6	127 6	83 6											
Five, six, or seven	111 6	71 6	111 6	71 6											
Three or four	102 3	69 0	102 3	69 0											
first cooks or cook employed alone	98 3	69 0	96 6	69 0											
or night or relieving cook, when the number persons employed in the kitchen is—															
Eight or more	107 6	71 6	107 6	71 6											
Five, six, or seven	97 6	63 6	97 6	63 6											
Less than five	96 0	61 6	94 6	61 6											
cook	96 0	61 6	94 6	61 6											
shall be paid the rates fixed by the Board															
cook	98 0	63 6	97 6	63 6											
grill, third, or breakfast cook	96 0	59 0	94 6	59 0											
or assistant cook	94 6	59 0	93 6	59 0											
or kitchenman	97 0	..	95 6	..											
waiter	94 0	..	92 6	..											
waiters	94 0	..	94 0	..											
porter	96 0	..	96 0	..											
porter	94 0	..	92 6	..											
room attendant	94 0	..	92 6	..											
or messenger	94 0	..	92 6	..											
Stewardess, or Manageress	..	69 0	..	69 0											
waitress or Supervisor	..	57 0	..	57 6											
waitresses	..	57 6	..	57 6											
maid or kitchenmaid	..	55 0	..	55 0											
maid	..	55 0	..	55 0											
maid	..	55 0	..	55 0											
not otherwise provided for	94 0	55 0	92 6	55 0											
	Per week of 20 hours. Provided that a minimum payment of 15s. shall be paid each week irrespective of the number of hours worked.		Per week of 20 hours. Provided that a minimum payment of 15s. shall be paid each week irrespective of the number of hours worked.												
waitress or midday kitchenmaid or pantry- (employed only between 11.40 a.m. and 3 p.m.)	..	33 6	..	33 6											

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

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

- (a) boards the employee and provides three meals per day, one of which shall be a substantial meal, 14s. 10d. per week less
- (b) boards the employee and provides three meals per day, where substantial meals are not provided, 9s. 4d. per week less
- (c) provides only two meals per day for an employee who is employed between 6 a.m. and 3 p.m. or between 11 a.m. and 11.45 p.m., 9s. 4d. per week less; or
- (d) boards and lodges the employee, 20s. 1d. per week less.

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

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

(11) **TERMS OF EMPLOYMENT.**—Employees (other than casual employees, midday waitresses and midday kitchenmaids pantrymaids) who in any week work for less than 44 hours, shall for such week be paid as follows:—

- (1) (a) For work done during a week in which any of the public holidays mentioned in clause (15) occurs:—
  - (i) Time and a third for all work done on days other than the public holiday } Provided that the earnings of an employee in any such shall not exceed ordinary wages rates for an ordinary week
  - (ii) The rate fixed in clause (15) for work done on the public holiday } work plus such amount of the special rate fixed in clause (15) is greater than ordinary time.
- (b) For work done during any other week.—Time and a third up to but not exceeding ordinary wages rates for ordinary week's work.
- (c) Any employee subject to this clause absent from work on any day without the permission of the employer only be entitled to receive for such week a *pro rata* payment based on the hours actually worked and the rate provided clause (10) for a week of 44 hours.

(2) All employees (other than casual employees) whose services are not required on any holiday mentioned in clause shall be entitled to such holiday without deduction of pay. Such employees shall not be required to make up time lost such holiday.

