VICTORIA

GOVERNMENT GAZETTE.

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Factories and Shops Acts.

DETERMINATION OF THE AGRICULTURAL IMPLEMENTS BOARD.

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

By Order in Council, dated the 13th October, 1941, the Country Agricultural Implements Board was deprived of its powers and such powers were conferred exclusively on the Agricultural Implements Board.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which has the power to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in—

(1) the process, trade, or business of a maker of—

(*a*) agricultural machinery or implements;

(*b*) parts of agricultural machinery or implements;

(*c*) bag-filling machinery, bone-crushers, butter-making machinery, chaff-cutters, corn-crushing machinery, cream separators, hay presses, horse works, iron feeding troughs, lawn mowers, machinery for treating flax or hemp, maize shellers, windmills; or

(*d*) garden tools or implements or parts thereof;

(2) assembling or putting together any parts of machinery or implements of classes or kinds (whether the same have been made inside or outside the State) same or similar to those mentioned in paragraph (*a*);"

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 28th August, 1943, the last previous Determination of this Board, shall be revoked and replaced by this Determination.

2.

	Wages per Week of 44 Hours.	
	Within 20 miles of G.P.O., Melbourne. Within 10 miles of G.P.O., Geelong, or at Warrnambool, and within Mildura and Gippsland Districts.	All Other Parts of Victoria.
DIVISION I.—AGRICULTURAL IMPLEMENT SECTION.	£ s. d.	£ s. d.
(*a*) *Assembly, Fitting and Process Working.*		
Assemblers	5 12 0	5 9 0
Assemblers after two years' experience	5 16 0	5 13 0
Carpenters on agricultural implement making (including tool allowance)	6 6 0	6 3 0
Dismantlers	5 11 0	5 8 0
Implement and/or comb fitters	6 0 0	5 17 0
Implement and/or comb fitters after two years' experience	6 3 0	6 0 0
Pattern fitters and finishers	6 3 0	6 0 0
Plough fitters	5 18 0	5 15 0
Process workers	5 10 0	5 7 0
Wheel rimmers	6 0 0	5 17 0
Windmill erectors	6 0 0	5 17 0
Windmill makers other than fitters	5 19 0	5 16 0
(*b*) *Blacksmithing, &c.*		
Blacksmith's striker	5 11 0	5 8 0
Blacksmith's striker on double fires	5 13 0	5 10 0
Bulldozer operator	5 17 0	5 14 0
Hammer drivers	5 13 0	5 10 0
Heater	5 11 0	5 8 0
Implement smith of five years' experience able to do all classes of implement work	6 6 0	6 3 0
Other smiths (including iron benders)	6 3 0	6 0 0

—	Wages per Week of 44 Hours.	
	Within 20 miles of G.P.O., Melbourne, Within 10 miles of G.P.O., Geelong, or at Warrnambool, and within Mildura and Gippsland Districts.	All Other Parts of Victoria.
	£ s. d.	£ s. d.
Division I.—Agricultural Implement Section—*continued.*		
(c) Dressing, Grinding, and Pickling.		
Chippers	5 11 0	5 8 0
Dressers and fettlers	5 13 0	5 10 0
Emery-wheel attendants	5 13 0	5 10 0
Grinders	5 13 0	5 10 0
Grinders using portable machine	5 15 0	5 12 0
Pickler	5 8 0	5 5 0
Shot and sand blast dressers	5 15 0	5 12 0
(d) Furnacemen.		
Cupola	6 0 0	5 17 0
Electric	5 19 0	5 16 0
All other furnaces (not including small rivet or bolt heating)	5 17 0	5 14 0
Small rivet or bolt heating	5 13 0	5 10 0
Assistants	5 11 0	5 8 0
(e) Foundry.		
Jobbing moulder and/or coremaker	6 15 0	6 12 0
Loose pattern moulder	6 8 0	6 5 0
Plate and machine moulder and/or coremaker	6 0 0	5 17 0
Employees in foundries not specified in this subdivision but classified in subdivisions (c) or (d) shall be paid an additional loading of 3s. per week in accordance with the provisions of Division I. of clause 26 hereof.		
(f) Inspection, &c.		
Checkers	5 13 0	5 10 0
Inspectors	5 13 0	5 10 0
(g) Machinists.		
1st class	6 15 0	6 12 0
2nd class	6 3 0	6 0 0
3rd class	5 16 0	5 13 0
Drillers	5 13 0	5 10 0
Process workers	5 10 0	5 7 0
(h) Painting, &c.		
Dippers	5 8 0	5 5 0
Painters (brush hand)	5 11 0	5 8 0
Paint mixers	5 8 0	5 5 0
Spray painters	5 12 0	5 9 0
Writers and liners	6 0 0	5 17 0
(i) Sheet Metal.		
Bench hand—1st class	6 15 0	6 12 0
Bench hand—2nd class	6 3 0	6 0 0
(j) Stores.		
Storemen and/or packers	5 11 0	5 8 0
(k) Welders.		
1st class	6 18 0	6 15 0
2nd class	5 16 0	5 13 0
3rd class	5 12 0	5 9 0
Tack welders	5 14 0	5 11 0
(l) Wire Workers.		
Wire drawers	5 11 0	5 8 0
Wire weavers	5 11 0	5 8 0
Division II.—Electrical.		
Electrical mechanics	6 15 0	6 12 0
Shift electrician	6 15 0	6 12 0
Tradesmen, electrical fitters	6 15 0	6 12 0
Tradesmen's and electrical mechanic's assistant	5 11 0	5 8 0
Division III.—Engineering.		
Electrical fitters	6 15 0	6 12 0
Machinist—1st class	6 15 0	6 12 0
Machinist—2nd class	6 3 0	6 0 0
Machinist—3rd class	5 16 0	5 13 0
Motor mechanics	6 12 0	6 9 0
Patternmakers	7 3 0	7 0 0
Toolmakers	7 5 0	7 2 0
Tradesman	6 15 0	6 12 0
Tradesmen the greater part of whose time is occupied in marking off	6 18 0	6 15 0
Tradesmen, wet stonegrinders and glaziers	6 15 0	6 12 0

—	Wages per Week of 44 Hours. Within 20 miles of G.P.O., Melbourne. Within 10 miles of G.P.O., Geelong, or at Warrnambool, and within Mildura and Gippsland Districts.	All Other Parts of Victoria.
	£ s. d.	£ s. d.
Division IV.—Engineering Smithing.		
Coppersmiths	6 16 0	6 13 0
Forgers and/or faggoters	7 7 0	7 4 0
Forgemen's assistants	5 13 0	5 10 0
Other smiths	6 16 0	6 13 0
Toolsmiths	6 18 0	6 15 0
Division V.—Wood Mill.		
Band sawyers	5 17 0	5 14 0
Bending machinists	5 14 0	5 11 0
Boring and drilling machinists	5 10 0	5 7 0
Buzzer machinists (only operating or feeding machines)	5 6 0	5 3 0
Buzzer machinists (using straight irons and setting up machines and grinding knives and cutters)	6 0 0	5 17 0
Casemakers	5 16 0	5 13 0
Casemaking sawyers	5 7 0	5 4 0
Circular sawyers	5 17 0	5 14 0
Crosscut sawyers	5 10 0	5 7 0
Morticing machinists	5 10 0	5 7 0
Moulding machinists (where the machinists set up their machines only)	5 18 0	5 15 0
Moulding machinists (where the machinists set up their machines and grind their knives and cutters)	6 5 0	6 2 0
Pulling out machinists	5 9 0	5 6 0
Sanding machinists	5 14 0	5 11 0
Saw doctors	6 18 0	6 15 0
Shaper machinists	6 9 0	6 6 0
Stackers	5 9 0	5 6 0
Tenoning machinists (only operating or feeding machines)	5 8 0	5 5 0
Tenoning machinists (using straight irons and setting up machines and grinding knives and cutters)	6 2 0	5 19 0
Thicknesser machinists	5 13 0	5 10 0
Turners	6 9 0	6 6 0
Division VI.—Miscellaneous.		
Belt makers and cutters	5 19 0	5 16 0
Carpenters (other than agricultural implement making)	6 16 0	6 13 0
Curriers	6 7 0	6 4 0
Employees not elsewhere classified	5 2 0	4 19 0

