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Factories and Shops Acts.

DETERMINATION OF ENTERTAINMENT EMPLOYEES (PERFORMERS) BOARD.

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

IN accordance with the provisions of the Factories and Shops Act, the Wages 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 jurisdiction of any Wages Board heretofore appointed) engaged as performers in radio or other entertainments conducted for private gain has made the following determination, namely:—

(1) This Determination shall come into force and be operative on and after the 28th August, 1942.

PART I.—Theatrical Entertainments.

(2) RATES OF PAY.

(a) *Weekly Engagements*—

	Not on Tour. Per Week.	On Tour. Per Week.
	£ s. d.	£ s. d.
Actors	5 2 6	5 17 6
Actresses	4 10 0	5 5 0
Males engaged in the chorus or ballet	4 12 6	5 7 6
Females engaged in the chorus or ballet	4 0 0	4 15 0

(b) *Casual Engagements*—

	Per day. £ s. d.
Actors and actresses—to include one rehearsal, if required	1 1 0
Chorus and ballet, male and female, to include one rehearsal if required	0 17 0

(c) *Supernumeraries*—

	Per day. £ s. d.
For attending a rehearsal and performance in one day	0 12 0
For attending two performances in one day	0 11 0
For attending a rehearsal only in one day	0 7 6
For attending a performance only in one day	0 6 0

(d) *Juveniles*—

	Not on Tour. Per Week.	On Tour. Per Week.
	£ s. d.	£ s. d.
Males—		
16 years of age but under 18 years of age	3 0 0	3 15 0
18 years of age but under 21 years of age	3 10 0	4 5 0
Females—		
16 years of age but under 18 years of age	2 15 0	3 10 0
18 years of age but under 20 years of age	3 5 0	4 0 0
Children under 16 years of age	1 12 6	2 7 6

	Per Performance. s. d.
Any child engaged for ensemble, chorus, or ballet	6 0
Any child stepping out from chorus or ballet and performing any extra work other than a solo turn, a solo song, or a solo act, an additional amount of	1 6
Any child performing a solo turn, song, or act in addition to the amount payable for ensemble, chorus or ballet	5 0

These rates include one rehearsal.

For all work done by a child outside a radius of (30) thirty miles from the General Post Office, Elizabeth-street, Melbourne, such child shall be provided with the appropriate meal or meals per day or the cost of same.

Provided that unless such child is able to return to the place of engagement by midnight of the day of performance the sum of five shillings shall be paid him or her.

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(3) ENGAGEMENT BY THE WEEK—WHILE ON TOUR.—Employees engaged by the week while on tour shall be paid their weekly wages from the time the employees leave the place of engagement until they return to that place at the end of the tour, broken weeks at the beginning or end of the tour to be paid for *pro rata*, and the days of departure and return other than Sundays to be each counted as one day worked.

(4) MINIMUM PAYMENTS.—Notwithstanding any contract or arrangement no employee engaged by the week shall be paid or receive from his employer in respect of the whole period of his employment an aggregate of payments and allowances less than the aggregate of the minimum payments and allowances for ordinary work, overtime work, extra performances, and travelling fares and expenses payable to or receivable by an employee under this Determination in respect of similar employment in the absence of any such contract or arrangement.

(5) DEPUTY BALLET MISTRESS.—A member of the ballet who acts as a deputy ballet mistress or who, under the instructions and supervision of the producer or stage manager, supervises the numbers or acts to be performed by the ballet during a performance shall be paid not less than 15s. per week in addition to the per week rate prescribed in clause 2 of this part.

(6) UNDERSTUDY.—If an employee is required by his employer to act as understudy he shall be paid an additional 4s. 6d. per week for each part understudied by him as required.

(7) SPECIAL ATTENDANCES.—If for the purpose of wardrobe, photography, or any other matter connected with an employer's business, an employer requires an employee to attend at any place before the commencement of his period of employment, he shall pay the employee for the time of such attendance *pro rata* at the minimum rate prescribed for the employee by clause 2 of this part with a minimum payment as for three hours.