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

- (a) Persons employed in the bar—
  - For all work done on any day (other than the day locally observed by ordinary shopkeepers as a late trading day) in excess of 10 hours Time and a half } Calculated without board and lodging.
  - For all work done outside a period of 12 hours per day from the time of their beginning to the time of their ending work Time and a half }
  - For all work done in any week (within a period of 12 hours per day from the time of their beginning to the time of their ending work) in excess of the maximum number of hours fixed as a week's work Time and a half }
- (b) All other persons—
  - For all work done on any day (other than the day locally observed by ordinary shopkeepers as a late trading day) in excess of 10 hours Time and a half } Calculated without board and lodging.
  - For all work done outside a period of 13 hours per day from the time of their beginning to the time of their ending work Time and a half }
  - For all work done in any week (within a period of 13 hours per day from the time of their beginning to the time of their ending work) in excess of the maximum number of hours fixed as a week's work Time and a half }

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

	For the first 5 hours' work done on any one day.		Thereafter.	
	Per Hour.			
	s.	d.	s.	d.
Males .. ..	2	5	1	9
Females .. ..	1	10	1	3

With a minimum of 7s. 3d. for work done on any one day  
With a minimum of 5s. 6d. for work done on any one day

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

(15) **SPECIAL RATES.**—The special rates payable to persons for work done on New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, or Boxing Day shall be time and a half, on the rates fixed without board and lodging; but if any other day be by Act of Parliament or Proclamation substituted any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted.

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

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

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

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

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

(19) **UNION OFFICIALS RIGHT OF ENTRY.**—Any official of the Federated Liquor and Allied Trades Employees Trades Union Australasia authorized in writing by the Secretary for Labour shall have the right to enter any establishments or premises covered by this Determination in order to inspect time-sheets and to interview employees on any matter connected with their employment. accredited official before entering such establishment or premises shall produce the authority in writing mentioned on a demand by employer or his representative for such production.

(20) **TERMINATION OF EMPLOYMENT.**—Employees (other than Casual Employees) shall, except in a case of misconduct either employer or employee, give or receive two days' notice of termination of employment, or in lieu of such two days' notice days' pay shall be paid by the employer or forfeited by the employee.

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

(21) APPRENTICES OR IMPROVERS.						
Wages per week of 44 hours.						PROPORTION (IN ANY PLACE).  MALES OR FEMALES.  <i>Apprentices.</i> One apprentice to every three or fraction of three workers receiving not less than the minimum wage.  <i>Improvers.</i> One improver to every four or fraction of four workers receiving not less than the minimum wage
Males.			Females.			
Ordinary Wage.	War Loading.	Total Wage.	Ordinary Wage.	War Loading.	Total Wage.	
s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	
Under 16 years of age	23 3	1 0	24 3	22 9	1 0	23 9
16 years of age	31 9	1 6	33 3	23 3	1 0	25 3
17 "	35 9	1 6	37 3	27 3	1 3	28 6
18 "	42 0	2 0	44 0	30 3	1 6	31 9
19 "	51 6	2 3	53 9	32 3	1 6	33 9
20 "	66 3	3 0	69 3	37 6	1 9	39 3