3. Special Rates.—In addition to the wages prescribed in clause 2 hereof the following special rates and allowances shall be paid :—

(a) Leading hands in charge of not less than three and not more than ten employees, including apprentices, 6s. per week extra; more than ten and not more than twenty, including apprentices, 12s. per week extra; more than twenty, including apprentices, 18s. per week extra.

(b) Working in wet places 1½d. per hour extra.

Working in confined spaces 3d. per hour extra.

(c) Working for more than one hour in the shade in places where the temperature is raised by artificial means to between 115 and 130 degrees Fahrenheit, 1½d. per hour extra; in places where the temperature exceeds 130 degrees Fahrenheit, 3d. per hour extra. When work continues for more than two hours in temperatures exceeding 130 degrees Fahrenheit employees shall also be entitled to 20 minutes' rest after every two hours' work without deduction of pay. The temperature shall be decided by the foreman of the work after consultation with the employees who claim the extra rate.

(d) Working for more than one hour in places where the temperature is reduced by artificial means below 32° Fahrenheit, 1½d. per hour extra. Where the work continues for more than two hours employees shall be entitled to a rest period of 20 minutes every two hours without loss of pay.

(e) Dirty work, i.e., work which a foreman and workman shall agree is of an unusually dirty or offensive nature, 1½d. per hour extra.

(f) Compensation to the extent of damage sustained shall be made for work in which clothing or tools are damaged or destroyed by the use of acids.

(g) Except when dismissed for misconduct or when leaving of his own accord, a patternmaker employed for less than three weeks at a workshop or job shall, to the extent of 6s., be reimbursed by his employer any expense incurred in the carting of tools.

(h) Where more than one of the disabilities entitling a workman to extra rates exist on the same job the employer shall be bound to pay only one rate, viz., the highest for the disabilities so prevailing.

4. Employee Learning Higher Grade Work.—Where an employee is engaged on higher grade work at his own request for the purpose of learning such work, he shall be paid for the time he is so engaged for a period or periods not exceeding 30 days in all at his usual rate of pay prior to his being so engaged, and thereafter at the rate prescribed.

5. Apprenticeship.—(a) Youths shall not be engaged in the following occupations except under indentures of apprenticeship for the periods and subject to the conditions hereinafter prescribed :—

Patternmaking, electrical fitting, engineering fitting and turning, first and second class engineering machining, first-class welding, engineering blacksmithing, jobbing moulding and/or coremaking, sheet metal (first-class bench work) motor mechanic.

(*b*) In the trades immediately hereinafter mentioned the proportion of apprentices which may be taken by any employer shall be as follows :—

Mechanical engineering—one apprentice for every 3, or fraction of 3, tradesmen.

Electrical fitting—one apprentice for every 3, or fraction of 3, tradesmen.

Electrical mechanic—one apprentice for every 2, or fraction of 2, tradesmen.

Patternmaking—one apprentice for every 3, or fraction of 3, tradesmen.

Smithing—one apprentice for every 3, or fraction of 3, tradesmen.

Moulding—one apprentice for every 2, or fraction of 2, tradesmen.

(*c*) For the purpose of ascertaining the number of apprentices, the number of tradesmen shall be deemed to be the average number working during the immediately preceding six months, and in ascertaining such proportion, an employer actually working in any workshop shall be deemed to be a tradesman.

(i) The period of apprenticeship shall be as follows :—

If the apprentice when articled is under the age of 17 years, five years; if over the age of 17 years, four or five years, at the option of the contracting parties.

(ii) An employer especially qualified to teach apprentices may, with the consent of the Secretary for Labour, or of the State Apprenticeship Commission, employ a greater proportion of apprentices to tradesmen than hereinbefore specified.

(iii) Minors may be taken on probation for three months, and, if apprenticed, such three months shall count as part of their period of apprenticeship.

(iv) Until further order, any contract of apprenticeship hereafter made may contain the following provision :—

If through lack of orders 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.

This clause shall not apply to apprenticeship controlled by the State Apprenticeship Commission, but such Commission shall be free to adopt such schemes for suspension or cancellation of indentures as it may deem reasonable.

Wages.

(v) The minimum weekly rates of wage for apprentices shall be the under-mentioned percentages of the contemporaneous needs basic wage prescribed for the area in which they are employed, and in addition thereto the constant and war loading specified, and in all contracts of apprenticeship hereafter made the employer shall covenant to pay wages at not less than such rates.

—	Percentage of Needs Basic Wage.	Loading (Constant).	War Loading.	Total Wage Payable.	
				Within 20 miles of G.P.O., Melbourne Within 10 miles of G.P.O., Geelong or at Warrnambool and within Mildura and Gippsland Districts.	All other Parts of Victoria.
		Per Week. s. d.	Per Week. s. d.	s. d.	s. d.
Four and five-year terms—					
1st year	22½	0 0	0 9	21 6	21 0
2nd year	30	1 0	1 0	30 0	29 0
3rd year	45	1 6	1 6	45 0	43 6
4th year	75	2 0	2 3	74 0	71 6
5th year	95	2 0	3 0	93 6	90 6
Four-year terms—Apprenticeship commencing after the age of 17 years—					
1st year	26	0 0	0 9	25 0	24 0
2nd year	45	1 0	1 6	44 6	43 0
3rd year	75	2 0	2 3	74 0	71 6
4th year	95	2 0	3 0	93 6	90 6

The sum of 2s. 6d. per week shall be added to the above rates in the case of apprentice patternmakers.

The total wages of apprentices shall be calculated to the nearest sixpence, any broken part of sixpence in the result not exceeding threepence to be disregarded.

An employee who is under 21 years of age on the expiration of his apprenticeship and thereafter works as a minor in the occupation to which he has been apprenticed shall be paid at not less than the adult rate prescribed for that classification.

(vi) The ordinary hours of employment of apprentices shall be the same in each workshop as those of journeymen in the trade the apprentice is learning.

(vii) No apprentice under the age of 18 years shall be liable to work overtime unless he so desires.

(viii) No apprentice shall work under any system of payment by results.

(ix) Any apprentice who cannot complete his full term of apprenticeship before reaching his 22nd birthday may, by agreement with his master, serve as an apprentice until he reaches the age of 23 years.

(x) 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 the Determination for the trade, 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.

(xi) No employer shall, 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.

(xii) Apprentices attending technical colleges or schools and presenting reports of satisfactory conduct shall be reimbursed all fees paid by them.

