



VICTORIA GOVERNMENT GAZETTE.

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[1943

Factories and Shops Acts.

DETERMINATION OF THE GENERAL BOARD.

(ABRASIVES SECTION.)

NOTES.—(a) This Determination applies to the whole of the State of Victoria.

(b) On 18th July, 1938, 11th November, 1940, and 30th September, 1941, respectively, by Orders in Council, the following additional trades and branches of trades were specified to be trades, or branches of trades, for the purposes of section (6) of the *Factories and Shops Act 1936*, that is to say:—

Gold beating.

Ornamenting cakes, where such work is not subject to the Determination of the Pastrycooks Board.

Manufacturing or preparing—

Designs for paper patterns or for other paper articles whatsoever.

Paper crackers or bon-bons.

Lamp-shades of all types other than those made of silk, parchment, glass, metal, porcelain, earthenware, synthetic resin, casein, or other substance of a nature similar to synthetic resin or casein.

Abrasive articles (other than abrasive paper or cloth), including carborundum wheels, emery wheels, and sharpening stones.

Articles made of feathers, including dress ornaments and boas.

Vinegar and yeast.

Carbon dioxide or other industrial gases for trade or sale in gas, liquid, or solid form.

Mineral earths by milling, grinding, or pulverizing rocks, earths, or clays other than mineral ores.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed "to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the following trades and branches of trades, that is to say:—

Renovating carpets;
Preparing feathers;
Treating flax;
Treating pyrites and other metalliferous ores;
Mixing seed and making poultry foods;
Glass badging;
Gold stamping;
Ivory working;
Show-card and ticket-writing;
Manufacturing or preparing—
Abrasive paper or cloth;
Asbestos articles;
Blue prints;
Buttons and buckles other than those subject to the Determination of the Plastic Moulding Board;
Button badges;
Carbon articles;
Chalk, crayons, or other articles from mineral earth;

Cinematograph film;
Composition flooring;
Cutlery;
Artificial flowers and bouquets;
Paper articles not subject to any Board heretofore appointed;
Honey;
Ink or adhesives;
Lead and shot;
Silk or parchment lamp shades;
Mica products;
Fishing and other nets;
Ornaments for cakes;
Plaster models;
Sporting goods not provided for under any Board heretofore appointed;
Surgical instruments;
Toys;
Watch cases"

has made, in respect of the manufacturing or preparing of:—

(a) Abrasive paper or cloth;

(b) Abrasive articles (other than abrasives paper or cloth), including carborundum wheels, emery wheels, and sharpening stones,

the following Determination, namely:—

1. That, on and after the 14th December, 1943, the last previous Determination for this section shall be revoked and replaced by this Determination.

No. 242.—13243/43.

2. WAGES PER WEEK OF 44 HOURS.

(a) Improvers.				(b) Other Employees.			
Males.		Females.		Abrasive Paper or Cloth.			
	s. d.		s. d.	Males.		Females.	
1st year's experience	20 6	1st six months' experience	16 6				
2nd "	28 9	2nd "	20 6				
3rd "	39 9	3rd "	24 3	Machine operators	104	0	
4th "	53 6	4th "	28 3	All others	98	0	
5th "	68 3	5th "	32 0				
6th "	79 0	6th "	36 3				
7th "	84 3	7th "	40 3				
		8th "	45 3				

and thereafter the minimum wage.

NOTE.—The rates prescribed for improvers shall apply only to such employees as are under 21 years of age, or who being over 21 years of age, are the holders of improvers' licences.

PROPORTION.

(a) Abrasive Paper or Cloth.

One improver to each person of the same sex receiving not less than the minimum wage.

(b) Abrasive Articles (other than Abrasive Paper or Cloth).

Two improvers to the first adult employed, and thereafter one improver to each adult.

PROHIBITION OF EMPLOYMENT.

3. The Board determines that no person shall be employed as an apprentice.

WEEKLY HOURS.

4. That the number of hours to constitute an ordinary week's work shall be 44.

TIMES OF BEGINNING AND ENDING WORK.

5. That the times of beginning and ending work for all persons except burners and shift-workers shall be:—

Time of Beginning (not earlier than)	Time of Ending (not later than)
7.30 a.m.	12 noon on Saturday.
7.30 a.m.	5.30 p.m. on the other working days of the week.

OVERTIME.

6. That all time worked—(a) By persons employed as burners or shift workers (in excess of 44 hours in any one week) shall be paid for at the rate of time and a quarter.

(b) By other persons employed—

- (i) Outside the times of beginning and ending work prescribed in clause 5; or
- (ii) Within such prescribed times, but in excess of 44 hours in any one week—

shall be paid for at the rate of time and a half for the first four hours' work, and double time thereafter. Provided that, in computing overtime, each day's work shall stand alone.

