



VICTORIA GOVERNMENT GAZETTE.

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No. 41]

THURSDAY, MARCH 4.

[1943

Factories and Shops Acts.

DETERMINATION OF THE OPTICIANS BOARD.

This Determination applies to the following parts of Victoria, namely:—The Metropolitan Districts as defined in the Factories and Shops Acts, 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 Newton and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

IN accordance with the provisions of the Factories and Shops Acts the Wages Board appointed to "determine the lowest prices or rates which may be paid to any persons employed in manufacturing or mounting optical lenses or their frames," has made the following Determination, namely:—

(1) That as from the beginning of the first pay period to commence on or after 17th February, 1943, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Apprentices.				Improvers.				Other Employees.			
Wages Per Week of 44 Hours.				Wages Per Week of 44 Hours.				Wages Per Week of 44 Hours.			
	Weekly Rate.	War* Loading.	Total Weekly Wage.		Weekly Rate.	War* Loading.	Total Weekly Wage.		Weekly Rate.	War* Loading.	Total Weekly Wage.
	s. d.	s. d.	s. d.		s. d.	s. d.	s. d.		s. d.	s. d.	s. d.
1st year ..	19 9	0 9	20 6	1st year ..	19 9	0 9	20 6	Foreman, i.e., man in charge of two or more employees ..	137 6	3 0	140 6
2nd year ..	24 6	0 9	25 3	2nd year ..	27 3	1 0	28 3	Optical workers and repairers ..	125 0	3 0	128 0
3rd year ..	34 0	1 0	35 0	3rd year ..	36 6	1 3	37 9				
4th year ..	45 0	1 6	46 6	4th year ..	51 9	1 9	53 6				
5th year ..	65 9	2 3	68 0	5th year ..	72 9	2 3	75 0				
6th year ..	91 0	3 0	94 0	6th year ..	97 0	3 0	100 0				

PROPORTION (in any factory, shop, or place).

One apprentice to every two or fraction of two workers receiving not less than 128s. per week of 44 hours.

An indenture of apprenticeship prescribed was approved on 15th December, 1914.

PROPORTION (in any factory, shop, or place).

One improver to every three journeymen receiving not less than 128s. per week of 44 hours.

Provided that in any place where two or more journeymen are employed solely at grinding lenses additional improvers may be employed in the proportion of one improver to each of such journeymen.

* The War Loading shall not be taken into account in the calculation of overtime and holiday rates.

(3) TIME OF BEGINNING AND ENDING WORK—

Time of Beginning.

8 a.m. ..

8 a.m. ..

Time of Ending.

12.30 p.m. on the day on which the half-holiday is observed.

6.0 p.m. on the other working days of the week.

(4) OVERTIME.—That the following rate shall be paid for all work done—

(a) Outside the hours fixed in Clause (3) up to 3 hours per day .. Time and a half and thereafter double time.

(b) Within the hours fixed in Clause (3) in excess of 44 hours in any week .. Time and a half.

(5) TIME RATE.—Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall for each hour worked up to 22 hours be paid at the ordinary wages rate with an addition of thirty-three 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.

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

(7) PAYMENT FOR HOLIDAYS.—Employees shall be entitled to the following holidays without deduction of pay:—Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Melbourne Cup Day within the Metropolitan District as defined in the Factories and Shops Acts, Christmas Day, Boxing Day, New Year's Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, this provision shall only apply to the day so substituted.

(8) **ANNUAL HOLIDAYS.**—An employee who has completed twelve months' continuous or cumulative employment shall receive two weeks' annual leave on full pay to be given at a time to be arranged by the employer, provided that such leave shall be given within sixty days of its becoming due and that an employee having applied for such leave shall be given at least fourteen days' notice of the date from which leave is to commence.

(9) **SPECIAL RATES.**—That double time shall be the special rate for all work done on Sunday, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Melbourne Cup Day, within the Metropolitan District as defined in the Factories and Shops Acts, Christmas Day, Boxing Day, New Year's Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted.

(10) **TEA MONEY.**—When an employee works more than two hours' overtime in any one day he shall be paid 2s. meal money.

(11) **PERIODICAL ADJUSTMENT OF WAGES.**—The wages rates for employees in receipt of the basic wage or more set out in clause (2) are based upon the following basic wage and, pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically increased or decreased by the same amount, and at the same time as such basic wage. Provided that the wages of other employees shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded.

The basic wage shown hereunder shall be adjusted as prescribed in clause (12).

Basic Wage.

Place.	Needs Basic Wage. (Adjustable.)	Index Number Set Assigned.
Within the area to which this Determination applies	£ s. d. 4 12 0	Melbourne

(12) **ADJUSTMENT OF BASIC WAGE.**—(a) Until the beginning of the first pay period to commence in May, 1943, the amount of the basic wage shall be as prescribed in clause (11).

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

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

- (1) The index number set to be applied is that assigned to Melbourne.
- (2) The index number for the calendar quarter next preceeding the period of thirteen weeks 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.

P. A. RANDES, J.P., Chairman.

J. V. WILLOX, Secretary.

Melbourne, 1st March, 1943.



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No. 42]

THURSDAY, MARCH 4.

[1943

Factories and Shops Acts.

DETERMINATION OF THE ENGINEERS AND BRASSWORKERS (UNSKILLED) BOARD.

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

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which now has the power to "determine the lowest prices or rates which may be paid to—

(1) any unskilled persons employed—

- (a) in the process, trade, or business of a brassfounder or brassfinisher, or in the process, trade, or business of a brassfounder or brassfinisher of any electrical apparatus or machinery or parts thereof;
- (b) in the process, trade, or business of a mechanical engineer, including—
 - (1) a patternmaker;
 - (2) an iron or brass turner;
 - (3) a fitter;
 - (4) a blacksmith;
 - (5) a planer;
 - (6) a slotter;
 - (7) a borer;
 - (8) a milling machiner;
- (c) in the trade of a maker of scientific instruments, fireproof safes, strongroom doors, safe locks (four or more levers), or locks of the same quality;
- (d) in performing any engineering fitting or engineering machining work not already under the jurisdiction of the Board;
- (e) in preparing iron or steel material for reinforcing concrete for building or other purposes;
- (f) in the occupation of a coppersmith, but not including any person or classes of persons subject either to the Determination of the Tinsmiths Board or to the Determination of the Plumbers Board;
- (g) in the trade of moulding, casting, dressing, fitting, or machining any articles made of cast aluminium or from aluminium alloys;
- (h) in the trade of fitting or machining any articles made from sheet aluminium or from aluminium alloy sheets heavier in either case than 10 gauge;
- (i) in the process, trade, or business of making or repairing typewriters, bookkeeping machines, adding machines, calculating machines, cash registers, duplicating machines, and similar machines.

(2) any person employed in the process, trade, or business of producing rods, bars, sections, angles, sheets, strips, or ingots from brass, copper, or other non-ferrous metals;

(3) Any person or persons or classes of persons employed in the trade of manufacturing or preparing lead and shot; has made the following Determination, namely—

1. That as from the beginning of the first pay period to commence on or after the 25th February, 1943, the adjusted Determination which came into force as from the beginning of the first pay period to commence in February, 1943, shall be revoked and replaced by this Determination.

(2)

Adults.	Wages per Week of 44 Hours.		
	Within 20 Miles of G.P.O., Melbourne; 10 Miles of G.P.O., Geelong; at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
(a) Ironworking and General—			
Assembler (leading hand)	£ s. d. 5 12 0	£ s. d. 5 18 6	£ s. d. 5 9 0
Assembler (assistant)	5 7 0	5 13 6	5 4 0
Attendant at small rivet heating, bolt heating or similar types of fires or furnaces	5 12 0	5 18 6	5 9 0
Belt repairer	5 10 0	5 16 6	5 7 0
Blacksmith's striker	5 10 0	5 16 6	5 7 0
Blacksmith's striker on double fires and other assistant	5 12 0	5 18 6	5 9 0
Block and tackle hand	5 12 0	5 18 6	5 9 0
Boiler (inside) chipper and cleaner	5 10 0	6 2 6	5 13 0
Cold saw operator	5 12 0	5 18 6	5 9 0
Dogman	5 12 0	5 18 6	5 9 0
Dresser and grinder using portable machine	5 14 0	6 0 6	5 11 0
Dresser, shot blast and sand blast—			
(a) who operates from outside a properly enclosed cabin	5 10 0	5 16 6	5 7 0
(b) other	6 0 0	6 6 6	5 17 0
Dresser and grinder (other)	5 12 0	5 18 6	5 9 0
Emery wheel attendant	5 12 0	5 18 6	5 9 0
Employee directly assisting an employee whose margin above the basic wage is 14s. or more	5 10 0	5 16 6	5 7 0
Forge assistant, i.e., underhand, hammer driver, and crane man, employed on work 10 cwt. or over	5 14 0	6 0 6	5 11 0
Forger's assistant	5 12 0	5 18 6	5 9 0
Friction saw operator	5 10 0	5 16 6	5 7 0
Furnaceman—forge	6 11 0	6 17 6	6 8 0
Furnaceman's assistant—forge	5 12 0	5 18 6	5 9 0
Furnaceman—electric	6 1 0	6 7 6	5 18 0
Furnaceman—other (excepting cupola furnaceman)	5 16 0	6 2 6	5 13 0
Furnaceman's assistant	5 10 0	5 16 6	5 7 0
Grinding machine or emery wheel operator	5 12 0	5 18 6	5 9 0
Hammer driver	5 12 0	5 18 6	5 9 0
Lagger	5 10 0	5 16 6	5 7 0
Machinist—3rd class (as defined)	5 15 0	6 1 6	5 12 0
Overhead oiler	5 10 0	5 16 6	5 7 0
Painter of ironwork, using spray	5 11 0	5 17 6	5 8 0
Painter of ironwork (other than ship painter) using brush	5 10 0	5 16 6	5 7 0
Person employed in preparing iron or steel material for reinforcing concrete for building or other purposes—			
On bending and cutting machines	5 12 0	5 18 6	5 9 0
On bending and cutting machines (assistant)	5 9 0	5 15 6	5 6 0
On steel fabric machines	5 12 0	5 18 6	5 9 0
On steel fabric machines (assistant)	5 7 0	5 13 6	5 4 0
Person working with hammer 14 lb. weight or over—			
On repair work	6 0 3	6 6 9	5 17 3
On other work	5 12 3	5 18 9	5 9 3
Pickler	5 10 0	5 16 6	5 7 0
Piler	5 12 0	5 18 6	5 9 0
Process worker	5 9 0	5 15 6	5 6 0
Rigger and/or splicer	5 16 0	6 2 6	5 13 0
Tar dipper	5 10 0	5 16 6	5 7 0
Employee not elsewhere classified	5 1 0	5 7 6	4 18 0
(b) Producing rods, bars, sections, angles, sheets, strips, or ingots from brass, copper, or other non-ferrous metals—			
Press operator	5 12 0	5 18 6	5 9 0
Die attendant	5 12 0	5 18 6	5 9 0
Hexagon straightener	5 10 0	5 16 6	5 7 0
Draw bench operator	5 6 0	5 12 6	5 3 0
Pickler	5 6 0	5 12 6	5 3 0
Other machine operator	5 6 0	5 12 6	5 3 0
Hand straightener	5 4 0	5 10 6	5 1 0
Pointer	5 3 0	5 9 6	5 0 0
Die striker	5 2 0	5 8 6	4 19 0
All others	4 18 0	5 4 6	4 15 0
(c) Manufacturing or preparing lead and shot—			
Pipe trap machine operator	6 3 0	6 9 6	6 0 0
Roller	5 18 0	6 4 6	5 15 0
Extrusion press operator	5 17 0	6 3 6	5 14 0
Melter of lead alloys	5 10 0	5 16 6	5 7 0
Lead wool machinist	5 9 0	5 15 6	5 6 0
Molten metal feeder and/or mixer for shot	5 9 0	5 15 6	5 6 0
Roller's assistant	5 10 0	5 16 6	5 7 0
Pipe trap machine operator's assistant	5 10 0	5 16 6	5 7 0
Extrusion press operator's assistant	5 9 0	5 15 6	5 6 0
All others	5 1 0	5 7 6	4 18 0

Leading Hands.—Leading hands in charge of not less than three and not more than ten employees, 6s. per week extra; more than ten and not more than twenty employees, 12s. per week extra; more than twenty employees, 18s. per week extra.

Ship Repairing.—Employees covered by this Determination who are engaged on ship repairs shall receive an additional margin of 2s. per week.

FEMALE AND UNAPPRENTICED JUNIOR LABOUR.

3. (a) Subject to the exceptions hereinafter provided, the minimum rates of wage for adult and junior females employed in manufacturing and assembling of small parts of electrical and other machinery and appliances, and in core making, in which females were employed on the 15th May, 1935, and for unapprenticed male juniors employed in occupations for which apprenticeship is not provided by this Determination, shall be as follows:—

WAGES PER WEEK OF 44 HOURS.

	Percentage of Needs Basic Wage.	Constant Loading.	War Loading.	Total Wage Payable.		
				Within 20 miles of G.P.O., Melbourne, within 10 miles of G.P.O., Geelong, at Warrambool and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
	Per Week.	Per Week.	Per Week.	£ s. d.	£ s. d.	£ s. d.
<i>I.—Adult Females.</i>						
Under three months' experience ..	65	3 0	..	3 3 0	3 7 0	3 1 0
All others	75	3 0	..	3 12 0	3 17 0	3 9 6
<i>II.—Junior Females.</i>						
17 years of age and under ..	40	1 0	..	1 18 0	2 0 6	1 16 6
18 years of age	47½	1 3	..	2 5 0	2 8 0	2 3 6
19 years of age	55	1 6	..	2 12 0	2 15 6	2 10 6
20 years of age	62½	2 0	..	2 19 6	3 3 6	2 17 6
<i>III.—Junior Male Labour.</i>						
Under 16 years of age	25	0 6	..	1 3 6	1 5 0	1 2 6
16 years of age	35	0 9	..	1 13 0	1 15 0	1 12 0
17 years of age	47½	1 0	..	2 4 6	2 8 0	2 3 6
18 years of age	60	1 0	..	2 16 0	3 0 0	2 14 6
19 years of age	75	2 0	..	3 11 0	3 16 0	3 8 6
20 years of age	90	2 0	..	4 5 0	4 10 6	4 2 0
<i>IV.—Male Junior Labour (Foundries).</i>						
Under 16 years of age	25	0 6	1 0	1 4 6	1 6 0	1 3 6
16 years of age	33	0 9	1 9	1 13 0	1 15 0	1 12 0
17 years of age	60	1 0	3 0	2 19 0	3 3 0	2 17 6
18 years of age	75	2 0	4 0	3 15 0	4 0 0	3 12 6
19 years of age and over ..	90	2 6	4 6	4 10 0	4 15 6	4 7 0

A junior employee of eighteen years or more shall be paid 3s. per week in addition to the rates prescribed herein while he is employed as a furnaceman or assistant to a furnaceman.