(xiii) Apprentices shall be entitled to annual leave and sick leave in accordance with the provisions of clauses 10 (*a*) and 14 (A) of this Determination respectively.

6. Unapprenticed Male Juniors and Females.—(a) Subject to the exceptions hereinafter provided the minimum rates of wage for females and unapprenticed male juniors shall be the undermentioned percentages of the contemporaneous needs basic wage prescribed for the area in which they are employed and in addition thereto the constant loadings specified.

Wages per Week of 44 Hours.

—	Percentage of Needs Basic Wage.	Loading, (Constant).	War Loading.	Total Wage Payable. Within 20 miles of G.P.O., Melbourne Within 10 miles of G.P.O., Geelong or at Warrnambool and within Mildura and Gippsland Districts.	Total Wage Payable. All other Parts of Victoria.
		s. d.	Per Week. s. d.	s. d.	s. d.
I.—Adult Females.					
Under three months' experience	65	3 0	..	63 6	61 6
All others	75	3 0	..	72 6	70 6
II.—Junior Females.					
17 years of age and under	40	1 0	..	38 0	37 0
18 years of age	47½	1 3	..	45 6	44 0
19 years of age	55	1 6	..	52 6	51 0
20 years of age	62½	2 0	..	60 0	58 0
III.—Male Junior Labour.					
Under 16 years of age	25	0 6	..	23 6	23 0
16 years of age	35	0 9	..	33 6	32 0
17 years of age	47½	1 0	..	45 0	43 6
18 years of age	60	1 0	..	57 0	55 0
19 years of age	75	2 0	..	71 6	69 6
20 years of age	90	2 0	..	85 6	83 0
IV. Junior Males (Foundries).					
Under 16 years of age	25	0 6	1 0	24 6	24 0
16 years of age	33	0 9	1 9	33 0	32 0
17 years of age	60	1 0	3 0	60 0	58 0
18 years of age	75	2 0	4 0	75 6	73 6
19 years of age and over	90	2 6	4 6	90 6	88 0

Provided that the rate payable to any employee shall not, excluding the constant loading, be less than 20s.

The rates shall be calculated to the nearest sixpence, any broken part of sixpence in the result not exceeding threepence to be disregarded.

(b) Except in the case of employees in foundries, the minimum rate payable to a junior female of any age or a junior male of eighteen years or more each with less than six months' experience in the Metal Trades industry shall, until he or she has had six months' experience, be 10 per cent. less than the amount represented by the percentage of the needs basic wage hereby prescribed for a junior employee of his or her age and in addition thereto the constant loading prescribed for such an employee.

7. Hours of Employment.—The ordinary hours of employment shall be 44 per week, to be worked except as to shift workers between the hours of 7 a.m. and 5.30 p.m. on Monday to Friday inclusive and 7 a.m. to noon on Saturday. Provided that the spread of hours herein prescribed may be altered by mutual agreement between an employer and his employees, and also that the weekly hours may be worked in five days.

8. Overtime.—(a) For all work done outside ordinary hours the rates of pay shall be time and a half for the first four hours and double time thereafter, such double time to continue until the completion of the overtime work. Provided that in the case of an apprentice or a junior, the rate for overtime shall be not less than the rate herein prescribed or 1s. 6d. per hour, whichever is the higher.

(b) An employee, other than a casual employee, after the completion of overtime work performed after his usual ceasing time shall be entitled to be absent until he has had eight consecutive hours off duty, without deduction of pay for ordinary time of duty occurring during such absence.

If, on the instructions of his employer, an employee resumes work without having had such eight hours off duty, he shall be paid at double rates until he is relieved from duty to take such rest period, and he shall then be entitled to be absent until he has had eight consecutive hours off duty without deduction of pay for ordinary time of duty occurring during such absence.

(c) Except as otherwise provided in paragraphs (a) and (b) hereof, in computing overtime each day's work shall stand alone.

(d) An employee recalled to work overtime after leaving his employer's business premises shall be paid for a minimum of three hours' work at the appropriate rate for each time he is so recalled: Provided that, except in the case of unforeseen circumstances arising, the employee shall not be required to work the full three hours if the job he was recalled to perform is completed within a shorter period.

(e) Subject to any custom now prevailing under which an employee is required regularly to hold himself in readiness for a call back, an employee required to hold himself in readiness to work after ordinary hours shall, until released, be paid standing-by time at ordinary rates from the time from which he is so to hold himself in readiness.

(f) For work done during meal hours and thereafter until a meal hour break is allowed, time and a half rates shall be paid. An employee shall not be compelled to work for more than six hours without a break for a meal.

(g) An employee working overtime shall be allowed a crib time of twenty minutes without deduction of pay after each four hours of overtime work, if the employee continues work after such crib time.

(h) Unless the period of overtime is less than one and a half hours an employee before starting overtime after working ordinary hours shall be allowed a meal break of twenty minutes which shall be paid for at ordinary rates. An employer and employee may agree to any variation of this provision to meet the circumstances of the work in hand provided that the employer shall not be required to make any payment in respect of any time allowed in excess of twenty minutes.

(i) An 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 2s. and 1s. 3d. for each subsequent meal, 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 as above prescribed for meals so provided.

(*j*) Subject to the provisions of the second part of sub-clause (*f*) of this clause, an employee employed as a regular maintenance man shall work during meal breaks at the ordinary rates herein prescribed whenever instructed to do so for the purpose of making good breakdowns of plant or upon routine maintenance of plant which can only be done while such plant is idle.

(*k*) When an employee works overtime or a shift for which he has not been regularly rostered finishes work at a time when reasonable means of transport is not available, the employer shall provide him with a conveyance or pay him his current wage for the time occupied in reaching his home.

9. SHIFT WORK.—(1) In this clause—

"Afternoon shift" means any shift finishing after 6 p.m. and at or before midnight.

"Continuous work" means work carried on with consecutive shifts of men throughout the 24 hours of each of at least six consecutive days without interruption except during breakdowns or meal breaks or due to unavoidable causes beyond the control of the employer.

"Night shift" means any shift finishing subsequent to midnight and at or before 8 a.m.

"Rostered shift" means a shift of which the employee concerned has had at least 48 hours' notice.

Continuous Work Shifts.

(2) (*a*) This sub-clause shall apply to shift-workers on continuous work as hereinbefore defined.

(*b*) The ordinary hours of shift-workers shall not exceed—

(i) 8 in any one day; or
(ii) 48 in any one week; or
(iii) 88 in 14 consecutive days; or
(iv) 176 in 28 consecutive days.

(*c*) Subject to the following conditions, shift-workers shall work at such times as the employer may require:—

(i) a shift shall consist of eight hours, inclusive of crib time;
(ii) except at the regular change-over of shifts, an employee shall not be required to work more than one shift in each 24 hours;
(iii) twenty minutes shall be allowed to shift-workers each shift for crib which shall be counted as time worked.

(*d*) Shift-workers on continuous work whilst on afternoon or night shifts, shall be paid 7½ per cent. more than ordinary rates for such shifts.

(*e*) Shift-workers for work done on a rostered shift, the major portion of which is performed on a Sunday or a holiday, shall be paid at the rate of time and a half.

Shift Work in other than Continuous Work.