SHIFT WORK.

7. (a) The ordinary hours of 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 eight hours and one shift (Saturday) of four hours; or
- (ii) 88 in fourteen 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;
- (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. No employees except those covered by section 35 of the *Factories and Shops Act* 1928 shall 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 8 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.

(f) 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.

(g) 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.

(h) 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.

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

HOLIDAYS AND SPECIAL RATES.

8. (a) All employees, whether in a city or elsewhere, shall be granted the following holidays without deduction of pay:—The days observed as New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, and Boxing Day.

(b) If any of the above holidays occurs on a Sunday or Saturday and is not observed on any other day, then employees shall not be paid for such Sunday, and shall be paid for such Saturday as for a half day only when the working week consists of five and a half days.

(c) All employees, whether in a city or elsewhere, shall be paid for the above holidays an amount for each holiday based on the actual weekly wage paid to them by the employer.

(d) Any employee absenting himself or herself from work on any portion of the working day preceding, or any portion of the working day succeeding, a holiday provided for herein, other than Boxing Day and New Year's Day, without permission from the employer or without having a reasonable excuse for having absented himself or herself from work, shall not be entitled to payment for such holiday.

(e) Any employee who is employed on a Sunday or any holiday provided for herein shall be paid at the rate of double time, provided that burners employed on Sunday shall be paid therefor at the rate of time and a half.

(f) Burners shall be paid for the full number of hours of the shift worked.

ANNUAL LEAVE.

9. After twelve months' continuous service from and after 1st January, 1942, each employee shall be given without deduction of pay, seven consecutive days' leave including non-working days but excluding public holidays as prescribed in clause 8 occurring on a working day. An employee whose employment is terminated for reasons other than misconduct before the expiration of a qualifying period of twelve months shall be paid a sum corresponding to a proportion of such leave after six months' continuous service of such qualifying period. The annual leave shall be allowed and taken and payment shall not be made or accepted in lieu thereof, provided that this provision shall not apply in the case of an employee whose employment is terminated before the expiration of a qualifying period.

TERMS OF EMPLOYMENT.

10. (a) That notice equivalent to 44 working hours shall be given on either side to terminate employment. Such notice may be given at any time. This shall not affect the right of the employer to dismiss any employee without notice for malingering, inefficiency, neglect of duty, or misconduct (in which case wages shall be paid up to the time of dismissal only), or to deduct payment for any day the employee cannot be usefully employed because of any strike, or through any breakdown of machinery, or any stoppage of work, or any cause for which the employer cannot be reasonably held responsible.

(b) In lieu of such 44 working hours' notice, except in the circumstances referred to above, the employer may pay 44 hours' wages: and vice versa the employee leaving his employment without notice shall forfeit 44 hours' wages, which may be deducted from any wages due.

(c) Provided that any notice determining the employment solely for the purpose of evading payment for prescribed holidays and not to determine finally the engagement, shall not deprive the employee of payment for any prescribed holidays occurring or observed between such notice to terminate and the re-engagement, if any.

REST PERIOD FOR FEMALES.

11. Except on Saturday, a rest period of ten minutes (to be counted as part of time worked) shall be allowed females during each morning or afternoon. Whether the rest period shall be taken during the morning or afternoon shall be determined by a majority of the female employees in the establishment concerned.

RESPIRATORS.

12. Respirators must be provided for the use of all employees.

PERIODICAL ADJUSTMENT OF WAGES.

13. The wages rates for males set out in clause 2 (b) are based upon the following basic wage 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. The wages of improvers and of female adults shall be adjusted proportionately to adjustments of the basic wage—such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded, and to be made upon the rates prescribed by the original Determination for this section, which came into force on the 10th January, 1938.

The basic wage shown hereunder shall be adjusted as prescribed in clause 14.

Basic Wage.

Place.	Basic Wage.	Index Number Set Assigned.
	£ s. d.	
Throughout the State	4 12 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

14. (a) Until the beginning of the first pay period to commence in February, 1944, the amount of the basic wage shall be as prescribed in clause 13.

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

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

- (i) The index number set to be applied to a place is that assigned to Melbourne.
- (ii) 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.
- (iii) The amount assigned in the following table (or in any extension thereof) to the index number division comprising that number is to be ascertained.
- (iv) The basic wage shall be of that amount assigned during such successive period.

Table.

Index Number Divisions.	Needs Basic Wage. (Adjustable).		Index Number Divisions.	Needs Basic Wage. (Adjustable).	
	Per Week.			Per Week.	
	£	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.

P. A. RANGLES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 13th December, 1943.