Provided that the rate payable to any employee shall not, excluding the constant loading, be less than 20s.
The total wage 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 under this Determination 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:

Provided that this sub-clause shall not operate to reduce the rates paid to any female employee as from the beginning of the first pay period to commence in August, 1942.

(c) Junior employees employed on the following operations shall be paid at not less than the appropriate adult minimum rates:—

- (1) Passing hot rivets in confined spaces.
- (2) Holding up rivets over ½-in. diameter.
- (3) Assisting storemen racking and/or loading and/or unloading off vehicles of heavy steel plates, bars, or sections.
- (4) Carrying material to or from cupola, forge, or electric steel furnaces or using the slicer or hanging on to end of a bloom. This shall not apply in the case of junior moulders.
- (5) Assisting steel furnace ladlemen, other than in daubing or repairing ladles.
- (6) Cutting out and punching rivets on plates.
- (7) Cutting plates by means of hammer and cold set.
- (8) On shearing machines, other than guillotine plate shearers, handling plates that weigh more than 84 lb.
- (9) On punching machines, handling plates that weigh more than 84 lb.
- (10) On angle iron cropping where the material weighs more than 3½ lb. per foot, and is not clamped.
- (11) Breaking up pig iron.
- (12) Operating plate edge planers in structural steel or shipbuilding yards, where the operator travels on the machine.

PROHIBITED OCCUPATIONS.

- (d) Junior employees shall not be employed—
- (i) if under the age of 16 years on oil or gas burners or fires used for heating of small articles;
 - (ii) if under 18 years as furnacemen or assistants to furnacemen;
 - (iii) if under 18 years as a roller, extrusion press operator, pipe trap machine operator, roller's assistant or as a melter.

SPECIAL RATES.

4. In addition to the wages prescribed in clauses 2 and 3 hereof, the following special rates and allowances shall be paid to employees, and unapprenticed juniors:—

Wet Places.

(a) An employee working in any place where his clothing or boots become saturated, whether by water, oil, or otherwise, shall be paid 2d. per hour extra: Provided that this extra rate shall not be payable to an employee who is provided by the employer with suitable protective clothing and/or footwear: And provided further that any employee who becomes entitled to this extra rate shall be paid such extra rate for such part of the day or shift as he is required to work in wet clothing or boots.

Confined Spaces.

(b) Working in confined space (as defined)—3d. per hour extra.

Ships' Bilges, &c.

(c) Working in ships' bilges or in boiling-down works, lead works (except manufacturing or preparing lead and shot), sanitary works, or slaughtering yards—1d. per hour extra.

Hot Places.

(d) 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. Where work continues for more than two hours in temperatures exceeding 130 degrees Fahrenheit, employees shall also be entitled to twenty 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.

Cold Places.

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

Smoke Boxes, &c.

(f) Working on repairs to smoke-boxes or fire-boxes of locomotives or on repairs to the smoke-box, up-take, funnel, flue, furnace, or combustion chamber of marine type of boilers, or on repairs to smoke-boxes, fire-boxes, furnace, or flues of other types of boilers—1d. per hour extra.

Oil Tanks and Digestors.

(g) Working on repairs in oil tanks or meat digestors—1½d. per hour extra: Provided that if any employee is so engaged for more than half of one day or shift he shall be paid the prescribed allowance for the whole day or shift.

Dirty Work.

(h) Work which a foreman and workman shall agree is of an unusually dirty or offensive nature—1½d. per hour extra.

In case of disagreement between the foreman and workman, the workman, or a shop steward on his behalf, shall be entitled, within 24 hours, to ask for a decision on the workman's claim by the employer's industrial officer (if there be one), or otherwise by the employer or the executive officer responsible for the management or superintendence of the plant concerned. In such case a decision shall be given on the workman's claim within 48 hours of its being asked for (unless that time expires on a non-working day, in which case it shall be given during the next working day), or else the said allowance shall be paid.

In any case where an organization alleges that an employer or his representative is persistently unreasonable or capricious in relation to such claims, it shall have the right to bring such case before the Secretary for Labour.

Height Money.

(i) Assistants to welders and drillers engaged in the erection, repair, and/or maintenance of steel frame buildings, bridges, gasometers, and similar structures, at a height of 50 feet or more directly above the nearest horizontal plane, shall be paid at the rate of 6s. per week extra.

Special Rates not Cumulative.

(j) 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, namely, the highest for the disabilities so prevailing.

Rates not Subject to Penalty Additions.

(k) The special rates herein prescribed shall be paid, irrespective of the times at which the work is performed, and shall not be subject to any premium or penalty additions.

Travelling Time, Allowance, and Board.

5. (a) An employee required to work at a job away from his workshop or depot shall, at the direction of his employer, present himself for work at such job at the usual time of starting work. When an employee is required to work away from his workshop or depot, all time reasonably spent in excess of time usually spent in travelling to or from his home to the workshop or depot shall be paid for at ordinary rates (except on Sunday or a holiday, when payment shall be at the rate of time and a half), up to a maximum of 12 hours out of every 24 or, where a sleeping berth is provided, a maximum of 8 hours out of every 24.

(b) An employee engaged in a capital city to work in the country, or sent from one country centre to work in another country centre shall be entitled to travelling time, and for a period not exceeding three months, to expenses.

All excess fares and reasonable travelling expenses, including 2s. 6d. for each meal, together with the cost of board and lodging if the employee has to remain away from his home for a night, shall be paid by the employers.

The fares allowed shall be first class on coastal boats, or on interstate boats where there is no second class as distinct from steerage, and on trains second class, except where all-night travelling is involved, when they shall be first class, and sleeping berths shall be provided where available.

(c) A camping allowance of 3s. per day for every day, including Sunday, shall be paid to employees engaged on country jobs at places where ordinary board and residence is not obtainable, and camping in tents, cubicles, or other temporary shelter is necessary: Provided that where cooked meals are procurable by the employee at a mess established by the employer, the amount of such country allowance shall be 9d. per day for every day, including Sundays.

(d) Until further order, an employer shall be free to engage labour on the site of a job carried on away from the workshop, without payment of any travelling time or fares, unless such employee is sent from the workshop:

Provided that if any employee engaged for the erection of a job had previously been engaged by the same employer in the fabrication of the job in a workshop, he shall be paid fares in excess of those incurred in travelling to and from the workshop.

*HOURS OF EMPLOYMENT.**Day Workers.*

6. (a) Subject to the exceptions herein set out the ordinary hours of employment shall be 44 per week, to be worked in five days of eight hours (Monday to Friday inclusive) and one day (Saturday) of four hours; or five days (Monday to Friday, inclusive), of 8 hours 48 minutes each continuously, except for meal breaks, at the discretion of the employer, between 7 a.m. and 5.30 p.m. on Monday to Friday, inclusive, and 7 a.m. and noon on Saturday: Provided that the spread of hours herein prescribed may be altered as to all or a section of the employees by mutual agreement between an employer and the representative of the union in that shop.

(b) The ordinary weekly hours of employment of forgers' assistants shall consist of five days of 9½ hours each, including crib time, for which no deduction of pay shall be made: The rates in this Determination shall be for a 44-hours week, and hourly rates shall be ascertained by dividing the weekly rates by 44.

(c) In localities where the recognized half-holiday is on a day other than Saturday, the day so recognized may be substituted for Saturday for all purposes of this Determination.

SHIFT WORK.

7. (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 twenty-four 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 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; 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.

(cc) Female shift workers whilst on afternoon and night shifts shall be paid not less than the rates hereinbefore prescribed or 1s. per shift, whichever is the higher.

(d) 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.

MIXED FUNCTIONS.

8. 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.

OVERTIME.

9. (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 any 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: Provided that the existence of a custom shall not operate to relieve an employer from paying a refrigeration service man the rate herein prescribed.

(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.

HOLIDAYS AND SUNDAY WORK.

10. (a) Employees shall be entitled to the following public holidays, without loss of pay, as regards employees on weekly hiring:—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, King's Birthday, Labour Day, Anzac Day, 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.

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

Exceptions.

(b) An employee not engaged on continuous work shall be paid at the rate of double time for work done on Sundays and public holidays, such double time to continue until he is relieved from duty.

Provided that where employees are necessarily 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), work done on Sundays and holidays shall be paid for at the rate of time and a half for the first eight hours, and double time thereafter.

(c) An employee, other than a casual employee, not engaged in continuous work, who works on a Sunday or a public holiday and (except for meal breaks) immediately thereafter continues such work, shall on being relieved from duty 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.

(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 for a minimum of three hours' work.

EXTRA RATES NOT CUMULATIVE.

11. Extra rates in this Determination, except rates prescribed in clause 4, are not cumulative so as to exceed the maximum of double the ordinary rates.

PAYMENT OF WAGES.

12. (a) Wages shall be paid weekly or fortnightly.

(b) On the first pay day occurring during his employment, an employee shall be paid whatever wages are due to him up to the completion of his work on the previous day: Provided that this sub-clause shall not apply to employees of electric supply undertakings nor to employers who make a practice of allowing advances to employees approximating wages due.

(c) Upon determination of the employment, wages due to an employee shall be paid to him on the day of such determination, or forwarded to him by post on the next working day.

(d) 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-hour, with a minimum of a quarter of an hour.

(e) On or prior to pay day, the employer shall state to each employee, in writing, the amount of wages to which he is entitled, the amount of deductions made therefrom, and the net amount being paid to him.

CONTRACT OF EMPLOYMENT.

Weekly Employment.

13. (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 any employees 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 14 hereof, 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-fourth of the weekly rate prescribed by this Determination for the work which he or she performs.

Sick Leave.

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

(i) He shall not be entitled to paid leave of absence for any period in respect of which he is entitled to workers' compensation.

(i) (a) 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) of this sub-clause 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 the time (not exceeding four hours) so occupied on the day of the accident, and shall be reimbursed by the employer all expenses reasonably incurred in connexion with such attendance.

ANNUAL LEAVE.

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

(b) 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: Provided that in the case of shift workers whose hours have been reduced or whose wages have been increased in accordance with clause 7 of the Determination, service before the 1st January, 1942, shall not be taken into consideration for the purpose of calculating annual leave.

(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) of this clause 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, 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 wage 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 and 3 of this Determination for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment, as the case may be. Payment in the case of employees employed on piece or bonus work or any other system of payment by results shall be at time rates.

(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 under the Determination hereby rescinded.

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

(o) In respect only of service after 1st December, 1942, this clause shall apply to employees engaged in the servicing of motor vehicles in motor garages and service stations, including any garage or service station carried on as an ancillary to a motor distributing business.

MISCELLANEOUS PROVISIONS.

GENERAL.

Tools.

16. (1) (a) Until further order the employer shall provide for each employee such tools as were customarily provided at the time of the making of this Determination. The employee shall replace or pay for any tools so provided if lost through his negligence.

Washing and Sanitary Conveniences.

(b) Employers shall provide proper and sufficient washing and sanitary conveniences.

Lockers.

(c) An employer shall provide a suitable locker or suitable hanging facilities for each employee in a workshop: Provided that this sub-clause shall not for such period or periods as the Wages Board may fix apply to any employer who proves to the satisfaction of the Secretary for Labour that he is unable by reason of lack of space, shortage of material or labour, or any other difficulties to provide lockers or hanging facilities as aforesaid.

Boiling Water.

(d) Employers shall provide boiling water for employees in workshops at meal times.

Showers.

(e) Employers shall provide for all workmen employed in foundries hot and cold shower baths, which shall be situated away from lavatories.

Asbestos Sheets, Glasses, and Screens.

(f) (i) Suitable asbestos sheet and coloured glasses shall be provided by employers for the protection of electric arc and oxy-acetylene operators and their assistants.

(ii) Where electric arc operators are working screens, which shall be suitable and sufficient for the purpose, shall be provided by the employer for the protection of employees from flash.

Goggles.

(g) Employers shall provide suitable mica or other goggles for emery-wheel operators.

Gloves.

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

Ladles.

(i) (i) All ladles of a holding capacity of 15 cwt. or more in use at the time of the making of this Determination shall be fitted with safety-worm gear or an equivalent safety fitting; and all ladles of a holding capacity of 10 cwt. or more hereafter brought into operation shall be fitted with safety-worm gear.

(ii) Where molten metal is carried in ladles by hand the weight of molten metal shall not exceed:—

Single-handled ladles—60 lb., including the weight of the ladle.

Other ladles— $\frac{1}{2}$ cwt. per man.

(iii) Where molten metal is carried by hand, a clear passageway not less than 2 ft. 6 in. wide shall be made.

Gas Masks.

(j) (i) The employer shall ensure that sufficient gas masks are available to enable each employee, when engaged on repairs to refrigeration plants outside the employer's premises, to take one with him.

(ii) Employers shall provide respirators or gas masks for electric arc or oxy-acetylene operators working in places where fresh air cannot freely circulate.

Protective Clothing.

(k) Employers shall provide suitable protective aprons rubber gloves, and rubber boots or clogs to employees engaged in the manual handling of materials over hot galvanizing or tinning pots or pickling or plating baths.

Dressing Castings.

(l) Where practicable, the dressing and rumberling of castings shall not be carried out in close proximity to employees not doing that work.

First Aid Outfit.

(m) In each workshop, and at other places where employees are regularly employed, the employer shall provide and continuously maintain, at a place or places reasonably accessible to all employees, an efficient first-aid outfit.

Clause 8 of Chapter 9 of the Regulations under the *Factories and Shops Act 1928* requires that a first-aid ambulance chest shall be kept in some accessible place upon the premises, and that such chest shall be equipped and supplied with the following articles:—

Articles.	Quantities to be kept in Ambulance Chest—
Antiseptic solution	1 bottle
Bandages, cotton and gauze	1 dozen assorted sizes
Castor oil	2 oz.
Iodine, tincture of	2 oz.
Manual, first-aid	1
Petrolatum, carbolized	1 jar
Picric acid solution, made according to the following recipe or prescription:— 1½ teaspoonfuls of powdered picric acid, 3 oz. of absolute alcohol, and 2 pints of distilled water	1 pint
Pins, safety	1 packet
Sal volatile	6 oz.
Scissors	1 pair
Tourniquet	1
Tweezers	1 pair
Cotton, absorbent	An adequate assortment
Gauze, sterilized, plain	
Lint, absorbent	
Plaster, adhesive	

Damage to Clothing and Tools.

(n) Compensation to the extent of the damage sustained shall be made where, in the course of the work, clothing or tools are damaged or destroyed by fire or through the use of corrosive substances: Provided that the employer's liability in respect of tools shall be limited to such tools of trade as are ordinarily required for the performance of the employee's duties.

Females' Rest Period.

(o) Female employees shall be allowed a rest period of not less than ten minutes during each day or shift, to be taken during the first or second half of the day or shift as may be decided by a majority of the female employees in a shop.

Shop Stewards.