(3) (*a*) This sub-clause shall apply to shift-workers not upon continuous work as hereinbefore defined. The ordinary hours of such shift-workers shall not exceed—

(i) 44 in any week to be worked in five shifts of 8 hours 48 minutes, on Monday to Friday inclusive or five shifts of 8 hours and one shift (Saturday) of 4 hours, or
(ii) 88 in 14 consecutive days in which case an employee shall not, without payment for overtime, be required to work more than eight consecutive hours on any shift or more than six shifts in any week, or
(iii) 132 in 21 consecutive days in which case an employee shall not, without payment of overtime, be required to work more than eight consecutive hours on any shift or more than six shifts in any week.

(*b*) Such ordinary hours shall be worked continuously except for meal breaks at the discretion of the employer. An employee shall not be required to work for more than six hours without a break for a meal.

(*c*) Except at regular change over of shifts an employee shall not be required to work more than one shift in each 24 hours.

(*d*) Shift-workers whilst on afternoon or night shifts shall be paid 10 per cent. more than the ordinary rates for such shifts.

(*e*) Subject to this sub-clause, shift-workers for all time worked on a Sunday or holiday shall be paid at the rates prescribed by clause 10 of this Determination. Where shifts commence between 11 p.m. and midnight on Sundays and/or holidays, the time so worked before midnight shall not entitle the employee to the Sunday or holiday rate: Provided that the time worked by an employee on a shift commencing before midnight on the day preceding a Sunday or holiday and extending into a Sunday or holiday shall be regarded as time worked on such Sunday or holiday.

Shift Work Generally.

(4) (*a*) Shift-workers for all time worked in excess of or outside the ordinary working hours prescribed by this Determination or on a shift other than a rostered shift shall—

(i) if employed on continuous work be paid at the rate of double time; or
(ii) if employed on other shift work at the rate of time and a half for the first four hours and double time thereafter; except in each case when the time is worked—
(iii) by arrangement between the employees themselves;
(iv) for the purpose of effecting the customary rotation of shifts; or
(v) is due to the fact that the relief man does not come on duty at the proper time.

Provided that when not less than eight hours' notice has been given to the employer by the relief man that he will be absent from work and the employee whom he should relieve is not relieved the unrelieved employee shall be paid at the rate of time and a half for the first four hours on duty after he has finished his ordinary shift and at the rate of double time thereafter except where the employee is required to continue to work on his rostered day off when he shall be paid double time.

(*b*) Shift-workers who work on any afternoon or night shift which does not continue for at least five successive afternoons or nights in a five-day workshop or for at least six successive afternoons or nights in a six-day workshop shall be paid at the rate of time and a half.

(*c*) A shift-worker who, during a period of engagement on shift, works only on night shift and without some regular rotation with some other shift or with day work shall be paid at the rate of time and a quarter for all time worked during ordinary working hours.

(*d*) The method of working shifts may in any case be varied by agreement between the employer and the accredited representatives of the union to suit the circumstances of the establishment.

10. HOLIDAYS AND SUNDAY WORK.— (*a*) Employees shall be entitled to the following public holidays (without pay except as hereinafter provided):—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day and Boxing Day or such other day as is generally observed in the locality as a substitute for any of the said days respectively.

(*b*) By agreement between an employer and his employees, other holidays may be substituted for the said days or any of them as to such employer's undertaking.

(*c*) Employees shall be paid at the rate of double ordinary time for work done on Sundays and public holidays, such double time to continue until the employee has been relieved from duty for at least 8 hours. Provided that the employee shall not be paid for the time he is resting.

Provided further that employees engaged in repairs to or renewals of their employer's plant and machinery necessary for resumption of work the next following working day or for maintaining the continuity of electric light and power (not including the installation of new machinery) shall on Sundays or holidays be paid at the rate of time and a half.

(*d*) Employees, other than on shift or engaged in maintaining the continuity of electric light and power, required to work on Sundays or public holidays shall be paid a mimimum of 3 hours' work.

10A. Annual Leave.—(a) A period of seven consecutive days' leave shall be allowed annually to all employees after twelve months' continuous service (less their period of annual leave) in any one or more of the occupations to which this Determination applies.

(b) In addition to the leave hereinbefore prescribed seven-day shift workers, that is shift workers who are rostered to work regularly on Sundays and holidays shall be allowed seven consecutive days' leave including non-working days.

(c) 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) hereof increased by half a day for each month he is continuously engaged as aforesaid.

(d) 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 due 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.

(e) 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.

(f) 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.

(g) Each employee before going on leave shall be paid a week's wage except a seven-day shift worker who shall also 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 (f) hereof the week's wage shall be at the rate prescribed by clauses 2, 5 and 6 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 the employee employed on piece or bonus work or any other system of payment by results shall be at time rates.

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

(i) Where leave has been granted to an employee pursuant to sub-clause (e) 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.

(j) 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.

(k) 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.

(l) 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 there shall be added to that period one day for each such holiday falling as aforesaid.

(m) 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.

(n) Where the employer is a successor or assignee or transmittee 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 transmittee 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.

11. Shop Stewards.—Shop stewards appointed by employees in each workshop shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees whom they represent.

12. Right of Entry of Union Officials.—A duly accredited union representative 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:—

(a) That he produces his authority to the gatekeeper 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 in all be in any workshop at any one time.

(d) That no one representative visit a workshop more than once in each week.

(e) 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 the Secretary for Labour.

(f) 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. Travelling Time Allowance and Board.—(a) All fares and reasonable travelling expenses—including the cost, if any, incurred for meals—incurred by an employee during travelling shall be paid by the employer. The fares shall be first class on coastal boats, or on inter-state boats, where there is no second class distinct from steerage. On trains where the employee has to travel all night, sleeping accommodation shall be provided where available.

(b) Time occupied in travelling during the ordinary working hours of the factory in which the employee works shall be paid for at ordinary rates.

(c) If an employee has to be away from his home over night he shall be allowed reasonable cost of board and lodging.

(d) When it is more convenient for the employee in the city or town in which his employer's factory is situated to go direct to the job from his home he shall do so, and start and cease work at the usual time customary at the shop. Provided that any extra expense incurred by him in travelling shall be borne by the employer.

14. Contract of Employment.—*Weekly Employment.*—(a) Except as hereinafter provided employment shall be by the week. Any employee not specifically engaged as a casual employee shall be deemed to be employed by the week.

(b) Employment shall be terminated by a week's notice on either side given at any time during the week or by the payment or forfeiture of a week's wages as the case may be. This shall not affect the right of the employer to dismiss an employee without notice for malingering, inefficiency, neglect of duty or misconduct and in such cases the wages shall be paid up to the time of dismissal only or to deduct payment for any day the employee cannot be usefully employed because of any strike or through any breakdown in 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 except as provided by clause 14A of this Determination lose his pay for the actual time of such non-attendance.

Casual Employment.—A casual employee is one engaged and paid as such. A casual employee for working ordinary time shall be paid per hour one-fortieth of the weekly rate prescribed by this Determination for the work which he or she performs.

14A. SICK LEAVE.—(a) An employee on weekly hiring who is absent from his work on account of personal illness, or on account of an 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.

(ia) He shall, within 24 hours of the commencement of such absence, inform the employer of his inability to attend for duty and, as far as practicable, state the nature of the injury or illness, and the estimated duration of the absence.

(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) hereof an employer may 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 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.