This time of any such attendance during the period of employment shall be counted as time worked.

(8) WAGES—WHEN PAID.—Wages shall be paid to an employee without any deduction (other than advances on account of wages) not later than 10 p.m. on the Friday night of each week, except in the case of a broken week, when payment shall be made not later than the same hour on the night of the last performance. Provided that should any employee be short paid or over paid in any week, in the case of short payment he shall receive the amount short paid on the following pay day or as soon thereafter as possible, and in the case of overpayment, the amount over paid shall be deducted from the employee's wage on the following pay day or as soon as thereafter as possible. Provided further that this clause shall not affect clauses 9 (*f*), 11 and 22 of this part.

(9) ENGAGEMENT.—(*a*) In the case of employees not engaged for a tour and not paid the rates for those casually engaged, the employment shall be terminated on either side only by a week's notice, either given in writing or plainly posted up on the call board or other place seen by the employees in the ordinary course of their employment, which notice may be given at any time during the week, and the employee shall only be entitled to payment *pro rata* for the time up to the expiration of the notice.

(*b*) In the case of an employee engaged for a tour the employment shall continue until the employee is returned to the place of engagement, but may, in the absence of any agreement to the contrary be then terminated without notice.

(*c*) If any work is done by an employee for the employer after the time of the expiration of the notice under sub-clause (*a*) of this clause after the termination of a touring engagement under sub-clause (*b*) of this clause otherwise than in pursuance of a separate weekly or touring engagement, it shall be paid for at casual rates.

(*d*) Employees, to become entitled to be treated as being engaged by the week, must 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 employees affected.

(*e*) Nothing in this determination shall affect any legal right of an employer to dismiss without notice any employee, whether on tour or not, for malingering, neglect of duty or misconduct; and in case of such dismissal, wages shall be payable for the employment up to, but not after, the time of the dismissal.

(*f*) Nothwithstanding anything contained in this determination an employer may deduct payment of wages for any day on which an employee cannot be employed in his usual class of employment because of—

(i) any strike;
(ii) any breakdown of machinery;
(iii) any stoppage of work unavoidable by the employer.

(10). TRY-OUTS.—The engagement shall not be deemed to have commenced until after a "try-out" if such "try-out" is desired; and an employee shall not be entitled to any payment until he or she is definitely engaged. Any employer whose engagement is delayed for the purpose of a "try-out" or "try-outs" beyond four days, shall for each day of the delay beyond the four days be paid one-sixth of the prescribed minimum weekly rate for the class of employee in question. Should more than two "try-outs" be asked for by the employer the employee shall be paid the said one-sixth for each such "try-out" in excess of two. No "try-out" shall be held on a Sunday.

(11) ABSENCE FROM DUTY.—Any employee paid per week, absent from duty shall lose pay proportionate to the time of such absence unless he produces or forwards to his employer within twenty-four hours of the commencement of such absence evidence satisfactory to the employer that the absence was reasonable, because of either—

(i) any illness of himself due neither to his own default nor to accident arising otherwise than out of and in the course of his employemnt; or
(ii) any bodily injury to himself caused by accident arising out of and in the course of his employment.

(*b*) If any dispute shall arise as to the deduction of pay on the ground that satisfactory evidence has not been produced or forwarded, the question of whether the evidence should have been accepted by the employer as satisfactory may be determined by the local secretary or other authorized representative of the Actors Equity of Australia and the employer or his representative and if they do not agree shall be determined by the Secretary for Labour, and the employer and the employee shall treat the evidence as satisfactory or not satisfactory for the purpose of sub-clause (*a*) of this clause according to the tenor of the determination which determination shall be conclusive and subject to no appeal.

(*c*) This clause shall not affect any right of the employer to determine the employment in accordance with clause 9 of this part.