17. An employee appointed shop steward in the shop or department in which he is employed shall, upon notification thereof to his employer, be recognized as the accredited representative of the union to which he belongs, and he shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees whom he represents.

RIGHT OF ENTRY OF UNION OFFICIALS.

18. (a) For the purpose of interviewing employees on legitimate union business, a duly accredited union representative shall have the right to enter employers' premises during the midday meal break on the following conditions:—

- (i) That he produces his authority to the gatekeeper or such other person as may be appointed by the employer.
- (ii) That he interviews employees only at places where they are taking their meal.
- (iii) That not more than one representative of each of not more than three unions be on the premises at any one time.
- (iv) That no one representative visit the premises more than once in each week.
- (v) That if any employer alleges that a representative is unduly interfering with his work or is creating dissatisfaction 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.

Provided that, where certain employees are working under a system of shift work which precludes a representative from interviewing them during the midday meal break, the representative shall have the right to enter the employer's premises for the purpose of interviewing such employees at such time and under such conditions as to notice as may be mutually arranged by the representative and the employer or, failing agreement, at such times and under such conditions as the Secretary for Labour may decide.

(b) For the purpose of investigating complaints concerning the application of this Determination, or the employment of females upon work which is alleged to be unsuitable for females, a duly accredited union representative shall be afforded reasonable facilities for entering an employer's workshop or plant during working hours, subject to the following conditions:—

- (i) That he discloses to the employer or his representative the complaint which he desires to investigate.
- (ii) That he makes his investigations in the presence of the employer or his representative (if the employer so desires).
- (iii) That he does not interfere with work proceeding in the workshop or plant.
- (iv) That he conducts himself properly.

(c) A union representative shall be a duly accredited representative of an organization concerned if he be the holder for the time being of a certificate, signed by the general secretary of that organization and bearing the seal of that organization, in the following form, or in a form not materially differing therefrom:—

(Name of organization.)

This is to certify that

is a duly accredited representative of the above-named organization.

General secretary.

(SEAL)

Date.

Specimen signature of holder.

Strictly not transferable.

TIME AND WAGES BOOK.

19. (a) Each employer shall keep a record from which can be readily ascertained the name of each employee and his occupation, the hours worked each day, and the wages and allowances paid each week.

(b) The time occupied by an employee in filling in any time record 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 when entering or leaving the employer's premises.

(c) The time and wages record shall be open for inspection to a duly accredited union official during the usual office hours at the employer's office or other convenient place: Provided that an inspection shall not 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 also that only one demand for such inspection shall be made in one fortnight at the same establishment.

(d) The official making such inspection shall be entitled to take a copy of entries in a time and wages record relating to the suspected breach of the Determination.

NOTICE BOARD.

20. The employer shall permit a notice board of reasonable dimensions to be erected in a prominent position in his establishment, upon which accredited union representatives shall be permitted to post formal union notices, signed or countersigned by the representative posting same.

DEFINITIONS.

21. "Confined Space" means a compartment or space access to which is through a man-hole or similar opening, or a place the dimensions of which necessitate an employee working in a stooped or otherwise cramped position, or without proper ventilation, and includes such a space—

- (i) in the case of a ship, inside complete tanks, chain lockers, and peaks; in bilges, under engine beds, under engine room and stokehold floors, or under or inside boilers;
- (ii) in the case of a locomotive, inside the barrels of boilers, fire boxes, water spaces of tenders, side tanks, bunker tanks, saddle tanks, or smoke boxes;
- (iii) in other cases, inside boilers, steam drums, mud drums, fire boxes of vertical or road vehicle boilers, furnaces, flues, combustion chambers, receivers, buoys, tanks, superheaters, or economizers.

"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, screw drivers, spanners, and files, and such tools as are necessary for deburring or removing rags or edging.

"Ship repairs" means—

- (i) All repair work done on ships.
- (ii) All work other than the making of spare parts and stores done in a workshop used for ship repairs only.
- (iii) Work done in a workshop used for both ship repairing, general engineering, metal moulding, steel construction, and other heavy metal fabrication on which employees are engaged both on the ship and in the workshop.

"Sunday" means all time between midnight Saturday and midnight Sunday.

"Year" means the period between the 1st day of June in each year and the next 31st day of May.

"Window-frame making" means the making in quantities of metal window frames, metal doors and grilles, and metal ornamentalments used in buildings.

"Furnace man" 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.

"Rigger and/or splicer" means an adult workman who is responsible for the erection of tackle and/or who is required, amongst other duties, to splice wire rope.

"Double fires" means work in connexion with which a furnace or fire is used and on which two or more men are assisting or working with a smith in treating the material which has been through the furnace or fire.

"Lagger" means an adult employee engaged in the mixing or fixing of lagging on the job.

"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, precision grinding machine, and a drilling machine where the operator uses the same precision tools as fitters or turners.

"Machinist—3rd class" means an adult employee other than a process worker who operates any power-driven machine for which a rate is not elsewhere prescribed in this Determination, and, without limiting the scope of the foregoing, includes such an employee operating any of the following:—Nut, bolt, rivet, or dog-spike making machines, tapping machines, and drilling machines on work other than that specified in the definition of machinist—first class.

PERIODICAL ADJUSTMENT OF WAGES.

22. 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 23.

Basic Wage.

Place.	Needs Basic Wage (Adjustable).	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
Victoria—	£ s. d.	s. d.	£ s. d.	
Within 20 miles of G.P.O., Melbourne, 10 miles of G.P.O., Geelong, at Warrnambool, and within Mildura and Gippsland Districts ..	4 12 0	6 0	4 18 0	Melbourne
Yallourn—6s. 6d. in excess of basic wage for Melbourne.				
Elsewhere—3s less than the contemporaneous basic wage for Melbourne.				

ADJUSTMENT OF BASIC WAGE.

23. (a) Until the beginning of the first pay period to commence in May, 1943, the amounts of the basic wage shall be as prescribed in clause 22.

(b) During each future successive period beginning with the first pay period to commence in a May, an August, a November, or a February, 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:—

- The index number set to be applied to a place is that assigned thereto in clause 22.
- 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.
- The amount assigned in the following table (or in any extension thereof) to the index number division comprising that number is to be ascertained.
- The basic wage shall be of that assigned amount during such successive period.

Table.

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

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

The wages of adult females, junior females, and male juniors shall be the percentages of the contemporaneous needs basic wage prescribed for the area in which they are employed, and in addition thereto the constant and war loadings specified in clause 3 of this Determination.

MARGINAL RATES.

24. In addition to the basic wage provided in clause 22, the margins and war loadings set out in this clause shall be the minimum rate payable to employees therein named:—

	Margin Per Week.	War-time Loadings Per Week.
	s. d.	s. d.
(a) Assembler (leading hand)	11 0	3 0
Assembler (assistant)	6 0	3 0
Attendant at small rivet heating, bolt heating or similar types of fires or furnaces	11 0	3 0
Belt repairer	9 0	3 0
Blacksmith's striker	9 0	3 0

	Margin Per Week.	War-time Loadings Per Week.
	s. d.	s. d.
Blacksmith's striker on double fires and other assistant	11 0	3 0
Block and tackle hand	11 0	3 0
Boiler (inside) chipper and cleaner	15 0	3 0
Cold saw operator	11 0	3 0
Dogman	11 0	3 0
Dresser and grinder using portable machine	13 0	3 0
Dresser, shot blast and sand blast—		
(a) who operates from outside a properly enclosed cabin	9 0	3 0
(b) other	19 0	3 0
Dresser and grinder (other)	11 0	3 0
Emery wheel attendant	11 0	3 0
Employee directly assisting an employee whose margin above the basic wage is 14s. or more	9 0	3 0
Forge assistant, i.e., underhand, hammer driver and crane man, employed on work 10 cwt. or over	13 0	3 0
Forger's assistant	11 0	3 0
Friction saw operator	9 0	3 0
Furnaceman—forge	27 0	6 0
Furnaceman's assistant—forge	11 0	3 0
Furnaceman—electric	17 0	6 0
Furnaceman—other (excepting cupola furnaceman)	15 0	3 0
Furnaceman's assistant	9 0	3 0
Grinding machine or emery wheel operator	11 0	3 0
Hammer driver	11 0	3 0
Lagger	9 0	3 0
Machinist—3rd class (as defined)	14 0	3 0
Overhead oiler	9 0	3 0
Painter of ironwork using spray	10 0	3 0
Painter of ironwork (other than ship painter) using brush	9 0	3 0
Person employed in preparing iron or steel material for reinforcing concrete for building or other purposes:—		
On bending and cutting machines	11 0	3 0
On bending and cutting machines (assistant)	8 0	3 0
On steel fabric machines	11 0	3 0
On steel fabric machines (assistant)	6 0	3 0
Person working with hammer 14 lb. weight or over—		
On repair work	19 3	3 0
On other work	11 3	3 0
Pickler	9 0	3 0
Piler	11 0	3 0
Process worker	8 0	3 0
Rigger and/or splicer	15 0	3 0
Tar dipper	9 0	3 0
Employee not elsewhere classified	Nil	3 0
(b) Producing rods, bars, sections, angles, sheets, strips, or ingots from brass, copper, or other non-ferrous metals:—		
Press operator	14 0	..
Die attendant	14 0	..
Huxagon straightener	12 0	..
Draw bench operator	8 0	..
Pickler	8 0	..
Other machine operator	8 0	..
Hand straightener	6 0	..
Pointer	5 0	..
Die striker	4 0	..
(c) Manufacturing or preparing lead and shot:—		
Pipe trap machine operator	21 0	4 0
Roller	17 0	3 0
Extrusion press operator	16 0	3 0
Melter of lead alloys	9 0	3 0
Lead wool machinist	8 0	3 0
Molten metal feeder and/or mixer for shot	8 0	3 0
Roller's assistant	9 0	3 0
Pipe trap machine operator's assistant	9 0	3 0
Extrusion press operator's assistant	8 0	3 0
All others	Nil	3 0

A. V. BARNES, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 26th February, 1943.

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

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No. 43]

THURSDAY, MARCH 4.

[1943

Factories and Shops Acts.

DETERMINATION OF THE BOILERMAKERS BOARD.

NOTE—(1) This Determination applies to the whole of the State of Victoria.

(2) Boilermaking.—Boilermaking and/or steel construction was proclaimed on the 1st December, 1937, as an Apprenticeship Trade under the *Apprenticeship Act 1928*, for the Metropolitan District.

Full particulars of the Apprenticeship Regulations for this trade may be obtained on application to the Secretary, Apprenticeship Commission, Geological Museum Buildings, Gisborne-street, Melbourne (price 3d.).

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

(a) Boilermaking ;

(b) Iron or steel working in connexion with—

- (1) Ship or bridge building,
- (2) Girder, tank, wagon, or truck making,
- (3) Wrought iron or steel pipe making,
- (4) Structural iron or steel work"—

has made the following Determination, namely :—

1. That as from the beginning of the first pay period to commence on or after the 25th February, 1943, the last previous Determination of this Board as amended by the adjusted Determination which came into force as from the beginning of the first pay period to commence in February, 1943, shall be revoked and replaced by this Determination.

2.

WAGES.

Adults.	Day Shift.		
	Wages per Week of 44 Hours.		
	Within 20 miles of G.P.O., Melbourne, 10 miles of G.P.O., Geelong, or at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn.	Other parts of Victoria.
Boilermaking and steel construction section—	£ s. d.	£ s. d.	£ s. d.
Assembler window-frame making (non-tradesman)	5 19 0	6 5 6	5 18 0
Attendants at small rivet heating, bolt heating or similar types of fires or furnaces	5 12 0	5 18 6	5 9 0
Blacksmith's striker	5 10 0	5 18 6	5 7 0
Blacksmith's striker on double fires and other assistant	5 12 0	5 18 6	5 9 0
Boiler (inside) chipper and cleaner	5 16 0	6 2 6	5 13 0
Boilermaker and/or structural steel tradesman	6 14 0	7 0 6	6 11 0
Boilersmith and/or angle iron smith	6 17 0	7 3 6	6 14 0
Cold saw operator	5 12 0	5 18 6	5 9 0
Dogman	5 12 0	5 18 6	5 9 0
Driller using portable machines	6 11 0	6 17 6	6 8 0
Driller using stationary machines	5 11 0	5 17 6	5 8 0
Employee assisting a ship plate bender or plate setter	5 12 0	5 18 6	5 9 0
Employee directly assisting an employee whose margin above the basic wage is 14s. or more	5 10 0	5 16 6	5 7 0
Friction saw operator	5 10 0	5 16 6	5 7 0
Furnaceman on heavy angle iron or heavy plate	5 18 0	6 4 6	5 15 0
Furnaceman's assistant	5 10 0	5 16 6	5 7 0
Holder-up	5 12 0	5 18 6	5 9 0
Machinist—			
1st class	6 14 0	7 0 6	6 11 0
2nd class	6 2 0	6 8 6	5 19 0
3rd class	5 15 0	6 1 6	5 12 0

WAGES—continued.

Adults.	Day Shift.		
	Wages per Week of 44 Hours.		
	Within 20 Miles of G.P.O., Melbourne, 10 miles of G.P.O., Geelong, or at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
	£ s. d.	£ s. d.	£ s. d.
Machinist, steel construction—			
1st class	5 17 0	6 3 6	5 14 0
2nd class	5 11 0	5 17 6	5 8 0
Marker off (a tradesman the greater part of whose time is occupied in marking off and/or template making)	6 18 0	7 4 6	6 15 0
Painter of ironwork using spray	5 11 0	5 17 6	5 8 0
Painter of ironwork (other than ship painter) using brush	5 10 0	5 16 6	5 7 0
Plate setter and frame bender	6 16 0	7 2 6	6 13 0
Press and block hand assisting a boiler or angle ironsmith	5 12 0	5 18 6	5 9 0
Process worker	5 9 0	5 15 6	5 6 0
Rigger and/or splicer	5 16 0	6 2 6	5 13 0
Rivet heater	5 12 0	5 18 6	5 9 0
Welder—			
1st class (other than when using Cutler machine)	6 17 0	7 3 6	6 14 0
1st class (using Cutler machine)	6 4 0	6 10 6	6 1 0
2nd class	5 15 0	6 1 6	5 12 0
3rd class	5 11 0	5 17 6	5 8 0
Welder-tack	5 13 0	5 19 6	5 10 0
Employee not elsewhere classified	5 1 0	5 7 6	4 18 0
A tradesman employed as such in this Section who, in the course of his work, is called upon to operate any machine shall be paid the rate prescribed for a tradesman for all work done.			
Steel pipe making section—			
Assistant at ring making machines	5 12 0	5 18 6	5 9 0
Cement mixer	5 13 0	5 19 6	5 10 0
Cement liner	5 16 0	6 2 6	5 13 0
Cement liner operator	6 2 0	6 8 6	5 19 0
Employee in charge of ring making machines	5 16 0	6 2 6	5 13 0
Employee rounding and straightening steel pipes	5 15 0	6 1 6	5 12 0
Employee on tar dip and sand rolling	5 12 0	5 18 6	5 9 0
Faucet maker in charge of furnace	5 19 0	6 5 6	5 16 0
Faucet maker's assistant	5 12 0	5 18 6	5 9 0
Machine operator (in charge of machines)	5 16 0	6 2 6	5 13 0
Pipe builder	5 16 0	6 2 6	5 13 0

Leading Hands.—Leading hands in charge of not less than three and not more than ten employees, 6s. per week extra; more than ten and not more than twenty employees, 12s. per week extra; more than 20 employees, 18s. per week extra.