(c) For the purposes of this clause "year" means the period between the 1st day of March in each year and the next 28th or 29th day of February as the case may be.

15 PAYMENT OF WAGES.—(a) Wages shall be paid weekly. Where the services of an employee are dispensed with, wages shall be paid to him on the day of dismissal or forwarded to him by post on the day following.

(b) An employee kept waiting for his wages on pay day for more than a quarter of an hour after the usual time for ceasing work shall be paid at overtime rates after that quarter of an hour with a minimum of a quarter of an hour.

16. TIME AND WAGES BOOK.—Each employer shall keep a time and wages book showing the name of each employee and his occupation, the hours worked each day and the wages and allowances paid each week.

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.

The time and wages book shall be open for inspection to a duly accredited official of a union concerned during the usual office hours at the employer's office or other convenient place. Provided that no inspection shall 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 further that only one demand for such inspection shall be made in any one fortnight at the same establishment. The officer making such inspection shall be entitled to take a copy of the entry in the time and wages book relating to such suspected breach of the Determination.

17. PAYMENT BY RESULTS.—Subject to the minimum wages herein prescribed, an employer may remunerate 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 cent. in excess of their prescribed hourly or weekly rates.

18. MISCELLANEOUS.—(a) *Tools.*—The employer shall provide for each employee such tools as were customarily provided at the time of the making of this Determination, and for sheet metal workers, snips used in the cutting of stainless steel, Monel metal and similar hard metals. The employee shall replace or pay for any tools so provided if lost through his negligence.

(b) (1) Suitable asbestos sheet and coloured glasses shall be provided by employers for the protection of electric arc and oxy acetylene operators and their assistants, and suitable mica or other goggles for emery wheel operators.

(2) Suitable canvas or leather gloves shall be provided by employers for the operators of pneumatic tools and/or punch and shearing machines.

(c) Patternmakers at the conclusion of their employment shall be allowed one hour for grinding tools.

(d) Employers shall provide proper washing and sanitary conveniences.

19. NOTICE BOARD.—Employers shall permit a notice board of reasonable dimensions to be erected in a prominent position in their establishments upon which representatives of the unions shall be permitted to post notices of union meetings.

20. POSTING DETERMINATION.—A copy of this Determination shall be kept posted in a prominent position by the employer.

21. MIXED FUNCTIONS.—(a) Except as hereinafter provided an employee engaged for more than half of one day or shift on duties carrying a higher rate than his ordinary classification shall be paid the higher rate for such day or shift. If for less than half of one day or shift he shall be paid the higher rate for the time so worked.

(b) An employee engaged on any day on different grades of work under a system of payment by results in accordance with clause 17 of this Determination shall as to minimum rates be paid at the rates prescribed for time actually worked in each grade.

22. EXTRA RATES NOT CUMULATIVE.—Extra rates prescribed in this Determination are not cumulative so as to exceed the maximum of double the ordinary rates.

23. DEFINITIONS.—

(a) "Assembler" means any adult person employed in putting together parts of any agricultural machinery covered by this Determination which have been previously fitted. The removal of burrs or rags shall not be deemed to be fitting.

(b) "Bench hand—1st Class" means an adult workman working to scaled prints or drawings or applying general trade experience or knowledge to the making of completed articles and/or the erection and installation thereof.

(c) "Bench hand—2nd Class" means an adult workman working at the bench in the making and/or repairing of completed articles not calling for the use of prints or drawings or measurements.

(d) "Confined space" means a working place, the dimensions of which necessitate an employee working in a stooped or otherwise cramped position, or without proper ventilation, or where confinement within a limited space is productive of unusual discomfort.

(e) "Furnaceman" means an employee in charge of a furnace used for smelting metals or ores, boiler plate furnaces, case hardening and/or annealing furnaces, and such heating furnaces where the weight of individual pieces of material is 5 cwt. or more or the area of the material exceeds 4 square feet.

(f) "Jobbing coremaker" means a moulder engaged in making cores for metal moulds by the use of loam or strickle boards, or by loose boxes, other than loose boxes used for repetition production of cores requiring little or no skill to produce.

(g) "Jobbing moulder" means a metal moulder engaged in floor moulding, loam moulding, strickle moulding and/or finishing off bath moulds made by a machine process.

(h) "Machine coremaker" means an adult employee making cores by machines where the core box is a fixture to or part of such machine, or making repetition cores requiring little or no skill to produce.

(*i*) "Machinist—1st Class" means a tradesman who is partly or wholly engaged in setting up and operating the following machines:—Lathe, boring machine, milling machine, planing machine, shaping machine, slotting machine, and grinding machine.

(*j*) "Machinist—2nd Class" means an adult not engaged as a tradesman and who is not required to work from drawings or prints required to be scaled and/or measured from drawings or prints or to make precision measurements, but who is engaged in operating or in the setting up and operating of machines enumerated in the definition of 1st class machinist; or who is engaged operating a key-seating machine, or as a pipe fitter on low pressure work.

(*k*) "Machinist—3rd Class" means a machinist, not being a process worker, who operates any machine set up by a tradesman or any machine, the setting up of which does not require the knowledge or skill of a 2nd class machinist.

(*l*) "Motor mechanic" means an adult employee engaged in making, repairing, altering, assembling (except for the first time in Australia) or testing the metal parts (including electric) of the engines of motor vehicles.

(*m*) "Patternmaker" means a tradesman engaged in the making of patterns in wood.

(*n*) "Plate and machine moulder" means an adult employee engaged in moulding on the plate system or by machines where the pattern is either a fixture to the plate or the spray system is used.

(*o*) "Plough fitter" means an employee engaged in fitting harrows, scarifiers, drag harrows, disc ploughs, mould board ploughs, disc cultivators, tooth cultivators, rollers or stump extractors.

(*p*) "Process worker" means an employee engaged on—

(i) Repetition work on any automatic, semi-automatic, or single purpose machine or any machine fitted with jigs, gauges, or other tools rendering operations mechanical (and in connexion with which he is not responsible for the setting up of the machine nor for the dimensions of the products other than by checking with gauges, which gauges shall be either unadjustable or, if adjustable, shall not be set by the operator); or

(ii) in the assembling of parts of mechanical appliances or other articles so made, in which no fitting or adjustment requiring skill is required; or

(iii) in specialized processes—not requiring use of hand tools except hammers, pliers, screwdrivers, spanners, and files, and such tools as are necessary for deburring or removing rags or edging.

(*q*) "Sunday" means all time between midnight Saturday and midnight Sunday.

(*r*) "Toolmaker" means a tradesman making and/or repairing any precision tool, gauge, die, or mould to be affixed to any machine, who designs or lays out his work and is responsible for its proper completion.

(*s*) "Welder—1st Class" means an adult employee using electric arc or acetylene blowpipe or coal gas cutting plant on work other than filling castings, cutting scrap metal, using jigs or doing work covered by definitions of 2nd and 3rd class welder, and includes re-welding by hand processes.

(*t*) "Welder—2nd Class" means an adult employee not required to do 1st class welding but engaged in filling castings or in manufacturing of sheet metal goods or welding with the aid of jigs, or re-welding except by hand processes, or operating automatic welding machines for the setting up of which he is not responsible.

(*u*) "Welder—3rd Class" means an adult employee using electric spot or butt welding machine or cutting scrap with oxy-acetylene blowpipe.