**OTHER EMPLOYEES.**

	Wages.†			
	The Wages provided hereunder include War Loading as follows:—			
	Males	Midday Waitresses, Midday Kitchenmaids or Pantrymaids	.. 4s. 0d.	Per Week.
	Other Females	..	.. 2s. 6d.	..
	Within a radius of 25 miles of the General Post Office, Melbourne.		In all other parts of Victoria.	
	Males.	Females.	Males.	Females.
	Per week of 44 hours.	Per week of 44 hours.	Per week of 44 hours.	Per week of 44 hours.
	s. d.	s. d.	s. d.	s. d.
Barman, cellarman, assistant cellarman, or barmaids (employed in or in connexion with wine saloons) shall be paid the rates and be subject to the conditions provided for such employees in the Hotels Section of this Determination	..	..	..	..
First cook where the number of persons employed in the kitchen is—				
Eight or more	124 6	83 0	124 6	83 0
Five, six, or seven	109 0	69 6	109 0	69 6
Three or four	100 9	67 0	100 9	67 0
Other first cooks or cook employed alone	98 6	67 0	96 3	67 0
Second cook where the number of persons employed in the kitchen is—				
Eight or more	104 6	69 6	104 6	69 6
Five, six, or seven	94 6	61 9	94 6	61 9
Other second cooks	94 6	59 6	93 0	59 6
Night or relieving cook	94 9	59 6	92 9	59 6
Larder cook	94 9	59 6	92 9	59 6
Pastrycook shall be paid the rates fixed by the Pastrycooks Board				
Sweets cook	96 0	60 3	94 3	60 3
Stove, grill, third, or breakfast cook	94 6	57 6	92 9	57 6
Vegetable or assistant cook	91 6	57 6	90 3	57 6
Oysterman	94 0	..	94 0	..
Pantryman or kitchenman	91 0	..	89 0	..
Storeman	94 9	..	94 9	..
Head waiter	94 9	..	94 9	..
Other waiters	91 0	..	89 0	..
Night porter	91 0	..	89 0	..
Day porter	91 0	..	89 0	..
Billiard-room attendant	91 0	..	89 0	..
Commissionaire or messenger	91 0	..	89 0	..
Housekeeper or stewardess	..	67 0	..	67 0
Laundress	..	56 0	..	56 0
Head waitress or supervisor	..	56 0	..	56 0
Other waitresses	..	54 0	..	54 0
Pantrymaid or kitchenmaid	..	54 0	..	54 0
Counterhand	..	54 0	..	54 0
Housemaid	..	54 0	..	54 0
Persons not otherwise provided for	91 0	54 0	89 0	54 0
		Per week of 20 Hours. Provided that a minimum payment of 15s. shall be paid each week irrespective of the number of hours worked.		Per week of 20 Hours. Provided that a minimum payment of 15s. shall be paid each week irrespective of the number of hours worked.
Midday waitress or midday kitchenmaid or pantrymaid (employed only between 11.40 a.m. and 3 p.m.)	..	33 6	..	33 6

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

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

† Except in the cases of employees working for an employer who carries on the business of a Restaurant, Dining Room, Eating House or Cafeteria in connexion with a Departmental Store or Emporium, and of an apprentice, an improver, a midday waitress, a midday kitchenmaid or pantrymaid, or a casual employee, working in other places the minimum wage shall be where the employer—

- (a) boards the employee and provides three meals per day, one of which shall be a substantial meal, 13s. 6d. per week less;
- (b) boards the employee and provides three meals per day, where substantial meals are not provided, 9s. per week less;
- (c) provides only two meals per day for an employee who is employed between 6 a.m. and 3 p.m. or between 11.30 a.m. and 11.45 p.m., 9s. per week less; or
- (d) boards and lodges the employee, 18s. 8d. per week less.

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

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

(22) TERMS OF EMPLOYMENT.—Employees (other than casual employees, midday waitresses and midday kitchenmaids or pantrymaids), who in any week work for less than 44 hours shall for such week be paid as follows:—

- (1) (a) For work done during a week in which any of the public holidays mentioned in clause (26) occurs:—
  - (i) Time and a third for all work done on days other than the public holiday
  - (ii) The rate fixed in clause (26) for work done on the public holiday

Provided that the earnings of an employee in any such week shall not exceed ordinary wages rates for an ordinary week's work plus such amount of the special rate fixed in clause (26) as is greater than ordinary time.

(b) For work done during any other week:—Time and a third up to but not exceeding ordinary wages rates for an ordinary week's work.

(c) Any employee subject to this clause absent from work on any day without the permission of the employer shall only be entitled to receive for such week a *pro rata* payment based on the hours actually worked and the rate provided in clause (21) for a week of 44 hours.

(2) All employees (other than casual employees) whose services are not required on any holiday mentioned in clause (26) shall be entitled to such holiday without deduction of pay. Such employees shall not be required to make up time lost through such holiday.