Tradesmen in Large Power Houses.—Tradesmen and/or welders, apprentices in the fourth and fifth year of their apprenticeship and unapprenticed juniors 19 years of age and over employed in large operating power houses (i.e., power houses developing more than 8,000 kilowatts) other than those not on the regular staff engaged on new construction work shall be paid 6s. per week extra, and other apprentices and unapprenticed juniors 3s. per week extra; such amount shall be deemed to include all special rates prescribed in clause 5. This allowance shall continue to be payable to tradesmen attached to the staffs of such power houses while carrying out repairs or maintenance in rotary converter sub-stations which are in regular operation.

Ship Repairing.—Employees engaged on ship repairs shall be paid the following additional margins:—

	s. d.
Tradesmen	3 0 per week.
All other labour	2 0 „ „

3. APPRENTICESHIP (other than those covered by the Apprenticeship Commission).—(a) *Apprenticeship Trades.*—Minors shall not be employed in the following occupations otherwise than under a contract of apprenticeship as hereinafter provided:—

- (i) First-class welding.
- (ii) Boilermaking and/or steel construction work and/or first-class welding.

(b) *Period of Apprenticeship.*—If the apprentice when indentured is under the age of seventeen years—five years; if over the age of seventeen years—four or five years, at the option of the contracting parties.

(c) *Contract of Apprenticeship.*—Every contract of apprenticeship hereinafter made shall contain—

- (i) the names of the parties;
- (ii) the date of birth of the apprentice;
- (iii) a statement of the trade or trades to which the apprentice is to be bound and which he is to be taught during the course and for the purpose of the apprenticeship;
- (iv) a covenant by the master to teach and instruct or cause the apprentice to be taught or instructed in the trade to which the apprentice is bound;
- (v) the date at which the apprenticeship is to commence or from which it is to be calculated;
- (vi) all other conditions of apprenticeship.

(d) *Cancellation or Suspension of Indentures.*—If, through lack of orders or through financial difficulties, an 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 the indenture may, with the approval of the Secretary for Labour, be determined by the employer. The onus of proving circumstances justifying such determination shall be on the employer.

This sub-clause shall not apply where the State Apprenticeship Commission has power to cancel or suspend indentures of apprenticeship in the occupations specified herein or affect the rights of such a Commission to cancel or suspend such indentures.

(e) *Instruction in Welding.*—The training of apprentices to boilermaking or structural steel work shall include instruction in electric welding and/or oxy-acetylene welding as far as is practicable with the facilities available in the shop in which they are trained.

(f) *Proportion.*—(i) The proportion of apprentices who may be taken by an employer shall be one apprentice for every two or fraction of two tradesmen.

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.

A person who is for a term not exceeding two years taking practical training in a workshop in continuance of a course of training for professional work shall not be taken into account in calculating the proportion of apprentices to journeymen.

(ii) Notwithstanding anything contained in this sub-clause an employer of boilermakers who is adequately equipped to teach apprentices may until further order, with the consent of the Apprenticeship Commission, take on new apprentices up to the proportion of one to each journeyman employed.

Until further order apprentices so taken shall not be counted in future calculations of the proportion of apprentices to journeymen authorized by the Determination.

(g) *Adult Apprentices.*—Any apprentice who cannot complete his full term of apprenticeship before reaching his twenty-second birthday may, by agreement with his master, serve as an apprentice until he reaches the age of 23 years.

(h) *Probationary Period.*—Minors may be taken on probation for three months, and if apprenticed such three months shall count as part of their period of apprenticeship. An employer shall within fourteen days of employing a probationer notify the apprenticeship authorities of the employment of such probationer to any of the trades mentioned herein.

(i) *Wages.*—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 loadings specified, and in all contracts of apprenticeship hereafter made the employer shall covenant to pay wages of not less than such rates:—

Wages per Week of 44 Hours.

	Percentage of Needs Basic Wage.	Constant Loading.	War Loading.	Within 20 miles of G.P.O., Melbourne, 10 miles of G.P.O., Geelong, or at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
<i>Four and Five-year Terms.</i>						
1st year	22½	s. d.	s. d.	s. d.	s. d.	s. d.
2nd year	30	1 0	0 9	21 6	23 0	21 0
3rd year	45	1 6	1 0	29 6	31 6	28 6
4th year	75	2 0	1 6	44 6	47 6	43 0
5th year	95	2 0	2 3	73 0	78 0	71 0
			3 0	92 6	98 6	89 6
<i>Four-year Terms.—Apprentices commencing after the Age of 17 Years.</i>						
1st year	26	..	0 9	24 6	26 6	24 0
2nd year	45	1 0	1 6	44 0	47 0	42 6
3rd year	75	2 0	2 3	73 0	78 0	71 0
4th year	95	2 0	3 0	92 6	98 6	89 6

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.

(j) *Hours.*—The ordinary hours of employment of apprentices shall not in each workshop exceed those of the journeymen.

(k) *Overtime and Shift Work.*—An apprentice under the age of eighteen years shall not be required to work overtime or shift work unless he so desires.

(l) *Payment by Results.*—An apprentice shall not work under any system of payment by results.

(m) *Lost Time.*—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 this Determination, or on 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. Provided that in calculating the extra time to be so served the apprentice shall be credited with time which he has worked during the relevant year in excess of his ordinary hours.

(n) *Prohibition of Premiums.*—An employer shall not, 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.

(o) *Attendance at Technical Schools.*—Apprentices attending technical colleges or schools and presenting reports of satisfactory conduct shall be reimbursed all fees paid by them.

(p) *Annual and Sick Leave.*—Apprentices shall be entitled to sick and annual leave in accordance with the provisions of clauses 16 and 17 hereof respectively.

4. UNAPPRENTICED JUNIOR LABOUR.—Subject to the exceptions hereinafter provided, the minimum rates of wage for unapprenticed male juniors employed in occupations for which apprenticeship is not provided by this Determination shall be the undermentioned:—

(i) Wages per Week of 44 Hours.

	Percentage of Needs Basic Wage.	Constant Loading.	Total Wage Payable.		
			Within 20 miles of G.P.O., Melbourne, 10 miles of G.P.O., Geelong, or at Warrnambool, and within Mildura and Gippsland Districts.	At Yallourn.	Other Parts of Victoria.
<i>Junior Males.</i>					
		s. d.	s. d.	s. d.	s. d.
Under 16 years of age	25	0 6	23 6	25 0	22 6
16 years of age	35	0 9	33 0	35 0	32 0
17 years of age	47½	1 0	44 6	48 0	43 6
18 years of age	60	1 0	56 0	60 0	54 6
19 years of age	75	2 0	71 0	76 0	68 6
20 years of age	90	2 0	85 0	90 6	82 0

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

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

A junior employee of eighteen years or more shall be paid 3s. per week in addition to the rates prescribed herein while he is employed as a furnaceman or assistant to a furnaceman.

(ii) The minimum rate payable to a junior employee of eighteen years or more with less than six months' experience under this Determination shall, until he has had such 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 age and in addition thereto the constant loading prescribed for such an employee.

(iii) Junior employees employed on the following operations shall be paid at not less than the appropriate adult minimum rates:—

- (a) Passing hot rivets in confined spaces.
 - (b) Holding up rivets over $\frac{1}{4}$ inch diameter.
 - (c) Assisting storemen racking and/or loading and/or unloading off vehicles of heavy steel plates, bars or sections.
 - (d) Carrying material to or from cupola, forge, or electric steel furnaces, or using the slicer, or hanging on to end of a bloom. This shall not apply in the case of junior moulders.
 - (e) Assisting steel furnace ladlemen, other than in daubing or repairing ladles.
 - (f) Cutting out and punching rivets on plates.
 - (g) Cutting plates by means of hammer and cold set.
 - (h) On shearing machines, other than guillotine plate shearers, handling plates that weigh more than 84 lbs.
 - (i) On punching machines, handling plates that weigh more than 84 lbs.
 - (j) On angle iron cropping where the material weighs more than $3\frac{1}{2}$ lb. per foot, and is not clamped.
 - (k) Breaking up pig iron.
 - (l) Operating plate edge planers in structural steel or shipbuilding yards, where the operator travels on the machine
- (iv) *Prohibited Occupations.*—Junior employees shall not be employed—
- (a) if under the age of sixteen years on oil or gas burners or fires used for heating of small articles; or
 - (b) if under eighteen years as furnacemen or assistants to furnacemen.

5. **SPECIAL RATES.**—In addition to the wages prescribed in clauses 2, 3, and 4 hereof the following special rates and allowances shall be paid to employees including apprentices and unapprenticed juniors:—

(a) *Wet Places.*—An employee working in any place where his clothing or boots become saturated whether by water, oil, or otherwise shall be paid 2d. per hour extra: Provided that this extra rate shall not be payable to an employee who is provided by the employer with suitable protective clothing and/or footwear. And provided further that any employee who becomes entitled to this extra rate shall be paid such extra rate for such part of the day or shift as he is required to work in wet clothing or boots.

(b) *Confined Spaces.*—Working in confined space (as defined), 3d. per hour extra.

(c) *Ships Bilges, &c.*—Working in ships bilges or in boiling-down works, lead works, sanitary works, or slaughtering yards, 1d. per hour extra.

(d) *Hot Places.*—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. Where work continues for more than two hours in temperatures exceeding 130 degrees Fahrenheit, employees shall also be entitled to twenty 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.

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

(f) *Smoke-boxes, &c.*—Working on repairs to smoke-boxes or fire-boxes of locomotives or on repairs to the smoke-box, up-take, funnel, flue, furnace or combustion chamber of marine type of boilers, or on repairs to smoke-boxes, fire-boxes, furnace or flues of other types of boilers, 1d. per hour extra.

(g) *Oil Tanks and Digestors.*—Working on repairs in oil tanks or meat digestors, 1½d. per hour extra. Provided that if any employee is so engaged for more than half of one day or shift he shall be paid the prescribed allowance for the whole day or shift.

(h) *Dirty Work.*—Work which a foreman and workman shall agree is of an unusually dirty or offensive nature, 1½d. per hour extra.

In case of disagreement between the foreman and workman, the workman or a shop steward on his behalf shall be entitled, within 24 hours, to ask for a decision on the workman's claim by the employer's industrial officer (if there be one), or otherwise by the employer or the executive officer responsible for the management or superintendence of the plant concerned. In such case a decision shall be given on the workman's claim within 48 hours of its being asked for (unless that time expires on a non-working day in which case it shall be given during the next working day), or else the said allowance shall be paid.

In any case where an organization alleges that an employer or his representative is persistently unreasonable or capricious in relation to such claims, it shall have the right to bring such case before the Secretary for Labour.

(i) *Height Money.*—Boilermakers and welders and their assistants and drillers engaged in the erection, repair, and/or maintenance of steel frame buildings, bridges, gasometers, and similar structures at a height of 50 feet or more directly above the nearest horizontal plane shall be paid at the rate of 6s. per week extra.

(j) *Special Rates not Cumulative.*—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, namely, the highest for the disabilities so prevailing.

(k) *Rates not Subject to Penalty Additions.*—The special rates herein prescribed shall be paid irrespective of the times at which the work is performed, and shall not be subject to any premium or penalty additions.

(6) **TRAVELLING TIME, ALLOWANCE, AND BOARD.**—(a) An employee required to work at a job away from his workshop or depot shall, at the direction of his employer, present himself for work at such job at the usual time of starting work. When an employee is required to work away from his workshop or depot, all time reasonably spent in excess of time usually spent in travelling to or from his home to the workshop or depot shall be paid for at ordinary rates (except on Sunday or a holiday when payment shall be at the rate of time and a half), up to a maximum of 12 hours out of every 24 or, where a sleeping berth is provided, a maximum of 8 hours out of every 24.

(b) An employee engaged in a capital city to work in the country, or sent from one country centre to work in another country centre, shall be entitled to travelling time, and, for a period not exceeding three months, to expenses. All excess fares and reasonable travelling expenses, including 2s. 6d. for each meal, together with the cost of board and lodging if the employee has to remain away from his home for a night, shall be paid by the employers.

The fares allowed shall be first class on coastal boats or on interstate boats where there is no second class as distinct from steerage, and on trains second class, except where all-night travelling is involved, when they shall be first class and sleeping berths shall be provided where available.

(c) A camping allowance of 3s. per day for every day including Sunday shall be paid to employees engaged on country jobs at places where ordinary board and residence is not obtainable and camping in tents, cubicles, or other temporary shelter is necessary. Provided that where cooked meals are procurable by the employee at a mess established by the employer, the amount of such country allowance shall be 9d. per day for every day, including Sundays.

(d) Until further order an employer shall be free to engage labour on the site of a job carried on away from the workshop, without payment of any travelling time or fares, unless such employee is sent from the workshop.

Provided that if any employee engaged for the erection of a job had previously been engaged by the same employer in the fabrication of the job in a workshop he shall be paid fares in excess of those incurred in travelling to and from the workshop.

7. HOURS OF EMPLOYMENT.—(a) *Day Workers*.—Subject to the exceptions herein set out, the ordinary hours of employment shall be 44 per week to be worked in five days of eight hours (Monday to Friday inclusive), and one day (Saturday) of four hours; or five days (Monday to Friday inclusive) of 8 hours 48 minutes each continuously except for meal breaks at the discretion of the employer, between 7 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 7 a.m. and noon on Saturday: Provided that the spread of hours herein prescribed may be altered as to all or a section of the employees by mutual agreement between an employer and the representative of the union in that shop.

(b) The ordinary weekly hours of employment of forgers, forge furnacemen, and their assistants, shall consist of five days of 9½ hours each, including crib time for which no deduction of pay shall be made. The rates in this Determination shall be for a 44 hours week and hourly rates shall be ascertained by dividing the weekly rates by 44.

(c) In localities where the recognized half holiday is on a day other than Saturday, the day so recognized may be substituted for Saturday for all purposes of this Determination.

8. 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 11 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 representative of the union to suit the circumstances of the establishment.

9. MIXED FUNCTIONS.—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.

10. 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, any 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.

11. HOLIDAYS AND SUNDAY WORK.—(a) Employees shall be entitled to the following public holidays without loss of pay as regards employees on weekly hiring:—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, King's Birthday, Labour Day, Anzac Day, 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.

By agreement between any employer and his employees other days may be substituted for the said days or any of them as to such employer's undertaking.

