



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

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

No. 265]

MONDAY, AUGUST 17.

[1942

Factories and Shops Acts.

DETERMINATION OF THE WATCH CASES 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 in the trade of manufacturing or preparing watch cases" has made the following Determination, namely:—

(1) That on the 17th August, 1942, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2) APPRENTICES OR IMPROVERS.

Wages per Week of 44 Hours.

	Males.							Females.			
	Commencing Age—							Adjust- able Rate.	Emer- gency Loading Non- adjust- able.	Total Weekly Wage.	
	Adjustable Rate.			Emer- gency Loading Non- adjust- able.	Total Weekly Wage.						
	Under 17 Years.	17 Years.	18 Years or Over.		Under 17 Years.	17 Years.	18 Years or Over.				
<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>		
1st year's experience..	18 6	23 6	26 3	0 9	19 3	24 3	27 0	16 3	0 9	17 0	
2nd " " " "	27 6	29 0	35 3	1 0	28 6	30 0	36 3	22 3	0 9	23 0	
3rd " " " "	37 9	40 9	47 0	1 6	39 3	42 3	48 6	34 9	1 0	35 9	
4th " " " "	51 0	51 0	..	2 0	53 0	53 0	..	43 6	1 6	45 0	
5th " " " "	65 3	..	..	2 6	67 9	..	..	49 9	2 0	51 9
6th " " " "	75 6	..	..	3 0	78 6	..	..	Thereafter until reaching	..	..
7th " " " "	80 6	3 0	83 6	21 years of age ..	55 9	2 0	57 9

NOTE.—The rates prescribed above for apprentices or improvers shall apply only to such employees as are under 21 years of age.

PROPORTION (IN ANY PLACE).

Apprentices.

One apprentice to every one male worker receiving not less than the minimum wage.
An indenture of apprenticeship has been prescribed by the Board.

Improvers.

Such number of improvers as together with the number of apprentices does not exceed three to every adult worker receiving not less than the minimum wage.

(3)

OTHER EMPLOYEES.

Wages per Week of 44 Hours.

	Within a Radius of 50 Miles of G.P.O., Melbourne.			All Other Parts of Victoria.		
	Adjustable Rate.	Emergency Loading Non-adjustable.	Total Weekly Wage.	Adjustable Rate.	Emergency Loading Non-adjustable.	Total Weekly Wage.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Adult males—						
First class watch case tradesman	112 0	3 0	115 0	109 6	3 0	112 6
Second class watch case tradesman	102 0	3 0	105 0	99 6	3 0	102 6
All others—						
(a) with less than 3 years' experience	94 0	3 0	97 0	91 6	3 0	94 6
(b) with 3 years' experience or more	102 0	3 0	105 0	99 6	3 0	102 6
Adult females—						
(a) if of less than 12 months' experience	58 3	3 0	61 3	57 3	3 0	60 3
(b) if of 12 months' or more experience	66 3	3 0	69 3	65 3	3 0	68 3

Leading hands male or female in charge of not less than six employees shall be paid at the rate of 5s. per week in addition to the rates fixed above.

(4) DEFINITIONS.—(a) "First Class Watch Case Tradesman" means an employee working at a bench and engaged in making complete cases which require hinges, and making by hand and fitting any special loop attachments.

(b) "Second Class Watch Case Tradesman" means an employee working at a bench engaged in assembling cases, but not being required to make loops by hand, hinge cases, or make and fit any special hand-made attachments.

(c) "Experience" means work done in the trade of watch case making for any employer whether as an adult worker, apprentice, or improver.

(5) TIME OF BEGINNING AND ENDING WORK BY EMPLOYEES NOT ENGAGED ON NIGHT SHIFT.—

	Time of Beginning.	Time of Ending.
Saturday	7.30 a.m.	1 p.m.
On the other working days of the week	7.30 a.m.	6 p.m.
Time of beginning and ending work by employees engaged on night shift	9 p.m.	7.30 a.m.

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

- (a) Outside the hours fixed as the times of beginning and ending work
 - (b) Within the hours fixed as the times of beginning and ending work in excess of 44 hours in any week
- } Time and a half.

(7) SHIFTS.—Where an employee is employed on night shift he shall be paid Ten per cent. in addition to the rates fixed in clauses (2) and (3).

(8) PAYMENT FOR A SHORT WEEK.—Subject to the provisions of this Determination, where in any week any factory is open for work for less than 44 hours, the legal rate of payment for such week shall be 1/44 of the rate provided in this determination for the class of work done, multiplied by the number of hours actually worked.

(9) SPECIAL RATES.—Double time shall be the rate for all work done on Sunday, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Saturday, Easter Monday, King's Birthday, Melbourne Cup Day, Christmas Day, or Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted. Provided that in Bendigo "Picnic Day" shall be observed as a substitute for Melbourne Cup Day.

(10) HOLIDAYS.—All employees shall be entitled to the ten holidays hereinafter mentioned without any deduction from the weekly rate of pay, viz., New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day, or any other day which may be by Act of Parliament or Proclamation substituted therefor. Provided that in Bendigo "Picnic Day" shall be substituted for Melbourne Cup Day.

(11) 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) in any one or more of the occupations to which this Determination applies.