(12) HOURS.—Hours of duty shall not exceed eight and a half in any one day, including both performances and rehearsals.

(13) OVERTIME.—(*a*) For all time worked over eight and a half hours in any one day, the employee shall be paid at the rate of time and a quarter.

(*b*) If an employee is detained in the theatre by the employer or his representative until after 11.30 p.m. he or she shall be paid for the time he or she is detained after 11:30 at the rate of time and a half.

(*c*) If a female employee is detained too late to travel by the last tram or train to her home (temporary or permanent), as the case may be, the employer shall provide for her proper conveyance to her home. This provision shall also apply to a male employee if his home is more than a mile from the theatre.

(14) TIME OF PERFORMANCES AND REHEARSALS.—(*a*) Where a rehearsal is held on the same day as a performance the rehearsal shall not exceed four and a half hours in duration. Such rehearsal shall not commence before 10 a.m. and shall finish at or before 4 p.m., with an interval of a least one hour, or at the employer's option the rehearsal may commence at 10 a.m. and continue until 1.30 p.m. without any interval. If no performance is held on the same day as a rehearsal, such rehearsal shall not exceed eight and a half hours in duration, with an interval of at least one hour. The employee shall be dressed and ready to begin rehearsal at the time fixed to start. Each of the intervals shall contain at least one continuous hour clear of any dressing, undressing, re-dressing, making-up or other work. If the aforesaid hours are exceeded or the said continuous clear hour is curtailed, overtime shall be paid for the extra time worked or for the time of the curtailment.

(*b*) Where in the ordinary course of business not more than eight performances are given in any one week, no call of any kind shall be made on a day where more than one performance is given except in case of emergency.

(15) TIME FOR DRESSING.—Thirty minutes shall be allowed an employee for preparatory duties incidental to a performance such as undressing, making-up, and re-dressing, and fifteen minutes shall be allowed after a performance for undressing, washing off grease paint, and re-dressing; such time shall count as working time.

(16) NUMBER OF PERFORMANCES.—The ordinary number of performances shall not, in any one week, exceed twelve in vaudeville or vaudeville revue nor eight in grand opera, drama, comedy, comic opera, musical comedy, revue, pantomime, and other substantially whole-time entertainments. For each extra performance beyond the said ordinary number, the employee shall be paid in the case of vaudeville or vaudeville revue one-twelth, and in each of the other cases, one-eighth of the weekly wage received by him in addition to such weekly wage.

(17) PAYMENT FOR SUNDAYS AND PUBLIC HOLIDAYS.—For any work done on Sundays or public holidays, payment shall be made at least as follows :—

(a) On Sundays—

(i) If the engagement is by the week, one-third of the weekly wage received by the employee in addition to his wage for the week.

(ii) If the engagement is not by the week, at least double the prescribed minimum per day rate.

(b) On Good Friday, Christmas Day and Eight Hours' Day—

(i) If the engagement is by the week, one-sixth of the weekly wage received by the employee in addition to his wage for the week or tour.

(ii) If the engagement is not by the week, double the prescribed minimum per day rate.

Provided nevertheless that in respect of Eight Hours' Day until further order one-twelfth instead of one-sixth of the said weekly wage and one and a half times instead of double time the said rate per day shall be paid.

(c) On other holidays—

The rate of pay shall be one twenty-fourth of the weekly wage and one and a quarter the rate per day.

(d) In the case of employees engaged by the week, if by reason of any of the holidays referred to in this clause being a holiday no work is done thereon, the wage for the week or tour shall nevertheless be paid without deduction therefor, and such holiday shall, for the purpose of clause 16 of this part, be treated as if there had occurred thereon one of the eight or two of the twelve performances for which that clause provides.

(e) If an employee is required by his employer to travel on a Sunday, he shall, unless he is paid in pursuance of this clause for working on the said Sunday, receive therefor, if engaged by the week one-twelfth, or if not so engaged, one-half of the prescribed minumum per week or per day rate appropriate for him.