Exceptions.

(b) An employee not engaged on continuous work shall be paid at the rate of double time for work done on Sundays and public holidays, such double time to continue until he is relieved from duty.

Provided that where employees are necessarily engaged in repairs to or renewals of their employer's plant and machinery necessary for resumption of work the next following working day, work done on Sundays and holidays shall be paid for at the rate of time and a half for the first eight hours and double time thereafter.

(c) An employee, other than a casual employee, not engaged in continuous work who works on a Sunday or a public holiday and (except for meal breaks) immediately thereafter continues such work, shall on being relieved from duty 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.

(d) Employees, other than on shift, required to work on Sundays or public holidays shall be paid for a minimum of three hours' work.

12. PIECE-WORK.—The Board determines, under the provisions of section 150 of the Factories and Shops Acts, that any employer may fix and pay piece-work prices to any person or persons or classes of persons employed at any work for which the Board has fixed the minimum wage, provided that any such employer shall base such piece-work prices on the earnings of an average worker working under like conditions, and such piece-work prices shall be fixed so that an average worker can earn not less than the wages that are fixed by the Board for such work.

13. EXTRA RATES NOT CUMULATIVE.—Extra rates in this Determination, except rates prescribed in clause 5, are not cumulative so as to exceed the maximum of double the ordinary rates.

14. PAYMENT OF WAGES.—(a) Wages shall be paid weekly or fortnightly.

(b) On the first pay day occurring during his employment, an employee shall be paid whatever wages are due to him up to the completion of his work on the previous day. Provided that this sub-clause shall not apply to employers who make a practice of allowing advances to employees approximating wages due.

(c) Upon determination of the employment, wages due to an employee shall be paid to him on the day of such determination, or forwarded to him by post on the next working day.

(d) 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-hour, with a minimum of a quarter of an hour.

(e) On or prior to pay day, the employer shall state to each employee in writing the amount of wages to which he is entitled the amount of deductions made therefrom, and the net amount being paid to him.

15. 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 any employees 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 16 hereof, 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 performs.

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

(i) He shall not be entitled to paid leave of absence for any period in respect of which he is entitled to Workers' Compensation.

(ii) (a) 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) of this sub-clause 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 the time (not exceeding four hours) so occupied on the day of the accident, and shall be reimbursed by the employer all expenses reasonably incurred in connexion with such attendance.

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

(b) 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: Provided that in the case of shift workers whose hours have been reduced or whose wages have been increased in accordance with clause 8 of the Determination service before the 1st January, 1942, shall not be taken into consideration for the purpose of calculating annual leave.

(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) of this clause 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 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 wage 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, 3, and 4 of this Determination for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment, as the case may be. Payment in the case of employees employed on piece or bonus work or any other system of payment by results shall be at time rates.

(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 11 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 under the Determination hereby rescinded.

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

18. MISCELLANEOUS PROVISIONS.—GENERAL.—(a) Tools.—Until further order the employer shall provide for each employee such tools as were customarily provided at the time of the making of this Determination. The employee shall replace or pay for any tools so provided if lost through his negligence.

(b) Washing and Sanitary Conveniences.—Employers shall provide proper and sufficient washing and sanitary conveniences.

(c) Lockers.—An employer shall provide a suitable locker or suitable hanging facilities for each employee in a workshop: Provided that this sub-clause shall not for such period or periods as the Wages Board may fix apply to any employer who proves to the satisfaction of the Secretary for Labour that he is unable by reason of lack of space, shortage of material or labour, or any other difficulties to provide lockers or hanging facilities as aforesaid.

(d) Boiling Water.—Employers shall provide boiling water for employees in workshops at meal times.

(e) Showers.—Employers shall provide for all workmen employed in foundries hot and cold shower baths which shall be situated away from lavatories.

(f) Asbestos Sheets, Glasses, and Screens.—(i) Suitable asbestos sheet and coloured glasses shall be provided by employers for the protection of electric arc and oxy-acetylene operators and their assistants.

(ii) Where electric arc operators are working screens which shall be suitable and sufficient for the purpose shall be provided by the employer for the protection of employees from flash.

(g) Goggles.—Employers shall provide suitable mica or other goggles for emery-wheel operators.

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

(i) Hand-rivetting.—Hand-rivetting on rivets $\frac{5}{8}$ inch diameter and upwards shall be performed double handed.

(j) Gas Masks.—(i) The employer shall ensure that sufficient gas masks are available to enable each employee, when engaged on repairs to refrigeration plants outside the employer's premises, to take one with him.

(ii) Employers shall provide respirators or gas masks for electric arc or oxy-acetylene operators working in places where fresh air cannot freely circulate.

(k) Protective Clothing.—Employers shall provide suitable protective aprons, rubber gloves, and rubber boots or clogs, to employees engaged in the manual handling of materials over hot galvanizing or tinning pots or pickling or plating baths.

(l) *First Aid Outfit*.—In each workshop, and at other places where employees are regularly employed, the employer shall provide and continuously maintain at a place or places reasonably accessible to all employees an efficient First Aid Outfit.

Clause 8 of Chapter 9 of the Regulations under the *Factories and Shops Act 1928* requires that a first-aid ambulance chest shall be kept in some accessible place upon the premises, and that such chest shall be equipped and supplied with the following articles :—

Articles.	Quantities to be kept in Ambulance Chest—
Antiseptic solution	1 bottle
Bandages, cotton and gauze	1 dozen assorted sizes
Castor oil	2 oz.
Iodine, tincture of	2 oz.
Manual, first-aid	1
Petrolatum, carbolized	1 jar
Picric acid solution, made according to the following recipe or prescription :— 1½ teaspoonfuls of powdered picric acid, 3 oz. of absolute alcohol, and 2 pints of distilled water	1 pint
Pins, safety	1 packet
Sal volatile	6 oz.
Scissors	1 pair
Tourniquet	1
Tweezers	1 pair
Cotton, absorbent	} An adequate assortment
Gauze, sterilized, plain	
Lint, absorbent	
Plaster, adhesive	

(m) *Damage to Clothing and Tools*.—Compensation to the extent of the damage sustained shall be made where, in the course of the work, clothing or tools are damaged or destroyed by fire or through the use of corrosive substances : Provided that the employer's liability in respect of tools shall be limited to such tools of trade as are ordinarily required for the performance of the employees' duties.

19. *SHOP STEWARDS*.—An employee appointed shop steward in the shop or department in which he is employed shall, upon notification thereof to his employer, be recognized as the accredited representative of the union to which he belongs, and he shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees whom he represents.

20. *RIGHT OF ENTRY OF UNION OFFICIALS*.—(a) For the purpose of interviewing employees on legitimate union business, a duly accredited union representative shall have the right to enter employers' premises during the midday meal break on the following conditions :—

- (i) That he produces his authority to the gatekeeper or such other person as may be appointed by the employer ;
- (ii) that he interviews employees only at places where they are taking their meal ;
- (iii) that not more than one representative of each of not more than three unions be on the premises at any one time ;
- (iv) that no one representative visit the premises more than once in each week ;
- (v) that if any employer alleges that a representative is unduly interfering with his work or is creating dissatisfaction 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.

Provided that where certain employees are working under a system of shift work which precludes a representative from interviewing them during the midday meal break the representative shall have the right to enter the employer's premises for the purpose of interviewing such employees at such time and under such conditions as to notice as may be mutually arranged by the representative and the employer, or failing agreement, at such times and under such conditions as the Secretary for Labour may decide.

(b) For the purpose of investigating complaints concerning the application of this Determination, a duly accredited union representative shall be afforded reasonable facilities for entering an employer's workshop or plant during working hours, subject to the following conditions :—

- (i) That he discloses to the employer or his representative the complaint which he desires to investigate ;
- (ii) that he makes his investigations in the presence of the employer or his representative (if the employer so desires) ;
- (iii) That he does not interfere with work proceeding in the workshop or plant ;
- (iv) that he conducts himself properly.

(c) A union representative shall be a duly accredited representative of an organization concerned if he be the holder for the time being of a certificate, signed by the General Secretary of that organization, and bearing the seal of that organization, in the following form, or in a form not materially differing therefrom :—

(Name of organization.)
THIS IS TO CERTIFY THAT
organization.

is a duly accredited representative of the above-named

General Secretary.

(Seal.)

Date—

Specimen Signature of Holder—

STRICTLY NOT TRANSFERABLE.

21. *TIME AND WAGES BOOK*.—(a) Each employer shall keep a record from which can be readily ascertained the name of each employee and his occupation, the hours worked each day, and the wages and allowances paid each week.

(b) The time occupied by an employee in filling in any time record 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 when entering or leaving the employer's premises.

(c) The time and wages record shall be open for inspection to a duly accredited union official during the usual office hours at the employer's office or other convenient place. Provided that an inspection shall not 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 also that only one demand for such inspection shall be made in one fortnight at the same establishment.

(d) The official making such inspection shall be entitled to take a copy of entries in a time and wages record relating to the suspected breach of the Determination.

22. *NOTICE BOARD*.—The employer shall permit a notice board of reasonable dimensions to be erected in a prominent position in his establishment, upon which accredited union representatives shall be permitted to post formal union notices, signed or countersigned by the representative posting same.

23. *DEFINITIONS*.—(1) "Confined space" means a compartment or space access to which is through a man-hole or similar opening, or a place the dimensions of which necessitate an employee working in a stooped or otherwise cramped position, or without proper ventilation, and includes such a space—

- (a) in the case of a ship, inside complete tanks, chain lockers, and peaks ; in bilges, under engine beds, under engine-room and stokehold floors, or under or inside boilers ;
- (b) in the case of a locomotive, inside the barrels of boilers, fire-boxes, water spaces of tenders, side tanks, bunker tanks, saddle tanks, or smoke boxes ;
- (c) in other cases, inside boilers, steam drums, mud drums, fire-boxes of vertical or road vehicle boilers, furnaces, flues, combustion chambers, receivers, buoys, tanks, superheaters, or economizers.

- (2) "Ship repairs" means—
- All repair work done on ships.
 - All work, other than the making of spare parts and stores, done in a workshop used for ship repairs only.
 - Work done in a workshop used for both ship repairing, general engineering, metal moulding, steel construction, and other heavy metal fabrication on which employees are engaged both on the ship and in the workshop.
- (3) "Sunday" means all time between midnight Saturday and midnight Sunday.
- (4) "Year" means the period between the 1st day of June in each year and the next 31st day of May.
- (5) "Fitter" means a tradesman of one or more of the following classes:—Mechanical fitter, electrical fitter, pipe fitter on refrigeration work, and/or high pressure work which includes live steam and hydraulic press work, points and crossings fitter, and window-frame fitter.
- (6) "Welder—1st class" means a tradesman using electric arc and/or oxy-acetylene blowpipe, and/or coal gas-cutting plant who is required to apply general trade experience as a welder.
- (7) "Welder—2nd class" means an adult employee using an electric arc or oxy-acetylene blowpipe who is not a welder 1st class or welder 3rd class.
- (8) "Welder—3rd class" means an adult employee using an electric spot or butt welding machine, or cutting scrap with an oxy-acetylene blowpipe.
- (9) "Other smiths" includes ajax-forger, blacksmith, bulldozer, Bradley hammer smith, drop-hammer smith, chain smith, engine smith, general smith, motor smith, oliver smith, ship smith, spring smith, rolling-stock smith, and wheelwright smith.
- (10) "Boilermaker" means a tradesman who is required to develop work from drawings or prints, or to make templates, or to apply general trade experience in the fabrication, erection, and/or repairing of steel or iron ships, or boilers or other vessels subject to greater pressure than the weight of their contents including iron and steel receivers or retorts, also rivetting by hand or machine caulking, chipping, and operating all machines used in connexion with the foregoing (other than stationary drilling machines).
- (11) "Machinist—1st class (steel construction)" means an adult employee engaged on work other than that defined in "Boilermaker" and "Structural steel tradesman" solely operating one or more of the following machines:—Bending rollers, guillotines, shearing machines, hydraulic presses of over 200 tons pressure, portable drillers, portable reamers and tappers.
- (12) "Machinist—2nd class (steel construction)" means an adult employee engaged on work other than that defined in "Boilermaker" and "Structural steel tradesman" solely operating one or more of the following machines:—Mangling, nipping and notching, roll straightening, punching, cropping, hydraulic presses of 200 tons pressure or under, stationary drillers, stationary reamers and tappers, plate-edge planers, and other machines.
- (13) "Structural steel tradesman" means a tradesman engaged in assembling, plating, bolting (temporary or otherwise), rivetting by hand or machine, caulking, chipping, staying, reaming, drilling (other than on stationary machines), or who in the course of his work operates machines for punching and shearing, rolling bending, angle or plate straightening, or hydraulic presses, or nipping and notching machines, in connexion with the making and/or repairing of tanks, water locks, towers (other than agricultural and pastoral types), wagons, tenders, trucks, rolling-stock, bridges, girders, columns, principals (roofs or otherwise), trusses, structural iron and steel work, but not including parts of standardized frame buildings made in quantities.
- (14) "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.
- (15) "Rigger and/or slicer" means an adult workman who is responsible for the erection of tackle and/or who is required amongst other duties to splice wire rope.
- (16) "Pieceworker" means an employee required to work any job at a price fixed.
- (17) "Double fires" means work in connexion with which a furnace or fire is used and on which two or more men are assisting or working with a smith in treating the material which has been through the furnace or fire.
- (18) "Process worker" means an employee engaged on—
- 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
 - in the assembling of parts of mechanical appliances or other articles so made, in which no fitting or adjustment requiring skill is required; or
 - in specialized processes—not requiring use of hand tools except hammers, pliers, screw drivers, spanners, and files, and such tools as are necessary for deburring or removing rags or edging.
- (19) "Window-frame making" means the making in quantities of metal window-frames, metal doors and grilles, and metal ornamentations used in buildings.