(b) Where an employee with twelve months' continuous service is engaged for part of the twelve monthly period as a seven-day shift worker, he shall be entitled to have the period of seven consecutive days' annual leave prescribed in sub-clause (a) of this clause increased by half a day for each month he is continuously engaged as aforesaid.

(c) 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.

(d) 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.

(e) 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 wages in respect of each completed two months of continuous service in respect of which leave has not been granted hereunder.

(f) Each employee before going on leave shall be paid a week's wage except a seven-day shift worker who shall be paid for the period of additional leave allowed in his case the amount of wages he would have received for that period if he had not been on such leave. For the purpose of this sub-clause and sub-clause (e) 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 his employment, as the case may be. 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.

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

(h) Where leave has been granted to an employee pursuant to sub-clause (d) 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 by clause (10) of this Determination.

(i) Service before the date of this Determination shall be taken into consideration for the purpose of calculating annual leave provided that an employee shall not be entitled to leave or to payment in lieu thereof for any period in respect of which leave or a payment in lieu thereof has been allowed or made under the Determination hereby rescinded.

(j) 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 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.

(k) The annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by clause (9) of this Determination 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.

(l) For the purposes 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.

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

(n) This clause shall not apply to any employer in respect of any employee to whom—pursuant to a Determination or agreement—he is required to allow annual leave to an extent equal to or greater than that prescribed herein.

(12) SICK LEAVE.—(a) An employee who is absent from his work on account of personal illness, or on account of injury by accident arising out of and in the course of his employment, shall be entitled to leave of absence, without deduction of pay, subject to the following conditions and limitations:—

- (i) He shall not be entitled to paid leave of absence for any period in respect of which he is entitled to Workers' Compensation.
- (ii) He shall prove to the satisfaction of his employer (or in the event of dispute the Secretary for Labour) that he was unable on account of such illness or injury to attend for duty on the day or days for which sick leave is claimed.
- (iii) He shall not be entitled in any year (whether in the employ of one employer or of several) to leave in excess of 44 hours of working time.

For the purpose of administering paragraph (iii) of this sub-clause, an employer may, within one month of this Determination coming into operation or within two weeks of the employee entering his employment, require an employee to make a sworn declaration or other written statement as to what paid leave of absence he has had from any employer during the then current year; and upon such statement the employer shall be entitled to rely and act.

(b) Notwithstanding anything contained in sub-clause (a) hereof, an employee suffering injury through an accident arising out of and in the course of his employment (not being an injury in respect of which he is entitled to Workers' Compensation) necessitating his attendance during working hours on a doctor, chemist, or trained nurse, or at a hospital, shall not suffer any deduction from his pay for the time (not exceeding four hours) so occupied on the day of the accident, and shall be reimbursed by the employer all expenses reasonably incurred in connexion with such attendance.

For the purpose of this clause "year" shall mean the period between the 17th August in each year and the next 16th day of August.

(13) TEA MONEY.—Any employee required to work overtime for more than two hours without being notified the day before that he will be so required to work, shall either be supplied with a meal by the employer or paid 1s. 6d., or if work extends into a second meal hour, 2s. 6d. for the two meals, but such payment need not be made to employees living in the same locality as their workshop who can reasonably return home for meals. If an employee pursuant to notice has provided a meal or meals and is not required to work overtime he shall be paid for each meal so provided.

(14) 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. Provided that this clause shall only apply to an employee who has been continuously in the same employment for not less than four weeks.

(15) TOOLS.—The employer shall provide the necessary tools required by him to be used by each employee under 21 years of age.

(16) PERIODICAL ADJUSTMENT OF WAGES.—The wages rate for males set out in clause (3) is 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 rate shall be automatically increased or decreased by the same amount and at the same time as such basic wage. The wages of apprentices and improvers and all females shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded.

The basic wage shown hereunder shall be adjusted as prescribed in clause (17).

Basic Wage.

Place.	Basic Wage.	Index Number Set Assigned.
	£ s. d.	
Within the area to which this Determination applies	4 8 0	Melbourne

(17) ADJUSTMENT OF BASIC WAGE.—(a) Until the beginning of the first pay period to commence in November, 1942, the amount of the basic wage shall be as prescribed in clause (16).

(b) 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 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 thereto in clause (16).
- (2) 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.
- (3) The amount assigned in the following table (or 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.

Table.

Index Number Divisions.	Basic Wage.	Index Number Divisions.	Basic Wage.
	£ s. d.		£ s. d.
735-746	3 0 0	933-944	3 16 0
747-759	3 1 0	945-956	3 17 0
760-771	3 2 0	957-969	3 18 0
772-783	3 3 0	970-981	3 19 0
784-796	3 4 0	982-993	4 0 0
797-808	3 5 0	994-1006	4 1 0
809-820	3 6 0	1007-1018	4 2 0
821-833	3 7 0	1019-1030	4 3 0
834-845	3 8 0	1031-1043	4 4 0
846-858	3 9 0	1044-1055	4 5 0
859-870	3 10 0	1056-1067	4 6 0
871-882	3 11 0	1068-1080	4 7 0
883-895	3 12 0	1081-1092	4 8 0
896-907	3 13 0	1093-1104	4 9 0
908-919	3 14 0	1105-1117	4 10 0
920-932	3 15 0		

C. TURNBULL, Chairman.

W. HEATH, Secretary.

Melbourne, 22nd July, 1942.