(*v*) "Wet place" means a place in which water is continually dripping from overhead to such an extent as to saturate the clothing of a workman, or a place where water accumulates underfoot to a depth exceeding two inches.

24. Periodical Adjustment of Wages.—The wages rates set out in clause 2 are based upon the following basic wage rates and, pursuant to 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 rates.

The basic wage rates shown hereunder shall be adjusted as prescribed in clause 25.

Basic Wage.

Place.	Needs Basic Wage (Adjustable).	Loading (Constant).	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Victoria— Within 20 miles of G.P.O., Melbourne, 10 miles of G.P.O., Geelong, or at Warrnambool, and within Mildura and Gippsland Districts.	4 13 0	6 0	4 19 0	Melbourne
Elsewhere—3s. less than the contemporaneous basic wage for Melbourne				

25. Adjustment of Basic Wage.—(*a*) Until the beginning of the first pay period to commence in November, 1943, the amounts of the basic wage shall be as prescribed in clause 24.

(*b*) During each future successive period beginning with the first pay period to commence in a November, a February, a May, o an August, the amounts 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 24.

(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 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.

Table.

Index Number Divisions.	Basic Wage.	Index Number Divisions.	Basic Wage.
	£ s. d.		£ s. d.
994–1006	4 1 0	1118–1129	4 11 0
1007–1018	4 2 0	1130–1141	4 12 0
1019–1030	4 3 0	1142–1154	4 13 0
1031–1043	4 4 0	1155–1166	4 14 0
1044–1055	4 5 0	1167–1179	4 15 0
1056–1067	4 6 0	1180–1191	4 16 0
1068–1080	4 7 0	1192–1203	4 17 0
1081–1092	4 8 0	1204–1216	4 18 0
1093–1104	4 9 0	1217–1228	4 19 0
1105–1117	4 10 0	1229–1240	5 0 0

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

26. Marginal Rates.—In addition to the basic wage provided in clause 24 of this Determination the following margins and loadings shall be the minimum rates payable to male adults engaged in the occupations named :—

—	Margin per Week.	Loading per Week.
	s. d.	s. d.
Division I.—Agricultural Implement Section.		
(a) Assembly, Fitting, and Process Working.		
Assemblers	10 0	3 0
Assemblers after two years' experience	14 0	3 0
Carpenters on agricultural implement making (including tool allowance)	23 0	4 0
Dismantlers	9 0	3 0
Implement and/or comb fitters	18 0	3 0
Implement and/or comb fitters after two years' experience	20 0	4 0
Pattern fitters and finishers	20 0	4 0
Plough fitters	16 0	3 0
Process workers	8 0	3 0
Wheel rimmers	18 0	3 0
Windmill erectors	18 0	3 0
Windmill makers other than fitters	17 0	3 0
(b) Blacksmithing, &c.		
Blacksmith's striker	9 0	3 0
Blacksmith's striker on double fires	11 0	3 0
Bulldozer operator	15 0	3 0
Hammer drivers	11 0	3 0
Heater	9 0	3 0
Implement smith of five years' experience able to do all classes of implement work	23 0	4 0
Other smiths (including iron benders)	20 0	4 0
(c) Dressing, Grinding, and Pickling.		
Chippers	9 0	3 0
Dressers and fettlers	11 0	3 0
Emery-wheel attendants	11 0	3 0
Grinders	11 0	3 0
Grinders using portable machine	13 0	3 0
Pickler	6 0	3 0
Shot and sand blast dressers	13 0	3 0
(d) Furnacemen.		
Cupola	18 0	3 0
Electric	17 0	3 0
All other furnaces (not including small rivet or bolt heating)	15 0	3 0
Small rivet or bolt heating	11 0	3 0
Assistants	9 0	3 0
(e) Foundry.		
Jobbing moulder and/or coremaker	30 0	6 0
Loose pattern moulder	23 0	6 0
Plate and machine moulder and/or coremaker	15 0	6 0
Employees in foundries not specified in this subdivision but classified in subdivisions (c) or (d) shall be paid a loading of 6s. per week in lieu of the loading specified therein.		
(f) Inspection, &c.		
Checkers	11 0	3 0
Inspectors	11 0	3 0
(g) Machinists.		
1st class	30 0	6 0
2nd class	20 0	4 0
3rd class	14 0	3 0
Drillers	11 0	3 0
Process workers	8 0	3 0
(h) Painting, &c.		
Dippers	6 0	3 0
Painters (brush hand)	9 0	3 0
Paint mixers	6 0	3 0
Spray painters	10 0	3 0
Writers and liners	18 0	3 0
(i) Sheet Metal.		
Bench hand—1st class	30 0	6 0
Bench hand—2nd class	20 0	4 0
(j) Stores.		
Storemen and/or packers	9 0	3 0
(k) Welders.		
1st class	33 0	6 0
2nd class	14 0	3 0
3rd class	10 0	3 0
Tack welders	12 0	3 0
(l) Wire Workers.		
Wire drawers	9 0	3 0
Wire weavers	9 0	3 0
Division II.—Electrical.		
Electrical mechanics	27 0	9 0
Shift electrician	30 0	6 0
Tradesmen, electrical fitters	30 0	6 0
Tradesmen's and electrical mechanic's assistant	9 0	3 0

—	Margin per Week.	Loading per Week.
	s. d.	s. d.
Division III.—Engineering.		
Electrical fitters	30 0	6 0
Machinist—1st class	30 0	6 0
Machinist—2nd class	20 0	4 0
Machinist—3rd class	14 0	3 0
Motor mechanics	27 0	6 0
Patternmakers	39 0	5 0
Toolmakers	36 0	10 0
Tradesman	30 0	6 0
Tradesmen, the greater part of whose time is occupied in marking off	33 0	6 0
Tradesmen, wet stone grinders, and glaziers	30 0	6 0
Division IV.—Engineering Smithing.		
Coppersmiths	31 0	6 0
Forgers and/or faggoters	42 0	6 0
Forgemen's assistants	11 0	3 0
Other smiths	31 0	6 0
Toolsmiths	33 0	6 0
Division V.—Wood Mill.		
Band sawyers	16 0	2 0
Bending machinists	13 0	2 0
Boring and drilling machinists	9 6	1 6
Buzzer machinists (only operating or feeding machines)	5 6	1 6
Buzzer machinists (using straight irons and setting up machines and grinding knives and cutters)	18 6	2 6
Casemakers	15 0	2 0
Casemaking sawyers	6 6	1 6
Circular sawyers	16 0	2 0
Crosscut sawyers	9 6	1 6
Morticing machinists	9 6	1 6
Moulding machinists (where the machinists set up their machines only)	17 0	2 0
Moulding machinists (where the machinists set up their machines and grind their knives and cutters)	23 6	2 6
Pulling out machinists	8 6	1 6
Sanding machinists	13 0	2 0
Saw doctors	36 0	3 0
Shaper machinists	27 0	3 0
Stackers	8 6	1 6
Tenoning machinists (only operating or feeding machines)	7 6	1 6
Tenoning machinists (using straight irons and setting up machines and grinding knives and cutters)	20 6	2 6
Thicknesser machinists	12 0	2 0
Turners	27 0	3 0
Division VI.—Miscellaneous.		
Belt makers and cutters	16 0	4 0
Carpenters (other than agricultural implement making)	31 0	6 0
Curriers	24 0	4 0
Employee not elsewhere classified	Nil	3 0

A. V. BARNS, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 16th September, 1943.

By Authority: H. E. Daw, Government Printer, Melbourne.