(18) HOLIDAYS.—The "other holidays" referred to in clause 17 of this part are the days observed in the State as New Year's Day, Australia Day (the 26th day of January), Easter Monday, Anzac Day, King's Birthday, Boxing Day and all other days regarded and observed as holidays throughout the State.

(19) TRAVELLING.—(a) An employee engaged by the week, when travelling on duty, shall be provided by his employer with first-class accommodation.

(b) An employee when travelling on duty at night by train, shall be provided with sleeping accommodation, and if such sleeping accommodation is not available, the employee shall be paid the sum which is charged usually to the employer by the appropriate railway department for such sleeping accommodation.

(20) TRANSPORTATION OF LUGGAGE.—All luggage required by the employee in the execution of his duties shall be taken from the wharf or railway station to the theatre and from the theatre to the wharf or railway station, and from theatre to theatre, at the employer's expense. All reasonable care, but no responsibility, shall be taken by the employer.

(21) WARDROBE AND MAKE-UP.—(a) The employer shall provide make-up in the case of supernumeraries.

(b) Actors and actresses shall provide their own make-up.

(c) The employer shall provide wardrobe "wigs" and appurtenances required by him to be used in performance or rehearsal and they must be clean when so provided.

(d) All laundry made necessary by the work of the employee for the employer shall be done at the employer's expense.

(22) PENALTY FOR BREACH OF DUTY.—An employer may at his discretion inflict a fine of 5s. upon an employee or suspend him for one performance with loss of pay or instantly dismiss him for any unpunctuality or missing of an entrance, or any dereliction of duty during a performance and/or rehearsal.

Provided that whenever a penalty as aforesaid has been imposed, the employee so penalized shall have the right of appeal to a committee of two, one to be nominated by the employee and the other by the employer or his representative, and should they fail to agree they shall refer the matter for final decision to the Secretary for Labour.

(23) TIME BOOKS TO BE KEPT, ETC.—(a) The employer shall keep a time book or time sheet properly posted in ink, showing the names of and the times worked by each employee, and the wages paid to each employee from week to week.

(b) The time book or time sheet shall, after all the time worked previous to the entry by an employee has been entered therein, be produced to such employee, and such entry if correct, shall be vouched by his signature in the time book or time sheet, and the entries of the time so worked may be checked by an accredited representative of the Actors' Equity of Australia if he be available at the place of business and by the employer's representative who shall, if the entries be correct, vouch for them by their signatures in the time book or time sheet.

(c) The time book or time sheet, with all the entries therein, shall, on demand, be produced by the employer for inspection at the place where it is kept, at any time between the hours of 10 a.m. and 1 p.m. during any day except pay day to an official of the Actors' Equity of Australia who has been authorized in writing to inspect the same by the general secretary or secretary of the State branch of the said Equity. One clear day's notice, setting out the grounds for desiring such inspection, shall be given to the employer of any intended inspection. No authority to inspect shall be given by the said Equity unless the general secretary or State branch secretary has good reason to suspect that a breach of this determination has been committed by the employer whose time book or time sheet is to be inspected.

(24) ACCESS FOR UNION REPRESENTATIVE.—The president or general secretary or an official of the Actors' Equity of Australia duly authorized in writing shall have access to any employer's premises to interview members of the Equity on union matters when they are off duty, the place of interview to be chosen by the employer. Such interviews shall take place between 4.30 p.m. and 6 p.m. on Wednesdays, or upon such other days as may be agreed upon between the Equity and the employer concerned and the Equity shall have the right within the week immediately preceding the day of the interview to put a notice on the notice board of the premises that the representative of the Equity will be at the premises on the particular Wednesday, or other day so agreed upon.