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 Acts 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.
Victoria—	£ s. d.	s. d.	£ s. d.	
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 12 0	6 0	4 18 0	Melbourne
Yallourn—6s. 6d. in excess of basic wage for 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 May, 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 May, an August, a November, or a February, 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 amount assigned 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 the margins and war loadings set out in this clause shall be the minimum rate payable to employees therein named:—

Classification.	Margins Per Week.	Wartime Loadings Per Week.
	s. d.	s. d.
Boilermaking and steel construction section—		
Assembler window-frame making (non-tradesman)	18 0	3 0
Attendant at small rivet heating, bolt heating or similar types of fires or furnaces	11 0	3 0
Blacksmith's striker	9 0	3 0
Blacksmith's striker on double fires and other assistant	11 0	3 0
Boiler (inside) chipper and cleaner	15 0	3 0
Boilermaker and/or structural steel tradesman	30 0	6 0
Boilersmith and/or angle iron smith	33 0	6 0
Cold saw operator	11 0	3 0
Dogman	11 0	3 0
Driller using portable machines	27 0	6 0
Driller using stationary machines	10 0	3 0
Employee assisting a ship plate bender or plate setter	11 0	3 0
Employee directly assisting an employee whose margin above the basic wage is 14s. or more	9 0	3 0
Friction saw operator	9 0	3 0
Furnaceman on heavy angle iron or heavy plate	17 0	3 0
Furnaceman's assistant	9 0	3 0
Holder-up	11 0	3 0
Machinist—		
1st class	30 0	6 0
2nd class	20 0	4 0
3rd class	14 0	3 0
Machinist, steel construction—		
1st class	16 0	3 0
2nd class	10 0	3 0
Marker-off (a tradesman the greater part of whose time is occupied in marking off and/or template making)	34 0	6 0
Painter of ironwork using spray	10 0	3 0
Painter of ironwork (other than ship painter) using brush	9 0	3 0
Plate setter and frame bender	32 0	6 0
Press and block hand assisting a boiler or angle ironsmith	11 0	3 0
Process worker	8 0	3 0
Rigger and/or splicer	15 0	3 0
Rivet heater	11 0	3 0
Welder—		
1st class (other than when using Cutler machine)	33 0	6 0
1st class (using Cutler machine)	22 0	4 0
2nd class	14 0	3 0
3rd class	10 0	3 0
Welder—tack	12 0	3 0
Employee not elsewhere classified	Nil	3 0
Steel pipe making section—		
Assistant at ring making machines	11 0	3 0
Cement mixer	12 0	3 0
Cement liner	15 0	3 0
Cement liner operator	21 0	3 0
Employee in charge of ring making machines	15 0	3 0
Employee rounding and straightening steel pipes	14 0	3 0
Employee on tar dip and sand rolling	11 0	3 0
Faucet maker in charge of furnace	18 0	3 0
Faucet maker's assistant	11 0	3 0
Machine operator (in charge of machines)	15 0	3 0
Pipe builder	15 0	3 0

A. V. BARNES, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 28th February, 1943.



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No. 44]

THURSDAY, MARCH 4.

[1943

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 19 (CONFECTIONERY, PASTRY, FRUIT AND VEGETABLE).

NOTES.—(a) This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts and the Order in Council made thereunder; 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; and the boroughs of Eaglehawk and Sebastopol.

(b) On the 21st December, 1922, the Board was deprived of the power to determine the lowest prices or rates which may be paid to any persons employed whole or part time selling confectionery or pastry in any place in which the business of a restaurant is carried on, and such power was conferred exclusively on the Restaurant Board.

(c) On the 4th December, 1929, the power to determine the lowest prices or rates which may be paid to any persons employed in any bread shop was taken from the Shops Board No. 18 (Miscellaneous Shops) and conferred exclusively on the Shops Board No. 19 (Confectionery, Pastry, Fruit, and Vegetable).

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to "determine the lowest prices or rates which may be paid to any persons employed in confectionery and pastry shops, or fruit and vegetable shops," has made the following Determination, namely:—

(1) That as from the beginning of the first pay period to commence in March, 1943, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Apprentices or Improvers.						Other Employees.		
Males.			Females.					
Wages per week of 46 hours.			Wages per week of 46 hours.			Wages per week of 46 hours.		
—			In any shop wherein employees' wages are subject solely to this Determination.		In any other Shop.			
s. d.			s. d.		s. d.		s. d.	
15 years of age or under .. 24 6			15 years of age or under .. 22 0		15 years of age or under .. 22 9		MALES—	
16 years of age .. 31 3			16 years of age .. 24 6		16 years of age .. 26 0		21 years of age .. 78 3	
17 " " .. 38 0			17 " " .. 30 6		17 " " .. 32 3		22 years of age .. 89 0	
18 " " .. 47 9			18 " " .. 35 9		18 " " .. 38 0		23 years of age or over .. 101 3	
19 " " .. 58 3			19 " " .. 41 9		19 " " .. 44 9			
20 " " .. 69 9			20 " " .. 49 3		20 " " .. 52 0			
PROPORTION (in any Shop or Place).						FEMALES—		
One apprentice and one improver to every three or fraction of three workers receiving not less than the minimum wage.						In any shop wherein employees' wages are subject solely to this Determination .. 60 0		
						In any other shop .. 65 6		

(3) OVERTIME.—Any employee who in any week works for any time in excess of 46 hours shall be paid for such extra time at the rate of time and a half.

(4) SPREAD OF HOURS.—The period between the time of commencing work and the time of finishing work on any day shall not exceed ten hours, except on one day per week, when the period concerned shall not exceed twelve hours.

(5) TIME WAGES.—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 23 hours, at the ordinary wages rate with an addition of thirty-three and one-third per centum, and for time worked beyond the 23 hours aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

(6) REFERENCES.—Every employee, on the termination of his or her engagement, shall be given by the employer, if the employee so desires, a certificate setting out the employee's length of service and qualifications.

(7) SPECIAL RATES.—Time and a half shall be paid for all work done on Sundays, or any of the undermentioned public holidays, viz.—

New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Show Day (in such localities mentioned in the Twelfth Schedule to the *Public Service Act* 1923 as are within the area to which this Determination applies), Melbourne Cup Day, Anzac Day, Christmas Day or Boxing Day. If any other day be substituted by Act of Parliament or Proclamation for any of the abovementioned holidays, the special rate shall be payable only for work done on the day so substituted.

(8) SICK LEAVE.—Any employee not attending for duty, who has had not less than 12 months' service with the same employer, shall be paid 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 or her non-attendance was due to personal ill-health or accident necessitating such absence.

Provided that the employer shall not be obliged to pay the employee for such absence in respect of more than six days in any one year.

(9) ANNUAL HOLIDAYS.—Any employee who has been in the service of the same employer for a period of not less than twelve months shall be granted holidays on full pay for a period of twelve consecutive working days in each year (exclusive of the holidays specified in clause (7)), and such holidays shall be given within three months of completion of each twelve months' service. Should an employee's services be terminated for any reason other than misconduct at any time after six months' service but before the expiration of any period of twelve months he shall be entitled to *pro rata* holidays on full pay; but should an employee be dismissed at any time for misconduct before the expiration of any period of twelve months of such employment, he shall not be entitled to any annual leave or any *pro rata* payment in lieu thereof. Fourteen days' notice shall be given by the employer to the employee before the latter commences his annual holidays aforesaid.

(10) PAYMENT OF WAGES, ETC.—Payment of all wages, overtime, special rates, and allowances due shall be made during working hours not later than Thursday each week.

(11) BICYCLE ALLOWANCE.—Where any person uses his or her own bicycle in the delivery or collection of goods for the employer, or in connexion with the employer's business, such person shall receive the sum of 2s. 6d. weekly in addition to any rate prescribed otherwise by this Determination.

(12) CLOTHING ALLOWANCE.—Where any person wears, whilst at work, any washable outer-garment, dress, or headwear, such garment, dress, or headwear shall be supplied free of charge by the employer. The employer shall defray the cost of any necessary laundering of such garment, dress, or headwear or alternatively shall make, in addition to the payment of any rate prescribed otherwise by this Determination, a weekly allowance of 2s. 6d. to the wearer of such garment, dress, or headwear.

(13) TIME AND WAGES RECORD.—The employer shall keep a time and wages record in the English language showing the name, age and sex of each worker, the number of hours worked each week, and the wages and overtime paid each week.

Such record shall be open for inspection by a duly accredited representative of any of the following bodies, viz.—The Shop Assistants and Warehouse Employees' Federation of Australia, the Victorian Refreshment and Confectionery Shopkeepers' Association, the Melbourne and Metropolitan Retail Fruiterers and Greengrocers' Association, and the Victorian Master Pastrycooks' Association.

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

(15) MEAL INTERVALS.—Every person shall be allowed and shall receive the following meal intervals, with permission to leave the shop during the whole of such intervals, viz.—

On each day when work is done—1 hour for lunch, to be taken between 12 noon and 3 p.m.

On each day when work is done after 7.30 p.m.—An additional interval of three-quarters of an hour, to be taken between 5 p.m. and 7.15 p.m.

(16) TERMINATION OF EMPLOYMENT.—Except in a case where an employee has been guilty of a misdemeanour, seven days' notice of termination of employment shall be given by either employer or worker, or a week's wages paid or forfeited, as the case may be, in lieu thereof.

(17) POSTING OF DETERMINATION.—A copy of this Determination shall be kept posted at or near the entrance to any shop or place to which it applies.

A. V. BARNES, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 25th February, 1943.



VICTORIA GOVERNMENT GAZETTE.

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No. 45]

THURSDAY, MARCH 4.

[1943

Factories and Shops Acts.

DETERMINATION OF THE PLASTER OF PARIS BOARD.

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

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to “determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the process, trade, or business of—

(a) making plaster of paris;

(b) excavating or preparing the raw materials for plaster of paris”;

has made the following Determination, namely:—

(1) That as from the beginning of the first pay period to commence on or after the 25th February, 1943, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

Improvers.				Other Employees.			
WAGES PER WEEK OF 44 HOURS.				WAGES PER WEEK OF 44 HOURS.			
	Adjustable Rate.	Emergency Loading (Non-adjustable).	Total Weekly Wage.		Adjustable Rate.	Emergency Loading (Non-adjustable).	Total Weekly Wage.
	s. d.	s. d.	s. d.		s. d.	s. d.	s. d.
Under 17 years of age ..	42 5	2 9	45 2	(a) MILL EMPLOYEES.			
17 years of age ..	55 6	3 9	59 3	Calciner ..	133 0	6 0	139 0
18 “ “ ..	68 5	4 6	72 11	Mechanical shovel attendant ..	123 0	6 0	129 0
19 “ “ ..	81 7	5 6	87 1	Washers, driers, baggers, firemen, wheelers and stackers ..	109 0	6 0	115 0
20 “ “ ..	91 2	6 0	97 2	(b) GYPSUM WORKERS.			
PROPORTION (IN ANY PLACE).				Manager in charge of gypsum pit	153 0	..	153 0
One improver to every five or fraction of five workers receiving not less than 115s. per week.				Gypsum raisers ..	99 0	..	99 0

(3) PROHIBITION OF EMPLOYMENT.—The Board determines that no person shall be employed as an apprentice.

(4) Hours—

(a) *Weekly Hours*.—The ordinary number of working hours per week shall be 44.

(b) *Daily Hours*.—(i) Shift workers. A shift shall consist of eight continuous hours, inclusive of a meal break of forty minutes.

(ii) The daily hours for employees, other than shift workers, shall be eight on Mondays to Fridays inclusive and four on Saturdays.

(5) TIMES OF BEGINNING AND ENDING WORK.—The time of beginning and ending work for employees, other than those employed on shift work, shall be—

Time of Beginning.

6 a.m.

6 a.m.

Time of Ending.

.. 12 noon on Saturday.

.. 5 p.m. on Monday to Friday inclusive.

(6) OVERTIME.—(a) *Shift Workers*.—Any shift worker who works in excess of seven hours twenty minutes in any one day shall be paid at the rate of time and a half for the first two hours and thereafter double time.

(b) *Other Employees*—

- (i) All work done outside the hours specified as the times of beginning and ending work
- (ii) Any work done within the hours specified as the times of beginning and ending work, in excess of eight (8) hours on Mondays to Fridays inclusive or in excess of four (4) hours on Saturdays

shall be paid for at the rate of time and a half for the first two hours in any one day, and thereafter double time.

(7) **MEAL MONEY.**—Any employee, except one who is employed in a gypsum pit, who is required to work overtime for more than two hours in any one day, and who has not been notified on the previous day that he would be required to work such overtime, shall, unless provided with a reasonable meal by the employer, be paid an allowance of two shillings.

(8) **TIME WAGES.**—With the exception of persons, other than gypsum pit managers, employed in gypsum pits (see clause 9), and any person who is employed on time wages for less than the number of hours of an ordinary week's work shall for each hour worked up to one half the number of hours fixed for an ordinary week's work be paid at ordinary wages rates with an addition of thirty-three and one-third per centum, and for each hour worked beyond the one-half aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

(9) **PRO RATA PAYMENT.**—Persons, other than gypsum pit managers, who are employed in gypsum pits and who work less than 44 hours in any week, shall be paid not less than the ordinary wages rate calculated *pro rata* according to the number of hours worked.

(10) **SPECIAL RATES.**—Double time shall be the rate payable for all work done on Sundays, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day (21st April), Anzac Day, Christmas Day, and Boxing Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rates shall only be payable for work done on the day so substituted.

(11) **PAYMENT FOR HOLIDAYS.**—All employees shall be entitled to the holidays mentioned in clause (10) without deduction in pay. Any employee absenting himself from work on any portion of the working day preceding a holiday provided for herein without the permission of the employer, or without having reasonable cause for having absented himself from work, shall not be entitled to payment for such holiday.

(12) **PAYMENT OF WAGES.**—Except in the case of persons employed outside a radius of 20 miles from the Flinders-street Railway Station—

(a) All payment of wages shall be made on a day not later than Friday in each week.

(b) Payment of wages shall commence within a quarter of an hour after the usual time of ceasing work on pay day.

If the pay is not then available employees shall be paid at the rate of time and a half after that quarter of an hour, with a minimum of a quarter of an hour for the time lost as a result of such delay in payment.

(13) **PAYMENT WHEN REQUESTED TO ATTEND FOR ENGAGEMENT.**—Any employee, other than one employed in a gypsum pit, who has presented himself for work, as requested by the employer or his responsible representative, shall—

(a) If not engaged, be paid a sum equal to the rate for two hours' work.

(b) If engaged, be deemed to have commenced work at the hour he presented himself for engagement.

(14) **TRANSPORT AT NIGHT.**—Any employee, other than one employed in a gypsum pit, who completes his work during the night after trams and other public conveyances have ceased to run, shall, unless provided with means of transport by the employer, be reimbursed for any expense necessarily incurred in reaching his home.

(15) **FACILITIES FOR MAKING TEA.**—The employer shall provide an urn or other heating apparatus for employees, other than those employed in gypsum pits, to heat water for making tea at meal times.

(16) **TERMINATION OF EMPLOYMENT.**—Except where the conduct of an employee justifies instant dismissal, one week's notice of termination of employment shall be given by either employer or employee or one week's pay shall be paid or forfeited in lieu thereof.

(17) **CONTAINERS FOR EMPLOYEES' CLOTHING.**—Adequate provision of containers for employees to hang their clothes in shall be made by all employers, and the containers provided shall be of such construction as to reasonably protect the clothing from dust.

(18) **PROVISION OF RUBBER GUM BOOTS.**—All employers shall provide a pair of rubber gum boots for employees, other than those employed in gypsum pits, who are required to clean out settling pits or to work in other wet places.

A. V. BARNES, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 25th February, 1943.



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No. 46]

MONDAY, MARCH 8.

[1943

COMMONWEALTH NATIONAL SECURITY (GENERAL) REGULATIONS.

STATE OF VICTORIA.

