



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 80]

THURSDAY, MARCH 20.

[1941

Factories and Shops Acts.

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

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

2. This Determination on the 24th March, 1941, applied to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder; such portions of the City of Sandringham as are not included within the said Metropolitan District; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

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

- (a) any article of men's or boys' clothing (whether made to order or otherwise), mercery, or wearing apparel, including underclothing, hats, and caps;
- (b) goods usually sold by drapers or haberdashers, including mantles, costumes, millinery, gloves, stockings, and underclothing," has made the following Determination, namely:—

(1) That on the 24th March, 1941, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Apprentices or Improvers.							Other Employees.		
Wages per Week of 46 Hours							Wages per Week of 46 Hours.		
Experience.	Commencing Age.							Within the Metropolitan District.	Outside the Metropolitan District wherever this Determination applies.
	15 years or under.	16 years.	17 years.	18 years.	19 years.	20 years.			
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.		s. d.	s. d.
Males—							Males.		
1st year—							Manager (other than departmental manager), i.e., a person entrusted with the control or superintendence of a shop, notwithstanding he may be under the orders of a superior who does not devote his whole time to the management of the said shop		
1st 6 months	19 0	19 0	23 0	24 0	24 0	29 6			
2nd 6 months	19 0	19 0	23 0	24 0	24 0	42 0			
2nd year—									
1st 6 months	24 0	24 0	29 6	39 0	39 0	51 6			
2nd 6 months	24 0	24 0	29 6	39 0	45 0	56 0			
3rd year—							Departmental manager, i.e., a person in control of three or more salesmen or saleswomen 21 years of age or over, notwithstanding he may be under the orders of a superior who does not devote his whole time to the management of such department		
1st 6 months	28 0	32 0	39 6	54 6	54 6	65 6			
2nd 6 months	28 0	32 0	39 6	54 6	65 6	73 0			
4th year ..	36 6	42 6	54 6					124 0	124 0
5th year ..	44 6	54 6							
6th year, and until 21 years of age ..	54 6								
Females—									
1st year—							Person in charge of an order tailoring establishment		
1st 6 months	13 6	17 6	23 0	24 0	25 0	26 6			
2nd 6 months	13 6	17 6	23 0	24 0	25 0	26 6			
2nd year—									
1st 6 months	19 0	23 6	26 6	28 0	28 6	29 6		116 0	116 0
2nd 6 months	19 0	23 6	26 6	28 0	28 6	36 0			
3rd year—									
1st 6 months	24 6	26 6	29 6	29 6	29 6	39 0		124 0	124 0
2nd 6 months	24 6	26 6	29 6	29 6	29 6	41 0			
4th year ..	26 6	29 6	36 0						
5th year ..	29 6	36 0							
6th year, and until 21 years of age ..	36 0								

Apprentices or Improvers.	Other Employees.			
	Wages per Week of 46 Hours.			
			Within the Metropolitan District.	Outside the Metropolitan District wherever this Determination applies.
PROPORTION (in any Shop or Place).			s. d.	s. d.
APPRENTICES.				
Males.				
One male apprentice to every three or fraction of three male workers receiving not less than 73s. 6d. per week of 46 hours.	Pattern-men, assemblers, or salesmen—			
	21 years of age	83	0	73 6
	22 years of age	93	0	84 6
	23 years of age or over	110	0	105 0
	Canvassers, who are in any way connected with the sale of goods	113	0	113 0
	Collectors who, in addition to their duties of collecting, are in any way connected with the sale of goods	113	0	113 0
	Foreman packer or storeman, i.e., a person in control of four or more packers or storemen, notwithstanding he may be under the orders of a superior who does not devote his whole time to the management of such department	102	0	102 0
	Packers or storemen	97	6	97 6
	Porters	97	6	97 6
	All others	110	0	105 0
Females.				
One female apprentice to every three or fraction of three female workers receiving not less than 41s. per week of 46 hours.	Manageress (other than departmental manageress), i.e., a person entrusted with the control or superintendence of a shop stocking dress or Manchester goods, drapery furnishing, prints, silks, or men's clothing, notwithstanding she may be under the orders of a superior who does not devote his whole time to the management of the said shop	124	0	124 0
An indenture of apprenticeship prescribed by the Board was approved on 25th January, 1924.	Departmental manageress—			
	(a) in control of three or more salesmen or saleswomen 21 years of age or over, in dress, Manchester, drapery furnishing, prints, silks, or men's clothing departments, notwithstanding she may be under the orders of a superior who does not devote his whole time to the management of such department	116	0	116 0
	(b) in control of three or more saleswomen 23 years of age or over in any other department, notwithstanding she may be under the orders of a superior who does not devote his whole time to the management of such department	66	6	64 6
	Saleswomen selling goods usually sold in dress, Manchester, drapery, furnishing, prints, silk, or men's clothing departments—			
	21 years of age	82	0	72 6
	22 years of age	92	6	83 6
	23 years of age or over	110	0	105 0
	Other saleswomen or pattern women, or assemblers—			
	21 years of age	44	6	41 0
	22 years of age	51	0	45 6
	23 years of age or over	56	6	52 6
	Packers	97	0	97 0
	Canvassers who are in any way connected with the sale of goods	56	6	56 6
	Porters	97	0	97 0
	All others	56	6	52 6

(3) TIMES OF BEGINNING AND ENDING WORK.

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

(4) OVERTIME.*

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

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

- (1) Before 9 a.m. Five times the ordinary rate.
- (2) Outside the times of ending work Double time.

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

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

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

(5) MEAL MONEY.

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

(6) TIME RATE.

Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall for each hour worked up to 23 hours be paid—

(a) In any week in which two or more Public Holidays occur .. At the ordinary wages rate with an addition of fifty per centum.

(b) In any other week At the ordinary wages rate with an addition of thirty three and one-third per centum.

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

Provided that no person shall be employed for less than four consecutive hours on any one working day between the hours of 9 a.m. and 6 p.m. on Monday to Thursday and between the hours of 9 a.m. and 9 p.m. on Friday or for less than 3½ hours on Saturday.

(7) MEAL INTERVALS.

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

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

(8) REST PERIOD.

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

(9) TERMINATION OF EMPLOYMENT.

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

(10) NOTICE OF INTENTION TO RATION.

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

(11) ANNUAL HOLIDAYS.

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

(12) SICK PAY.

Any employee not attending for duty who has had not less than 12 months' service with the same employer shall lose his or her pay for the actual time lost unless such employee produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill-health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the grounds of personal ill-health or accident for more than six days in each year commencing from the 25th October.

(13) SPECIAL RATES FOR SUNDAYS AND HOLIDAYS.

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

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

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

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

But if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted.

(14) BICYCLE ALLOWANCE.

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

(15) REFERENCE.

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

(16) TIME AND WAGES RECORDS.

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

J. W. CLARKE, Chairman.

J. R. MACPHERSON, Acting Secretary.

Melbourne, 5th March, 1941.