(25) SUB-CONTRACT, ETC.—(a) If work of any of the kinds covered by this determination is done by an employee or arranged to be so done, in the interest in any way of an employer, this determination shall apply to such work, employee and employer, notwithstanding that the employer causes or permits such work to be done for, or through, or by means of a contactor or other person, and the employer and employee shall have the same rights and obligations to each other as if they were in respect of such work directly employer and employee.

(b) An employer shall not permit any of the work covered by this determination to be done by employees in any place under his control through a contractor or other person, except in accordance with the terms and conditions of this determination, as if the contractor or other person were himself a party and bound by this determination.

(c) No employer shall enter into any contract for the carrying on of any of the work covered by this determination by means of employees unless the contract contains a clause binding the contractor to pay the rates and observe the conditions prescribed in this determination in respect of the work contracted for so long as this determination remains in operation.

(d) If the whole or part of any performance of actors, actresses or choristers engaged otherwise than exclusively for broadcasting is broadcast each of the said employees shall be paid, in additon to his prescribed rate, 5s. for each performance. Provided nevertheless that until otherwise ordered the said amount of 5s. shall be subject to a deduction of ten per centum.

(26) DEFINITIONS.—"Time and a quarter" and "time and a half" used in relation to pay, respectively mean at the rate of one and a quarter and one and a half the actual pay of the employee in question, calculated *pro rata* for the time for which the payment is to be made.

"Engaged by the week" means being engaged for at least a week of employment terminable only in the manner prescribed by clause 9 of this part or being engaged for employment to last longer than a week.

"Engaged casually" means being engaged otherwise than by the week.

"Actor or actress" means a person who takes part in a performance and is required to speak in the aggregate more than five lines, or to sing by himself or herself during any performance, or to perform any speciality.

"Supernumerary" means a person who takes part in a performance, but is not required therein to speak by himself or herself in the aggregate more than two, or in Shakespearean productions more than five lines, exclusive of shouts, exclamations, and utterances marked by authors or stage direction for all (omnes) the players on the stage to speak at the same time, nor required to sing in the aggregate more than sixteen, or in Shakespearean productions more than thirty-two bars of the musical score, if any, and includes anyone appearing as extra lady, show girl, or mannequin.

(27) EXEMPTIONS.—Members of the Australian and New Zealand Theatres Ltd., J. C. Williamson Ltd., and Tivoli Circuit (Aust.) Pty. Ltd., shall, so long as they observe, in respect of actors, actresses, and/or other performers employed by them, the provisions of any award or agreement for actors and for performers made under the provisions of the *Commonwealth Conciliation and Arbitration Act* 1904–1934, be exempt from this determination.

PART 2.—Radio Entertainments.

(28) RECORDING.—(*a*) *Casual Employees.* These, whether actors, actresses, singers, vaudeville artists, comperes, or other entertainers taking part in recorded transcriptions for use in Commercial Broadcasts, shall be paid as follows:—

	£	s.	d.
Musical presentations—			
Including rehearsal and recording, provided that the time involved does not exceed one and a half (1½) hours—per "side"	1	1	0
Beyond one and a half (1½) hours on any one day for each quarter (¼) of an hour or part thereof	0	5	6
Recordings of less than fifteen (15) minutes to be paid *pro rata* with a minimum per call of	1	1	0
Preliminary rehearsals in which no recording is done, per hour or part thereof, but with a minimum of 10s. 6d.	0	7	6
A fifteen minute recording or part thereof is one side of a record or a recording of such duration on wax, acetate, fibre, copper wire, or by any other means.			
When a singer appears in any recording as a solo performer such singer shall be paid for each solo item after the first in any one programme the sum of	0	10	6
Rehearsal time for these additional periods shall be one half (½) the time allowed for the first quarter (¼) hour or "side."			
"Legitimate" or "Straight" presentations—			
Including rehearsal and recording provided that the time involved does not exceed one (1) hour—per "side"	1	1	0
Beyond one (1) hour on any one day for each quarter (¼) of an hour or part thereof	0	5	6
Recordings of less than fifteen (15) minutes to be paid *pro rata* with a minimum per call of	1	1	0
Preliminary rehearsals in which no recording is done per hour or part thereof	0	10	6
A fifteen minute recording or part thereof is one side of a record or a recording of such duration on wax, acetate, fibre, copper wire, or by any other means			
When any performer is engaged in chorus work he shall be paid for each fifteen (15) minutes (but with a minumum of 10s.) at the rate of	0	5	0
Provided that should a solo performer be receiving payment as such in any period, he shall not during the same period receive any additional fee as one of the chorus.			
Each performer in rehearsals of chorus work shall be paid at the rate per one hour and a half (1½) hours or part thereof of	0	5	0