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

(a) Persons employed in wine saloons—

For all work done on any day (other than the day locally observed by ordinary shopkeepers as a late trading day) in excess of 10 hours	Time and a half	} Calculated on the rates fixed without any deductions for board and/or lodging.
For all work done outside a period of 11 hours per day from the time of their beginning to the time of their ending work	Time and a half	
For all work done in any week (within a period of 11 hours per day from the time of their beginning to the time of their ending work) in excess of the maximum number of hours fixed as a week's work	Time and a half	

(b) All other persons—

For all work done on any day (other than the day locally observed by ordinary shopkeepers as a late trading day) in excess of 10 hours	Time and a half	} Calculated on the rates fixed without any deductions for board and/or lodging.
For all work done outside a period of 13 hours per day from the time of their beginning to the time of their ending work	Time and a half	
For all work done in any week (within a period of 13 hours per day from the time of their beginning to the time of their ending work) in excess of the maximum number of hours fixed as a week's work	Time and a half	

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

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

	For the first 5 hours' work done on any one day.	Thereafter.	
	Per Hour.	Per Hour.	
	s. d.	s. d.	
Males .. ..	2 3	1 10	} With a minimum of 3 hours' pay for work done on any one day.
Females .. ..	1 9	1 4	

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

Persons employed on racecourses—			} With a minimum of 4 hours' pay for work done on any one day.
Barmen .. ..	.. ..	.. 3s. 11d. per hour	
All others—			
Males .. ..	.. ..	.. 3s. 1d. per hour	}
Females .. ..	.. ..	.. 1s. 11d. per hour	
Persons employed on show grounds, picnic grounds, or recreation grounds—			}
Males .. ..	.. ..	.. 3s. 1d. per hour	
Females .. ..	.. ..	.. 1s. 11d. per hour	}
Persons employed on a shop day (i.e., persons employed preparing for a function on the day before such function or cleaning up on the day after such function)—			
Males .. ..	.. ..	.. 14s. 7d. per day of 8 hours.	}
Females .. ..	.. ..	.. 8s. 8d. per day of 8 hours.	

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

	For the first 5 hours' work done on any one day.	Thereafter.	
	Per Hour.	Per Hour.	
	2s. 4d.	1s. 11d.	
Males .. ..	1s. 10d.	1s. 5d.	} With a minimum for each day as follows:— For employees who work at any function which takes place between 12.30 p.m. and 3 p.m. or between 5.30 p.m. and 8 p.m. on any day— Males .. .. .. 6s. Females .. .. .. 5s. For any other employee .. .. 4 hours' pay
Females .. ..	1s. 10d.	1s. 5d.	

(c) Notwithstanding any provision in sub-clauses (a) and (b) hereof the minimum payment for employees who work only during a theatre interval, viz., between 8.45 p.m. and 10.15 p.m. for a period not exceeding one hour shall be 2s. 6d. for each day.

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

(26) SPECIAL RATES.—The special rate to be paid to casual workers employed in the business of a caterer for work done on Sunday, Good Friday, or Christmas Day shall be double time, and the special rate to be paid to all other employees for work done on New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, or Boxing Day shall be time and a half, calculated on the rates fixed without board and lodging; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays the special rate shall only be payable for work done on the day so substituted.

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

(28) ANNUAL LEAVE.—All persons (other than casual employees) employed in restaurants shall receive one week's leave of absence (exclusive of the holidays mentioned in clause (26)) on full pay on completion of each twelve calendar months' service. Such leave may be applied for and shall commence at any time within four months of becoming due provided that if an employee leaves or is dismissed before being granted leave he or she shall be entitled to payment of a week's wage in lieu of same. An employee shall receive at least seven days' notice of the day on which the annual leave is to begin. An employee who leaves or is dismissed after having worked for three months or over shall be entitled to a *pro rata* leave or payment in lieu thereof.



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

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

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

(d) Departmental store or emporium shall mean an establishment where more than one class of business is carried on, and where under Section 83 of the Factories and Shops Acts such establishment is required to close at the hours prescribed by such section.

(30) TERMINATION OF EMPLOYMENT.—Employees (other than casual employees) shall except in a case of misconduct by either employer or employee, give or receive two days' notice of termination of employment, or in lieu of such two days' notice two days' pay shall be paid by the employer or forfeited by the employee.