LIGHTING RESTRICTION ORDER.

ORDER No. 46.

WHEREAS it is provided by Regulation 35A of the Commonwealth National Security (General) Regulations that the Premier of any State may, after consultation with the Minister of State for Home Security or an officer of the Department of Home Security authorized by that Minister to act on his behalf and with the Commandant of a Military District or an officer authorized by the Minister of State for Defence Co-ordination or the Minister of State for the Army to act on behalf of such Commandant, by Order—

- (a) direct any total or partial "black-out" and may prohibit or regulate the display of lights of any description within the State; and
- (b) make such provision as he deems necessary to protect the persons and property of the civil population in that State or any part thereof in case of emergency,

and that all persons within such State or area (as the case may be) to which any such Order applies shall comply with the requirements of that Order:

Now therefore I, Albert Arthur Dunstan, Premier of the State of Victoria, having duly held such consultations, do hereby make the following Order:—

1. This Order may be cited as the Lighting Restriction Order (Victoria) No. 6.

2. The Lighting Restriction Order (Victoria) No. 5 is amended—

- (a) by omitting paragraphs (b) and (c) of the interpretation of "Vehicular brown-out area" in clause 3;

- (b) by omitting sub-clause (4) of clause 27 and inserting in its stead the following sub-clause:—

"(4) This clause shall apply within the vehicular brown-out area as defined in clause 3 of this Order";

No. 46.—14451/42.

Amendments
of Lighting
Restriction
Order
(Victoria)
No. 5.
Clause 3.
Interpretation
of
"Vehicular
brown-out
area."
Clause 27.
As to general
lighting
restrictions.

Clause 28.
Revocation
of coastal
lighting
provisions.
Clause 33.
As to
application of
Order to The
Victorian
Railways Com-
missioners.

(c) by omitting clause 28; and

(d) by omitting clause 33 and inserting in its stead the following clause:—

"33. (1) Nothing in any other provision of this Order shall apply to light used by The Victorian Railways Commissioners on or in connection with the railways and the railway property under their control, but it shall be the duty of the said Commissioners, having regard on the one hand to the possibility of hostile attack and on the other to the safe working of railway traffic and the safety of persons on and in the vicinity of railway property, to reduce the amount of light so used to such extent as they think proper in all the circumstances.

(2) Without affecting any other powers discretions immunities or privileges of the said Commissioners, the said Commissioners shall have absolute discretion as to whether, in the event of the first signal being sounded after sunset and before sunrise, the railway services or any part or parts thereof shall be continued or discontinued during the period between the sounding of such first signal and the sounding of the second signal."

A. A. DUNSTAN,

Premier of the State of Victoria.

Dated this 5th day of March, 1943.

No. 150.



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No. 47]

MONDAY, MARCH 8.

[1943

Factories and Shops Acts.

DETERMINATION OF THE WIRE FENCE AND TUBULAR GATE BOARD.

NOTE.—This Determination applies to the following parts of Victoria, namely:—The Metropolitan District (excepting the Central and Southern Ridings of the Shire of Braybrook) as defined in the *Factories and Shops Act 1928* (No. 3677); the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; such portion of the city of Sandringham as is not included in the said Metropolitan District; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which since the 22nd November, 1928, has had the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the trade of making or erecting woven wire fence (other than wire netting) and tubular gates, has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 10th February, 1943, the adjusted Determination which came into force as from the beginning of the first pay period to commence in February, 1943, shall be revoked and replaced by this Determination.

2. ADULTS.

	Wages per Week of 44 hours. £ s. d.
Welder—	
First class (other than when using Cutler machine)	6 17 0
First class, using Cutler machine	6 4 0
Second class	5 15 0
Third class	5 11 0
Tack Welder	5 13 0
Machinists, being those engaged in working on ring-lock, or any other class of fence-making machines, chain netting machines, or picket fabric machines	5 15 0
Paint spray operator	5 11 0
Persons employed in attaching chain netting, fabric, or wire cables to gates or frames	5 12 6
Scroll maker	5 12 6
Tubular frame maker	5 15 0
Person engaged in erecting woven wire fence or tubular gates	5 15 0
Stump hand	5 8 6
All other adult employees	5 1 0

Provided that any person without previous experience employed in attaching chain netting, fabric, or wire cables to gates or frames, scroll making or tubular frame making, and erectors of woven wire fence or tubular gates, shall be paid 106s. per week of 44 hours for the first six weeks of such employment in the industry.

LEADING HANDS.

3. Leading hands in charge of not less than three and not more than ten employees, 6s. per week extra; more than ten and not more than twenty employee, 12s. per week extra; more than twenty employees, 18s. per week extra.

No. 47.—1442/43.

*4. (a) APPRENTICESHIP.

The minimum weekly rates of wage for apprentices shall be the under-mentioned percentages of the contemporaneous needs basic wage, and in addition thereto the constant and war loadings specified.

Four and Five Year Terms.	Percentage of Needs Basic Wage per Week.	Constant Loading per Week.	War Loading per Week.	Wages per Week of 44 Hours
		s. d.	s. d.	s. d.
1st year ..	22½	0 0	0 9	21 6
2nd year ..	30	1 0	1 0	29 6
3rd year ..	45	1 6	1 6	44 6
4th year ..	75	2 0	2 3	73 0
5th year ..	95	2 0	3 0	92 6

Four-year terms—apprenticeship commencing after the age of 17 years:—

	Percentage of Needs Basic Wage per Week.	Constant Loading per Week.	War Loading per Week.	Wages per Week of 44 Hours.
		s. d.	s. d.	s. d.
1st year ..	26	0 0	0 9	24 6
2nd year ..	45	1 0	1 6	44 0
3rd year ..	75	2 0	2 3	73 0
4th year ..	95	2 0	3 0	92 6

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

(b) Male Junior Labour.

The wages of unapprenticed male juniors shall be the under-mentioned percentages of the contemporaneous needs basic wage, and in addition thereto the constant loadings specified.

	Percentage of Needs Basic Wage.	Constant Loading Per Week.	Wages per Week of 44 Hours.
		s. d.	s. d.
Under 16 years of age ..	25	0 6	23 6
16 years of age ..	35	0 9	33 0
17 years of age ..	47½	1 0	44 6
18 years of age ..	60	1 0	56 0
19 years of age ..	75	2 0	71 0
20 years of age ..	90	2 0	85 0

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

*The Board has determined that on and after 23rd April, 1941, no apprentice shall be taken in the trade.

The total wage shall be calculated to the nearest six pence, any broken part of six pence in the result not exceeding three pence to be disregarded.

(c) The minimum rate payable to a junior employee of 18 years or more with less than six months' experience under this Determination shall until he has had such 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 age, and in addition thereto the constant loading specified for such an employee.

(d) No junior shall be employed in outside spray painting or in the occupation of outside erecting who has not attained the age of nineteen years and has not completed two years in the industry.

SPECIAL RATES.

5. In addition to the wages prescribed in clauses 2 and 4 hereof, the following special rates and allowances shall be paid to employees including apprentices and unapprenticed juniors:—

Wet Places.

(a) An employee working in any place where his clothing or boots become saturated, whether by water, oil, or otherwise, shall be paid 2d. per hour extra: Provided that this extra rate shall not be payable to an employee who is provided by the employer with suitable protective clothing and/or footwear: And provided further that any employee who becomes entitled to this extra rate shall be paid such extra rate for such part of the day or shift as he is required to work in wet clothing or boots.

Confined Spaces.

(b) Working in confined space (as defined), 3d. per hour extra.

Special Rates not Cumulative.

(c) 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, namely, the highest for the disabilities so prevailing.

Rates not Subject to Penalty Additions.

(d) The special rates herein prescribed shall be paid irrespective of the times at which the work is performed, and shall not be subject to any premium or penalty additions.

Travelling Time, Allowance, and Board.

6. (a) An employee required to work at a job away from his workshop or depot shall, at the direction of his employer, present himself for work at such job at the usual time of starting work. When an employee is required to work away from his workshop or depot, all time reasonably spent in excess of time usually spent in travelling to or from his home to the workshop or depot shall be paid for at ordinary rates (except on Sunday or a holiday when payment shall be at the rate of time and a half), up to a maximum of twelve hours out of every 24 or, where a sleeping berth is provided, a maximum of eight hours out of every 24.

(b) An employee engaged in a capital city to work in the country, or sent from one country centre to work in another country centre, shall be entitled to travelling time, and for a period not exceeding three months to expenses.

All excess fares and reasonable travelling expenses, including 2s. 6d. for each meal, together with the cost of board and lodging if the employee has to remain away from his home for a night, shall be paid by the employers.

The fares allowed shall be first class on coastal boats or on interstate boats where there is no second class as distinct from steerage, and on trains second class, except where all-night travelling is involved, when they shall be first class, and sleeping berths shall be provided where available.

(c) A camping allowance of 3s. per day for every day, including Sunday, shall be paid to employees engaged on country jobs at places where ordinary board and residence is not obtainable and camping in tents, cubicles, or other temporary shelter is necessary: Provided that where cooked meals are procurable by the employee at a mess established by the employer, the amount of such country allowance shall be 9d. per day for every day including Sundays.

(d) Until further order an employer shall be free to engage labour on the site of a job carried on away from the workshop, without payment of any travelling time or fares, unless such employee is sent from the workshop:

Provided that if any employee engaged for the erection of a job had previously been engaged by the same employer in the fabrication of the job in a workshop he shall be paid fares in excess of those incurred in travelling to and from the workshop.

HOURS OF EMPLOYMENT.

Day Workers.

7. (a) Subject to the exceptions herein set out, the ordinary hours of employment shall be 44 per week, to be worked in five days of eight hours (Monday to Friday inclusive) and one day (Saturday) of four hours; or five days (Monday to Friday inclusive) of 8 hours 48 minutes each continuously, except for meal breaks at the discretion of the employer, between 7 a.m. and 5.30 p.m. on Monday to Friday inclusive, and 7 a.m. and noon on Saturday: Provided that the spread of hours herein prescribed may be altered as to all or a section of the employees by mutual agreement between an employer and the representative of the union in that shop.

(b) In localities where the recognized half-holiday is on a day other than Saturday, the day so recognized may be substituted for Saturday for all purposes of this Determination.

SHIFT WORK.

8. (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 employer 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 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 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; 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 11 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 representative of the union to suit the circumstances of the establishment.

MIXED FUNCTIONS.

9. 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.

OVERTIME.

10. (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 any 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 or 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.

HOLIDAYS AND SUNDAY WORK.

11. (a) Employees shall be entitled to the following public holidays without loss of pay as regards employees on weekly hiring:—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, King's Birthday, Labour Day, Anzac Day, 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.

By agreement between any employer and his employees other days may be substituted for the said days or any of them as to such employer's undertaking.

Exceptions.

(b) An employee not engaged on continuous work shall be paid at the rate of double time for work done on Sundays and public holidays, such double time to continue until he is relieved from duty.

Provided that where employees are necessarily engaged in repairs to or renewals of their employer's plant and machinery necessary for resumption of work the next following working day work done on Sundays and holidays shall be paid for at the rate of time and a half for the first eight hours and double time thereafter.

(c) An employee, other than a casual employee, not engaged in continuous work who works on a Sunday or a public holiday and (except for meal breaks) immediately thereafter continues such work shall on being relieved from duty 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.

(d) Employees, other than on shift required to work on Sundays or public holidays shall be paid for a minimum of three hours' work.

EXTRA RATES NOT CUMULATIVE.

12. Extra rates in this Determination, except rates prescribed in clause 5 are not cumulative so as to exceed the maximum of double the ordinary rates.

PAYMENT OF WAGES.

13. (a) Wages shall be paid weekly or fortnightly.

(b) On the first pay day occurring during his employment, an employee shall be paid whatever wages are due to him up to the completion of his work on the previous day: Provided that this sub-clause shall not apply to employers who make a practice of allowing advances to employees approximating wages due.

(c) Upon determination of the employment wages due to an employee shall be paid to him on the day of such determination, or forwarded to him by post on the next working day.

(d) 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-hour, with a minimum of a quarter of an hour.

(e) On or prior to pay day, the employer shall state to each employee in writing the amount of wages to which he is entitled, the amount of deductions made therefrom, and the net amount being paid to him.

CONTRACT OF EMPLOYMENT.

Weekly Employment.

14. (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 any 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 break-down 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 15 hereof, 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.

SICK LEAVE.

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

(i) He shall not be entitled to paid leave of absence for any period in respect of which he is entitled to Workers' Compensation.

(i) (a) 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) of this sub-clause, 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 the time (not exceeding four hours) so occupied on the day of the accident, and shall be reimbursed by the employer all expenses reasonably incurred in connexion with such attendance.

ANNUAL LEAVE.

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

(b) 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: Provided that in the case of shift workers whose hours have been reduced or whose wages have been increased in accordance with clause 8 of the Determination, service before the 19th February, 1942, shall not be taken into consideration for the purpose of calculating annual leave.

(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) of this clause 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, 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 wage 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 and 4 of this Determination for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave or the termination of his employment, as the case may be. Payment in the case of employees employed on piece or bonus work or any other system of payment by results shall be at time rates.

(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 11 of this Determination.

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

(k) For the purpose 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 11 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 transferee of a business, if an employee was in the employment of the employer's predecessor at the time when he became such successor or assignee or transferee, the employee in respect of the period during which he was in the service of the predecessor shall for the purpose of this clause be deemed to be in the service of the employer.

MISCELLANEOUS PROVISIONS.

GENERAL.

Tools.

17. (a) Until further order the employer shall provide for each employee such tools as were customarily provided at the time of the making of this Determination. The employee shall replace or pay for any tools so provided if lost through his negligence.

Washing and Sanitary Conveniences.

(b) Employers shall provide proper and sufficient washing and sanitary conveniences.

Lockers.

(c) An employer shall provide a suitable locker or suitable hanging facilities for each employee in a workshop: Provided that this sub-clause shall not for such period or periods as the Wages Board may fix apply to any employer who proves to the satisfaction of the Secretary for Labour that he is unable, by reason of lack of space, shortage of material, or labour, or any other difficulties, to provide lockers or hanging facilities as aforesaid.

Boiling Water.

(d) Employers shall provide boiling water for employees in workshops at meal times.

Asbestos Sheets, Glasses, and Screens.

(e) (i) Suitable asbestos sheet and coloured glasses shall be provided by employers for the protection of electric arc and oxy-acetylene operators and their assistants.

(ii) Where electric arc operators are working, screens which shall be suitable and sufficient for the purpose shall be provided by the employer for the protection of employees from flash.

Goggles.

(f) Employers shall provide suitable mica or other goggles for emery-wheel operators.

First-aid Outfit.

(g) In each workshop, and at other places where employees are regularly employed, the employer shall provide and continuously maintain, at a place or places reasonably accessible to all employees, an efficient first-aid outfit.