(*b*) *Weekly Employees.* For the purpose of this sub-clause a week's work shall be deemed to consist of not more than eight hours in any one day or not more than six days in any one week, and not more than forty hours in any one week.

	£	s.	d.
These employees whether actors, actresses, or radio artists, shall for a week's work be paid	8	0	0
For all time worked in excess of the foregoing on any one day or in any one week payment shall be at the rate of time and a half.			

Provided that—

Any such employee who in any week takes part in more than twelve (12) recorded "sides" of fifteen (15) minutes shall for each "side" in excess of that number be paid at the rate herein fixed for casual employees.

If any such employee in addition to working on the other six (6) days of any week is required to work on the Sunday he shall be paid at the rate of double pay for such Sunday work.

If the hours of work of any such employee on any one day are "scattered" so as to cover a period exceeding twelve (12) hours he shall be paid at the rate of time and a half for that day.

	£	s.	d.
(29) COMMERCIAL ANNOUNCEMENTS.—Actors and actresses when used as such or as announcers, comperes or commentators, shall for each hour or part thereof be paid	1	1	0
If used in more than one half (½) the aggregate number of announcements in any one hour, an additional amount of	0	10	6

(30) LIVE SHOWS, ACTUAL BROADCASTS, ETC.—(*a*) *Casual Employees.* These whether actors, actresses, singers, vaudeville artists, comperes, or other entertainers taking part in broadcast performances for use in Commercial Broadcasts shall be paid as follows:—

	£	s.	d.
Musical presentations—			
Including rehearsal and broadcasting, provided that the time involved does not exceed one and a half (1½) hours—per fifteen (15) minutes broadcast	1	1	0
Rehearsal beyond one and a half (1½) hours on any one day, for every quarter (¼) hour or part thereof	0	5	6
Broadcasts of less than fifteen (15) minutes to be paid *pro rata* with a minumum per call of	1	1	0
Preliminary rehearsals in which no broadcasting is done, per hour or part thereof (but with a minimum of 10s. 6d.)	0	7	6
When a singer appears in any broadcast as a solo performer he shall be paid for each solo item after the first in any one programme the sum of	0	10	6
Rehearsal time for these additional periods shall be one half (½) the time allowed for the first quarter (¼) hour broadcast or performance.			
"Legitimate" or "Straight" presentations. Including rehearsal and broadcasting, provided that the time involved does not exceed one (1) hour—per broadcast or performance	1	1	0
Beyond one (1) hour on any one day for every quarter (¼) of an hour or part thereof	0	5	6
Broadcasts of less than fifteen (15) minutes to be paid *pro rata* with a minimum per call of	1	1	0
Preliminary rehearsals in which no broadcasting is done, per hour or part thereof	0	10	6
When any performer is engaged in chorus work he shall be paid for each fifteen (15) minutes (but with a minimum of 10s.) at the rate of	0	5	0
Provided that should a solo performer be receiving payment as such in any period, he shall not during the same period receive any additional fee as one of the chorus			
Each performer in rehearsals of chorus work shall be paid at the rate per one hour and a half (1½ hrs.) or part thereof	0	5	0

(*b*) *Weekly Employees.*—For the purpose of this sub-clause a week's work shall be deemed to consist of not more than eight hours in any one day or not more than six days in any one week, and not more than forty hours in any one week—

	£	s.	d.
These employees whether actors, actresses, or radio artists, shall for a week's work be paid	8	0	0
For all time worked in excess of the foregoing on any one day or in any one week payment shall be at the rate of time and a half.			