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GOVERNMENT GAZETTE.

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No. 204] TUESDAY, SEPTEMBER 21. [1943

Factories and Shops Acts.

BREAD TRADE BOARD.

NOTES (i).—On 19th September, 1943, the application of this Determination was as follows:—

(*a*) Clauses (1) to (14) inclusive applied to the Metropolitan District as defined in the Factories and Shops Acts, and the Order in Council thereunder, and such portion of the City of Sandringham as is not included within the said District; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; the boroughs of Eaglehawk and Sebastopol; the township of Kangaroo Flat, in the shires of Marong and of Strathfieldsaye; the township of Spring Gully, in the shire of Strathfieldsaye; and such portions of the shire of South Barwon and of the Moorpanyal Riding of the shire of Corio as are within a radius of 5 miles of the Geelong Post Office.

(*b*) Clause (1) and clauses (15) to (25) inclusive applied to the whole of the State *outside and excepting* those parts enumerated in the preceding paragraph.

(ii) On 31st May, 1938, the Bread Board, the Country Bread Board, and the Provincial Bread Board, were deprived of the power to "determine the lowest prices or rates of payment for bread making or baking," and such power was conferred exclusively on the Bread Trade Board.

(iii) The Board has prescribed a form of apprenticeship indenture.

(iv) Breadmaking and baking were proclaimed on 12th December, 1938, as Apprenticeship Trades under the *Apprenticeship Act* 1928 for the Metropolitan District.

Full particulars of the apprenticeship regulations for these trades may be obtained on application to the Secretary, Apprenticeship Commission, Gisborne-street, Melbourne. (Price 3d.)

IN THE INDUSTRIAL APPEALS COURT.

In the matter of the Determination of the Bread Trade Board, dated the 9th June, 1943, and published in the *Victoria Government Gazette* on the 16th June, No. 116 of 1943,

and

In the matter of Appeals by the representatives of the employers and of the employees on the said Board.

(Before His Honour Judge Stretton, Mr. C. H. Grant, and Mr. J. V. Stout.)

Friday, the 13th day of August, 1943.

These Appeals coming on for hearing by this Court on the 28th day of June, 1943, and on subsequent days UPON READING the appeals and UPON HEARING Dr. Ellis of counsel for the employers, and Mr. P. J. Shechan for the employees:

THIS COURT DOTH ORDER AND DETERMINE:—

(1) That on and after the 19th September, 1943, the abovementioned Determination of the Bread Trade Board shall be revoked and replaced by this Determination as to "the lowest prices or rates of payment for bread making or baking".

WITHIN THE AREA SET OUT IN NOTE (i) (a).

(2) WAGES.—

* Apprentices.	Per Week of 44 Hours. s. d.
1st Year—	
1st six months ..	28 0
2nd " ..	28 9
2nd Year—	
1st six months ..	30 10
2nd " ..	34 6
3rd Year—	
1st six months ..	39 4
2nd " ..	46 5
4th Year—	
1st six months ..	54 3
2nd " ..	63 6
5th Year—	
1st six months ..	74 8
2nd " ..	87 2
and thereafter the minimum wage.	
PROPORTION (within any factory or place). One apprentice to every three or fraction of three workers receiving not less than 139s. 4d. per week of 44 hours.	

* Improvers.	Per Week of 44 Hours. £ s. d.
1st six months ..	
2nd " ..	
3rd " ..	
4th " ..	5 19 8
5th " ..	
6th " ..	
7th " ..	
8th " ..	
and thereafter the minimum wage.	
PROPORTION (within any factory or place). One improver to every eight workers receiving not less than 139s. 4d. per week of 44 hours.	

Other Employees. —	Foremen or Single Hands.	Dough-makers.	All others engaged in the making and/or baking of bread.
	Per Hour. s. d.	Per Hour. s. d.	Per Hour. s. d.
Ordinary Days.			
Between 4 a.m. and 4 p.m. ..	3 4½	3 2	3 2
Double Days.			
Between midnight and noon ..	3 4½	3 2	3 2
Treble Days.			
Between 10 p.m. of previous day and noon.	3 4½	3 2	3 2

* Except those subject to the jurisdiction of the Apprenticeship Commission.

(3) LIMITATION OF HOURS OF EMPLOYMENT.—No employee shall be employed at bread making or baking, as defined in the Factories and Shops Acts during the hours specified hereunder, viz.:—

(a) (i) Between the hours of 4 p.m. on the day preceding an ordinary day and 4 a.m. on such ordinary day, and,
(ii) after 4 p.m. on such ordinary day.

(b) (i) between the hour of 4 p.m. and midnight on the day preceding a double or between the hours of 4 p.m. and 10 p.m. on the day preceding a treble day, and,
(ii) after noon on such double or treble day.

(c) (without affecting the generality of the foregoing), between the hours of 12 noon on the Monday preceding the third Wednesday in January and 4 a.m. on the next succeeding Thursday.

(4) HOURS OF WORK.—That the number of hours to be worked on each day (including the time spent at the doughmaking necessary for such day's work) shall be:—

—	Apprentices.	Other Employees.
Ordinary days	7 hours	7 hours
Double days	9 "	10 "
Treble days	9 "	10 "

(5) OVERTIME.—(a) That any employee (other than an apprentice) who works either—

(i) for any time in excess of the number of hours fixed in clause 4, or alternatively,

(ii) during any week for any time in excess of 44 hours,

shall be paid for such extra time at the wages rate of double time.

(b) That any apprentice who works on any one day for any time in excess of the number of hours fixed in clause 4 shall be paid for such extra time at the rate of 5s. per hour.

(6) WEEKLY HOURS.—That the number of hours to constitute an ordinary week's work shall be 44.

(7) TIME RATE.—(a) That any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall be paid, for time worked up to 22 hours, at the ordinary wages rate with an addition of 33 per centum.

For time worked beyond the 22 hours aforesaid, he shall be paid the ordinary wages rate up to but not exceeding the rate prescribed by this Determination for an ordinary week's work, together with any overtime rate which is applicable.

(b) In addition to any other rate to which he is entitled, any person employed for not more than 22 hours in any one week shall be paid, in respect of each night he is employed, fares from the Trades Hall, Melbourne, to his place of employment and return to the Trades Hall, Melbourne, by the cheapest means of regular rail, tram, or bus service available to him at the times of beginning or ending work as the case may be.

This shall include the fare charged by any available all-night service to employees travelling outside the times of ordinary services.

Provided that this sub-clause shall apply only to work done within the Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder and such portion of the City of Sandringham as is not included within the said District.

(8) SPECIAL RATES FOR PUBLIC HOLIDAYS.—That payment for all work done on New Year's Day, 26th January (Australia Day), Anzac Day, Good Friday, Easter Monday, 21st April (Labour Day), King's Birthday, Christmas Day, or Boxing Day shall be at the rate of time and a half; but if by Act of Parliament or Proclamation any other day be substituted for any of the above-named holidays, the special rate shall be payable only for work done on the day so substituted.

(9) UNION REPRESENTATIVE.—That the Secretary or the Assistant Secretary of the Operative Bakers' Union of Victoria shall have the right of entry to any bakehouse during the hours when such bakehouse is in use, shall be permitted to inspect the time-book and conditions relating to the persons employed therein, and interview employees where breaches or suspected breaches of this Determination are occurring or suspected of occurring.