(31) UNION OFFICIALS RIGHT OF ENTRY.—Any official of the Federated Liquor and Allied Trades Employees Trades Union of Australasia authorized in writing by the Secretary for Labour shall have the right to enter any establishments or premises covered by this Determination in order to inspect time-sheets and to interview employees on any matter connected with their employment. Such accredited official before entering such establishment or premises shall produce the authority in writing mentioned on a demand by the employer or his representative for such production.

(32) PERIODICAL ADJUSTMENT OF WAGES.—The wages rates set out in clauses (2), (10) and (21) are based upon the following basic wage rates and pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, shall be automatically increased or decreased by the same amount, and at the same time as such basic wage rates.

The basic wage rates hereunder shall be adjusted as prescribed in clause (33).

*Basic Wage.*

Place.	Needs Basic Wage (Adjustable).	Loading (Constant).	Total Basic Wage.	Index Number Set Assigned.
	Per week. £ s. d.	Per week. £ s. d.	Per week. £ s. d.	
Within the area to which this Determination applies .. ..	4 1 0	Adult Males. 0 6 0	4 7 0	Melbourne

(33) ADJUSTMENT OF WAGE RATES.—(a) For work done between 5th September, 1941, and the beginning of the first pay period to commence in November, 1941, the wages rates hereinbefore prescribed shall be paid.

(b) For work done during each future period of or near a quarter beginning with the first pay period to commence in a November, a February, a May, or an August, the amounts of the said rates shall be adjusted by the following method according to the position and fluctuations (if any) of the Commonwealth Statistician's "All Items" retail price index numbers.

For the purposes of this agreement the expression "Commonwealth Statistician's 'All Items' retail price index numbers" or any like expression means the numbers stated to be such index numbers in any document purporting, and not proved to be wrongly so purporting to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Industrial Registrar.

(1) Adjustment is to be based upon the equating of index number 81.0 with a needs basic wage of 81s., the amount assessed upon that number of the Commonwealth Statistician's declared needs basic wage per week for an adult male.

(2) The index number for Melbourne is to be applied.

(3) The index number for the calendar quarter next preceding the period of or near a quarter for which the adjustment is to be ascertained.

(4) The amount of addition or deduction assigned in the following table (or in any extension thereof) to the index number division comprising such number is to be ascertained.

(5) That the assigned amount shall for work done during such period of or near a quarter be added to or deducted from the originally prescribed amounts of the rates in accordance with that table.

(6) The division called "original" in the following table is that for the amount of the needs basic wage upon which the rates are to be deemed to have been originally prescribed:—

TABLE.

Original Index Number Division 871—882. (£3 11s.)

Index Number Divisions.		Amounts of Additions or Deductions per Week.	
For Additions.	For Deductions.	Adult Male Employees.	Rates of £1 16s. 6d. or more for Female Employees.
871-882 .. ..	871-882 .. ..	s. d. 0 0	s. d. 0 0
883-895 .. ..	859-870 .. ..	1 0	0 6
896-907 .. ..	846-858 .. ..	2 0	1 0
908-919 .. ..	834-845 .. ..	3 0	1 6
920-932 .. ..	821-833 .. ..	4 0	2 0
933-944 .. ..	809-820 .. ..	5 0	2 6
945-956 .. ..	797-808 .. ..	6 0	3 0
957-969 .. ..	784-796 .. ..	7 0	3 6
970-981 .. ..	772-883 .. ..	8 0	4 0
982-993 .. ..	760-771 .. ..	9 0	4 6
994-1006 .. ..	.. ..	10 0	5 0
1007-1018 .. ..	.. ..	11 0	5 6
1019-1030 .. ..	.. ..	12 0	6 0

Any extension of this table must be of the same construction as the table.

(c) The amounts of the rates of male improvers or juniors and of rates of less than £1 16s. 6d. for female employees shall be adjusted proportionately to the rate of £3 11s. for a male adult calculated to the nearest 6d., any broken part of 6d. in the result not exceeding 3d. to be disregarded.

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

J. W. RYAN, Secretary.

Melbourne, 21st August, 1941.