Provided that—

Any such employee who in any week takes part in more than twelve (12) broadcasts or performances of fifteen (15) minutes shall for each broadcast or performance in excess of that number be paid at the rate herein fixed for casual employees.

If any such employee in addition to working on the other six (6) days of any week is required to work on the Sunday he shall be paid at the rate of double time for such Sunday work.

If the hours of work of any such employee on any one day are "scattered" so as to cover a period exceeding twelve (12) hours he shall be paid at the rate of time and a half for that day.

When in any recording or broadcast a singer appears as a solo performer for a period exceeding fifteen (15) minutes or one "side," such singer shall be paid for each solo item beyond the first in the same programme the sum of 0 10 6

Rehearsal time for each such solo item beyond the first shall be one half (½) the rehearsal time allowed for the first period of fifteen (15) minutes or one "side."

(31) Auditions, Sample Recordings, or Trial Broadcasts.—These, according to their specific type as set out in this determination, and whether broadcast for public or private purposes, or recorded for any reason whatever, shall be paid for in full, but this shall not apply to any voice test in private unless it entails a previous rehearsal.

(32) Remakes of Recordings.—Should a remake be necessary owing to the mistake of any member of the cast, the remake shall be made by the cast without charge provided that no longer interval occurs than is necessary for a replay of the disc, for which time the cast shall remain in attendance.

If the necessity for a remake owing to such mistake is not discovered until later than as aforesaid the cast shall perform the remake at half rates, and if the remake is necessary owing to any technical fault or to any mistake other than that of one of its members, the cast shall be paid as for a new recording.

(33) Performances by Members of Staff.—Where a member of the management's staff, other than an actor, or actress, is called upon to perform any duty within the scope of this determination he shall be paid a sum not less than that payable under this determination for the particular duty so performed, except where such member receives a staff salary or wages greater than the minimum weekly pay herein prescribed for an actor or actress.

(34) Broadcasts or Recording in the Presence of an Audience.—Where a broadcast or a recording is made before an audience, members generally of which have paid for admission, each employee taking part in such broadcast or recording shall be paid the additional sum of one quarter (¼) the rate to which he is otherwise entitled, but this shall not apply to community singing advertised and/or announced as such, or to performances of which fifty per cent. at least of the proceeds is donated to charity.

(35) Make Up.—(*a*) Make up in excess of that normally provided by an actor, or actress, shall be provided at the expense of the management and all dress other than that usually and ordinarily worn by the employee (i.e., such dress as would be worn to and from the place of employment) shall be provided by the management in a clean and fresh condition. The employee shall nevertheless, if so required by the management, provide one dinner dress in a reasonably good condition.

(*b*) Any cleaning or laundering made necessary by such make up or by "Business" occasioned for the management's benefit shall be at its expense, but cleaning or laundering which in the ordinary course of events is necessary is excluded from this rule.

(36) Late Arrivals.—If an employee is late for a call, the burden shall be borne by the cast. If a producer or any person other than one of the actors, or actresses, delays the rehearsal or recording the burden shall be borne by the management.

(37) Cancelled Calls.—Should a call be cancelled within twelve (12) hours of the time of such call for any reason other than the non-attendance of an employee the call shall be paid for in full.

(38) Meal Breaks.—One hour shall be allowed for lunch between 12 o'clock noon and 2 p.m. and one hour for dinner between 5 p.m. and 7 p.m. or at a time to be agreed upon. Should the cast require a "break" for morning or afternoon tea, the time thus occupied shall not be counted as in the time of employment.

(39) Photograph Calls.—All photograph and publicity calls shall be paid for at rehearsal rates.