(10) DEFINITIONS.—

(a) "Foreman" shall mean a person in charge of a bakehouse. No person shall be classed as a foreman unless he is a tradesman, and is present during substantially the whole of the working hours.

(b) "Double day" shall mean a day on which bread is baked to supply all the employer's customers for two days so as to obviate the necessity for any work being done on the following day.

(c) "Treble day" shall mean a day on which bread is baked to supply all the employer's customers for three or more days so as to obviate the necessity for any work being done on the following two days.

(d) The making of bread shall be deemed to mean each of the following acts:—

(i) the dividing of bread dough;
(ii) the weighing of bread dough;
(iii) the kneading or moulding of bread dough;
(iv) the placing of bread dough in boxes or tins or on trays.

(e) The baking of bread shall be deemed to mean:—

(i) the setting of dough in the oven;
(ii) the withdrawal of bread from the oven.

(11) ANNUAL LEAVE.—

(i) That any employee who has been in the service of an employer for a period of not less than twelve months shall be granted two weeks' holiday (exclusive of the holidays mentioned in Clause 8) in each year on full pay. Such holiday shall be given within three months of the completion of twelve months' service.

Fourteen days' notice shall be given by the employer to the employee before the latter commences his two weeks' holiday aforesaid.

(ii) Any employee who has been for not less than three months in an employer's service, and whose engagement is terminated, shall receive seven and one-third hours' holiday payment at his ordinary rate for each month spent in such employer's service.

(iii) During the continuance of the present war and for six months thereafter, by agreement between the employer and the Secretary or the Assistant Secretary of the Operative Bakers' Union of Victoria (or in default of such agreement, with the approval of the Secretary for Labour) it shall be permissible to pay an employee two weeks' extra wages in lieu of annual leave.

Such payment shall be made before the commencement of the annual leave period concerned.

(12) SICK LEAVE.—Any employee not attending for duty, who has had not less than twelve months' service with the same employer shall not lose his pay for the actual time lost if such employee produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the employer that his non-attendance was due to personal ill health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the grounds of personal ill health or accident for more than four days in each year.

(13) REST PERIODS.—That on double and treble days, employees shall be allowed two rest periods of ten minutes each which shall be counted as part of time worked. One of such rest periods shall be taken before the meal interval, and the other rest period shall be taken after the meal interval.

(14) MEAL INTERVAL.—That a meal interval of thirty minutes shall be allowed after the completion of not less than 2½ hours' work and not more than 5 hours' work.

WITHIN THE AREA SET OUT IN NOTE (I) (b).

(15) WAGES.—

Apprentices.		Improvers.		Other Employees.	
	Per Week of 44 Hours.		Per Week of 44 Hours.		
	s. d.		£ s. d.		
1st Year—		1st year	5 15 0	Foremen or single hands ..	3s. 3d. per hour, or 143s. 0d. per week of 44 hours.
1st six months ..	27 5	2nd „			
2nd „ ..	28 0	3rd „			
2nd Year—		4th „		Makers or bakers of rye bread, Vienna bread, or rolls	3s. 0½d. per hour, or 133s. 10d. per week of 44 hours.
1st six months ..	30 0			Doughmakers	
2nd „ ..	33 10	PROPORTION (within any factory or place).		Persons not provided for elsewhere in this Determination	
3rd Year—					
1st six months ..	38 4				
2nd „ ..	45 3	One improver to every eight workers receiving not less than 133s. 10d. per week of 44 hours.			
4th Year—					
1st six months ..	52 10				
2nd „ ..	62 0				
5th Year—					
1st six months ..	73 0				
2nd „ ..	85 2				
and thereafter the minimum wage.					
PROPORTION.					
One apprentice to every three or fraction of three workers receiving not less than 133s. 10d. per week of 44 hours.					

(16) OVERTIME.—(*a*) That any employee (other than an apprentice) who works in any week for any time in excess of 44 hours shall be paid for such extra time at the rate of time and a half.

(*b*) That any apprentice who works in any week for any time in excess of 44 hours shall be paid for such extra time at the rate of time and a half for the first four hours, and thereafter at the rate of double time.

(17) WEEKLY HOURS.—That the number of hours to constitute an ordinary week's work shall be 44.

(18) TIME RATE.—That any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall be paid, for time worked up to 22 hours, at the ordinary wages rate with an addition of 33 per centum.

For time worked beyond the 22 hours aforesaid, he shall be paid the ordinary wages rate up to but not exceeding the rate prescribed by this Determination for an ordinary week's work.

(19) UNION REPRESENTATIVE.—That the Secretary or the Assistant Secretary of the Operative Bakers' Union of Victoria shall have the right of entry to any bakehouse during the hours when such bakehouse is in use, shall be permitted to inspect the time-book and conditions relating to the persons employed therein, and interview employees where breaches or suspected breaches of this Determination are occurring or suspected of occurring.

(20) SUNDAY WORK.—The Board determines, pursuant to the provisions of section 9, Act 4461, that, where a public holiday occurs upon a Tuesday, bread may be made or baked on the preceding Sunday after the hour of 8 p.m.

(21) SPECIAL RATES FOR PUBLIC HOLIDAYS.—That time and a half shall be the rate payable for all work done on New Year's Day, 26th January (Australia Day), Anzac Day, Good Friday, Easter Monday, 21st April (Labour Day), King's Birthday, Christmas Day, or Boxing Day; but if by Act of Parliament or Proclamation any other day be substituted for any of the above-named holidays, the special rate shall be payable only for work done on the day so substituted.

(22) ANNUAL LEAVE.—

(i) That any employee who has been in the service of an employer for a period of not less than twelve months shall be granted two weeks' holiday (exclusive of the holidays mentioned in Clause (21)) in each year on full pay. Such holiday shall be given within three months of the completion of twelve months' service.

Fourteen days' notice shall be given by the employer to the employee before the latter commences his two weeks' holiday aforesaid.

(ii) Any employee who has been for not less than three months in an employer's service, and whose engagement is terminated, shall receive seven and one-third hours' holiday payment at his ordinary rate for each month spent in such employer's service.

(iii) During the continuance of the present war and for six months thereafter, by agreement between the employer and the Secretary or the Assistant Secretary of the Operative Bakers' Union of Victoria (or in default of such agreement, with the approval of the Secretary for Labour) it shall be permissible to pay an employee two weeks' extra wages in lieu of annual leave.

Such payment shall be made before the commencement of the annual leave period concerned.

(23) SICK LEAVE.—Any employee not attending for duty, who has had not less than twelve months' service with the same employer shall not lose his pay for the actual time lost if such employee produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the employer that his non-attendance was due to personal ill health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the grounds of personal ill health or accident for more than four days in each year.

(24) MEAL INTERVAL.—That a meal interval of thirty minutes shall be allowed after the completion of not less than 2½ hours' work, and not more than 5 hours' work.

(25) DEFINITION.—"Foreman" shall mean a person in charge of a bakehouse. No person shall be classed as a foreman unless he is a tradesman, and is present during substantially the whole of the working hours.

By the Court,

REX L. CECIL,

Registrar.

Melbourne, 13th August, 1943.

By Authority: H. E. DAW, Government Printer, Melbourne.