(40) Time Sheets.—Every employee shall sign a time sheet provided by the management whereon shall be shown the time occupied, number of records, and footage of films. A copy of this time sheet, together with pay sheets, shall be open for inspection by Actors' Equity representatives if required for checking purposes.

(41) Notice Board.—The management shall provide and place in a position a suitable and easy of access a notice board for the display of announcements and notices, and on which the Actors' Equity shall have the right to place relevant notices.

(42) Access.—Actors' Equity officials, provided they are duly authorized in writing, shall have access to broadcasting or recording premises for the purpose of interviewing members, when off duty, on union matters, the place of the interview to be arranged between the Actors' Equity and the management, and to be reasonably suitable for the purpose.

(43) Actors' Equity Membership.—No objection shall be taken to nor shall any discrimination be exercised against any employee because of Equity membership or activity.

(44) One Employee—One Part.—A broadcast or recording shall be taken as the performance by an employee of one part or character only. In the event of an employee being required to perform more than one part or character he shall be paid an additional sum of one quarter (¼) the prescribed amount, but only if and when the additional part or parts consists of more than 25 words in the aggregate.

(45) Sound Effects.—Should an actor be required to produce sound effects not incidental to his particular part in the broadcasting or recording he shall be paid an additional sum of one quarter (¼) the prescribed amount.

(46) Travelling.—First class return fares and reserved seats, wherever obtainable, shall be provided by the management for all employees who may be required to travel in the management's interests. When such travel involves any employee spending the night in the train he shall be provided with a sleeping berth at the expense of the management wherever such berth is procurable, and where not procurable the employee shall be paid the sum usually charged to the public by the Railway Commissioners.

(47) Producers and Assistant Producers.—These shall be paid at not less than actors' rates.

(48) Star Artists.—Where an artist is announced as "starred" in any broadcast or recording he shall be paid an additional sum of not less than one quarter (¼) the prescribed rate.

(49) Payment of Wages.—Casual employees shall be paid within 24 hours after the termination of their work. Weekly employees shall be paid weekly and not later than Friday of each week.

(50) Children shall be paid at one half (½) the rates specified in clauses (28) to (30) inclusive.

(51) Detention.—If a female employee is detained by the employer beyondthe hour of 11.30 p.m. the employer shall provide for her proper conveyance to her home whether temporary or permanent. This provision shall apply also to a male employee who is so detained after the hour of midnight.

(52) Broadcast of Religious Services.—Nothing in this determination shall apply to the broadcasting of religious services.

(53) Definitions.—"Actor" or "Actress" means a person who, having previously so appeared three times within any period of twelve months, appears in any broadcast or recording in which he is required to speak in the aggregate more than five words, or to sing by himself during any such broadcast or recording, or to perform any specialty.

"Casual Employee" means an employee engaged otherwise than as a weekly employee.

"Child" or "Children" means a person or persons under the age of sixteen years.

"Legitimate" or "Straight Presentation" means tragedy, drama, comedy drama, farce comedy, cavalcade of events presented in play form, presentation of events past, present, and future (actual or fictional), presented in play form in which the instrumental music used is only incidental to the presentation for theme, bridge, or link, or to heighten the dramatic value, or create atmosphere, and any other presentation other than musical presentation.

"Musical Presentation" means grand opera, opera bouffe, light opera, musical comedy, musical farce, vaudeville, revue, minstrel show, pantomime, or any other presentation in which the dialogue is interpersed with either vocal solos, duets, trios, quartettes, quintettes, octettes, or chorus.

"Time and a half" used in relation to pay means at the rate of one and a half (1½) times the actual pay of the employee in question, and calculated *pro rata* for the time for which the payment is to be made.

"Weekly Employee" means an employee engaged on a weekly basis, and for a minimum period of eight consecutive weeks.

F. W. BOND, Chairman.

Melbourne, 7th August, 1942. E. LAITY, Secretary.

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