Clause 8 of Chapter 9 of the Regulations under the Factories and Shops Act 1928 requires that a first-aid ambulance chest shall be kept in some accessible place upon the premises, and that such chest shall be equipped and supplied with the following articles:—

Articles.	Quantities to be kept in Ambulance Chest—
Antiseptic solution	1 bottle
Bandages, cotton and gauze	1 dozen assorted sizes
Castor oil	2 oz.
Iodine, tincture of	2 oz.
Manual, first-aid	1
Petrolatum, carbolyzed	1 jar
Picric acid solution, made according to the following recipe or prescription:— 1½ teaspoonfuls of powdered picric acid, 3 oz. of absolute alcohol, and 2 pints of distilled water	1 pint
Pins, safety	1 packet
Sal volatile	6 oz.
Scissors	1 pair
Tourniquet	1
Twieczers	1 pair
Cotton, absorbent	An adequate assortment
Gauze, sterilized, plain	
Lint, absorbent	
Plaster, adhesive	

Damage to Clothing and Tools.

(h) Compensation to the extent of the damage sustained shall be made where, in the course of the work, clothing or tools are damaged or destroyed by fire or through the use of corrosive substances: Provided that the employer's liability in respect of tools shall be limited to such tools of trade as are ordinarily required for the performance of the employee's duties.

SHOP STEWARDS.

18. An employee appointed shop steward in the shop or department in which he is employed shall, upon notification thereof to his employer, be recognized as the accredited representative of the union to which he belongs, and he shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees whom he represents.

RIGHT OF ENTRY OF UNION OFFICIALS.

19. (a) For the purpose of interviewing employees on legitimate union business, a duly accredited union representative shall have the right to enter employers' premises during the mid-day meal break on the following conditions:—

- That he produces his authority to the gatekeeper or such other person as may be appointed by the employer;
- That he interviews employees only at places where they are taking their meal;
- That not more than one representative of each of not more than three unions be on the premises at any one time;
- That no one representative visit the premises more than once in each week;
- That if any employer alleges that a representative is unduly interfering with his work or is creating dissatisfaction 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.

Provided that where certain employees are working under a system of shift work which precludes a representative from interviewing them during the mid-day meal break, the representative shall have the right to enter the employer's premises for the purpose of interviewing such employees at such time and under such conditions as to notice as may be mutually arranged by the representative and the employer or, failing agreement at such times, and under such conditions as the Secretary for Labour may decide.

(b) For the purpose of investigating complaints concerning the application of this Determination, a duly accredited union representative shall be afforded reasonable facilities for entering an employer's workshop or plant during working hours, subject to the following conditions:—

- That he discloses to the employer or his representative the complaint which he desires to investigate;
- That he makes his investigations in the presence of the employer or his representative (if the employer so desires);
- That he does not interfere with work proceeding in the workshop or plant;
- That he conducts himself properly.

(c) A union representative shall be a duly accredited representative of an organization concerned if he be the holder for the time being of a certificate, signed by the general secretary of that organization and bearing the seal of that organization, in the following form, or in a form not materially differing therefrom:—

(Name of organization.)

This is to certify that
is a duly accredited representative of the above-named organization.

General Secretary.

Seal.

Date.

Specimen signature of holder.

Strictly not transferable.

TIME AND WAGES BOOK.

20. (a) Each employer shall keep a record from which can be readily ascertained the name of each employee and his occupation, the hours worked each day, and the wages and allowances paid each week.

(b) The time occupied by an employee in filling in any time record 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 when entering or leaving the employer's premises.

(c) The time and wages record shall be open for inspection to a duly accredited union official during the usual office hours at the employer's office or other convenient place: Provided that an inspection shall not 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 also that only one demand for such inspection shall be made in one fortnight at the same establishment.

(d) The official making such inspection shall be entitled to take a copy of entries in a time and wages record relating to the suspected breach of the Determination.

NOTICE BOARD.

21. The employer shall permit a notice board of reasonable dimensions to be erected in a prominent position in his establishment, upon which accredited union representatives shall be permitted to post formal union notices, signed or countersigned by the representative posting same.

DEFINITIONS.

22. "Confined space" means a compartment or space, access to which is through a manhole or similar opening, or a place the dimensions of which necessitate an employee working in a stooped or otherwise cramped position, or without proper ventilation.

"Sunday" means all time between midnight Saturday and midnight Sunday.

"Year" means the period between the 1st day of June in each year and the next 31st day of May.

Welding.

"Welder—1st class" means a tradesman using electric arc and/or oxy-acetylene blowpipe and/or coal gas cutting plant who is required to apply general trade experience as a welder.

"Welder—2nd class" means an adult employee using an electric arc or oxy-acetylene blowpipe who is not a welder 1st class or welder 3rd class.

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

PERIODICAL ADJUSTMENT OF WAGES.

23. The wages rates set out in clauses 2 and 4 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 24.

Basic Wage.

Place.	Needs Basic Wage (Adjustable.)	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
Victoria— Within the area to which this Determination applies	£ s. d. 4 12 0	s. d. 6 0	£ s. d. 4 18 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

24. (a) Until the beginning of the first pay period to commence in May, 1943, the amounts of the basic wage shall be as prescribed in clause 23.

(b) During each future successive period beginning with the first pay period to commence in a May, an August, a November, or a February, 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:—

- The index number set to be applied to a place is that assigned thereto in clause 23.
- 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.
- The amount assigned in the following table (or in any extension thereof) to the index number division comprising that number is to be ascertained.
- The basic wage shall be of that amount assigned during such successive period.

Table.

Index Number Divisions.	Basic Wage.	Index Number Divisions.	Basic Wage.
994-1006	£ s. d. 4 1 0	1118-1129	£ s. d. 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.

In addition to the basic wage prescribed by clause 23, any adult employee of a classification specified hereunder shall be paid the margin and wartime loading hereinafter assigned to that classification, and such loading shall be deemed to be part of his ordinary rate of wage for all purposes of this Determination:—

Classification.	Margin.	Wartime Loading.
	s. d.	s. d.
Welder—		
First-class (other than when using Cutler machine)	33 0	6 0
First-class, using Cutler machine	22 0	4 0
Second-class	14 0	3 0
Third-class	10 0	3 0
Tack welder	12 0	3 0
Machinists, being those engaged in working on ring-lock, or any other class of fence-making machines, chain netting machines, or picket fabric machines	14 0	3 0
Paint spray operator	10 0	3 0
Person employed in attaching chain netting, fabric, or wire cables to gates or frames	11 6	3 0
Scroll maker	11 6	3 0
Tubular frame maker	14 0	3 0
Person engaged in erecting woven wire fence or tubular gates	14 0	3 0
Stump hand	7 6	3 0
All other adult employees	Nil.	3 0

A. V. BARNES, J.P., Chairman,

J. W. RYAN, Secretary.

Melbourne, 5th March, 1943.



VICTORIA GOVERNMENT GAZETTE.

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No. 48]

MONDAY, MARCH 8.

[1943

Factories and Shops Acts.

DETERMINATION OF THE COAL MINERS BOARD.

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

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 whosoever employed in the business or occupation (other than fireman, boiler attendant, or engine drivers) of mining for coal has made the following Determination, namely:—

(1) That as from the beginning of the first pay period to commence in February, 1943, the last previous Determination of this Board shall be revoked and replaced by this Determination.

(2)

WAGES.

Minors.				Adult Persons.			
Surface Workers.				Surface Workers.			
Age.	Per Day Shift.			All adults—*22s. 5d. per day shift.			
	Wages.	War-time Loading.	Total.				
	s. d.	d.	s. d.	Underground Workers.			
						Per Day Shift.	
						s. d.	
14 years	7 2	3	7 5	Shaft sinkers .. .. .	..	26	1
15 "	8 10	4	9 2	Timber drawers .. .. .	..	26	11
16 "	10 8	5	11 1	Shiftmen .. .. .	..	24	10
17 "	12 11	6	13 5	Platmen .. .. .	..	24	10
18 "	15 0	7	15 7	Assistant platmen .. .. .	..	23	6
19 "	17 3	8	17 11	Set runners (riding or walking)	..	24	6
20 "	19 5	9	20 2	Jigmen .. .. .	..	24	6
				Wheelers (hand wheeling or using one horse)	..	23	6
				Wheelers (using two horses)	..	25	1
				Examiners .. .. .	..	26	11
				Contract miners' minimum wage	..	25	3
				Miners working on coal .. .. .	..	25	3
				Persons employed in stone-drives	..	24	10
				Probationary miners .. .. .	..	24	10
				Machine-men (including assistant)	..	26	7
				Shiftmen acting as examiners ..	..	25	10
				Ventilation stopping builders ..	..	24	10
				Ventilation stopping builders' assistants	..	23	6
				Persons not provided for otherwise	..	23	6

* Including 1/- war-time loading.

(3) **SHIFTS.**—That work performed except on a day shift as defined in Clause (16) herein shall be paid for at the rate prescribed for day-shift work, with the addition of 7½ per cent.

(4) **HOURS OF WORK.**—That the ordinary hours of work except as prescribed in Clause (11) herein shall be 80 per fortnight, comprising ten shifts of eight hours each, such hours to be inclusive of 30 minutes each shift for cribtime without deduction of pay.

(5) **PAYMENT OF WAGES.**—That wages shall be paid at least once every fortnight, and that not more than one week's pay shall be kept in hand by the employer.

(6) **OVERTIME.**—That overtime shall mean all time on duty outside the hours prescribed as a shift in this Determination. Such hours of duty shall mean from the time a worker descends from the surface until such worker returns to the surface. Overtime shall be paid for at the rate of time and a quarter for the first two hours, and time and a half thereafter. A cribtime of 30 minutes without deduction of pay shall be allowed for every four hours of overtime.

(7) **SUNDAY AND HOLIDAY WORK.**—That all work performed on Sundays or holidays shall be paid for at the rate of time and a half. For the purpose of this clause, the expression "holidays" shall mean New Year's Day, Good Friday, Easter Monday, Christmas Day and the following day, and Labour Day. Whenever any of such days falls upon a Sunday, the following Monday shall be a holiday in lieu of such day.

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(8) **Mixed Functions.**—That where, in any shift, a worker performs for more than half the shift the duties of a higher grade or grades than that in which he is classified, he shall be paid at the rate prescribed for the highest of such grades for the whole shift, provided that, if he is occupied in such higher grade work for not more than half the shift, he shall be paid at a rate not less than that which is equal to the average of the rates prescribed for the grades of work which he is performing.

(9) **Wet Pay.**—That—

- (a) Any surface worker who is required to work in a "wet place" for at least one hour during the shift, if not provided with clothing or footwear so as to protect him from getting wet, shall be paid 1s. extra for such shift, unless the wet conditions occur only in the last two hours of the shift.
- (b) Any underground worker who is required to work in a "wet place" for at least one hour during the shift shall be paid 1s. 3d. extra for such shift, unless the wet conditions occur only in the last two hours of the shift.
- (c) A place shall be deemed to be wet when water other than rain is flowing or dripping from overhead to such an extent as to saturate the clothing of the worker, or when the worker is required to work in water more than 2 inches deep.

(10) **Provision Against Wet Weather.**—That workers (except those the nature of whose duties ordinarily requires them to work out in the open throughout the shift) who are required to work in the rain, shall be provided as far as practicable with suitable clothing to protect them therefrom.

(11) **Reduction of Hours in High Temperatures.**—That where any person is required to work in any place where the temperatures exceed 79° Fah. dry, and 76° Fah. wet, the hours of work shall not exceed six hours per shift, but the employee shall be paid as though the ordinary hours had been worked on the shift concerned.

(12) **Employee to be Notified.**—That where an employee who has not been notified that he is not required to work the following shift presents himself for work and, though willing to work, is not engaged, he shall be paid at the rate applicable to his grade of work as though he had worked the shift in question. Provided that, in any case where, through circumstances over which the employer has no control, notification is impracticable, this clause shall not operate.

(13) **Contract Rates.**—That any employer may fix and pay contract rates, provided that any person employed at such contract rates shall receive not less than the wages prescribed in clause (2) of this Determination.

Where any employee is engaged on contract such employee shall receive, in addition to the prescribed contract rates, an allowance of 1s. per day or shift by way of a war-time loading, such allowance of 1s. per day or shift to be paid in accordance with the prescribed contract miners' minimum wage set out in clause (2) herein.

(14) **Cavilling.**—That a system of cavilling for coal places shall be adopted in respect of any mine in which work is performed at contract rates. Pursuant to the provisions of Section 164 (1) Act 3677, the Board hereby prescribes the following cavilling rules, viz:—

1. Prior to the quarterly cavil, all working places shall be inspected by the management, with two scrutineers, to be appointed by the workmen. The management and scrutineers shall decide mutually what places are deficient. Places deemed deficient shall not be included in the quarterly cavil, but shall be worked in such manner as the management may determine.
2. All places at each colliery which are going to be worked at the commencement of each quarter shall be cavilled for every three months with the exception of those which may be otherwise arranged for between the management and the employees' representatives. Cavils shall be drawn as arranged by scrutineers appointed by the miners in the presence of the colliery officials. Cavils to be arranged so that the first cavil in each year be drawn previous to the Christmas holidays preceding such cavil.
3. In the event of there being sufficient working places, all miners at each colliery, including those promised work for the commencement of each quarter, shall choose their own mates, and shall notify the person appointed to receive names at least two days before the cavils are drawn. Any man neglecting to mate himself shall be mated by the scrutineers, subject to the approval of the management, and his name included in the ballot with the others.
4. All places that are to be drawn for as specials must be made known by the management in the usual way by posting at the pit mouth one week before the drawing of each quarterly cavil, and such places shall be cavilled for first. In the event of there not being a sufficient number of names given in to fill the whole of the specials, an additional number required shall be drawn from the general cavil. Persons cavilling for special places shall be subject to the approval of the management and two scrutineers appointed by the men.
5. Any man or men finishing his or their place during the currency of a quarter, shall fill the nearest available place (if any) in that district, unless it be stipulated at cavilling that the men finishing such place should occupy another place reserved for such contingency.
6. In the event of any place being stopped and restarted during the currency of a quarter, the miners who cavilled such place shall be the persons to work it, unless they have left the colliery or cavilled a special place in accordance with the rule.
7. In the event of two or more places being stopped at the same time during the currency of a quarter in any district, the men who were working in such places shall cavil for any vacant place or places which have to be filled in the district where they have finished, or in any other district should there not be a sufficient number of vacant places in the district where they finished.
8. If any special place or places be started during the currency of a quarter, applications shall be invited from the miners to fill such place or places, and should there be sufficient applications received, such place or places shall be cavilled for in accordance with the rules of the general cavil. In the event of insufficiency of applications the management shall have the right to nominate names for such cavil from the men at the same colliery, provided the persons nominated are agreeable. Failing this, the management may work the place as they may decide.
9. Miners shall be allowed to exchange places at any time with the consent of the management and of their party, but no exchange shall be allowed between miners who are working their notice or about to leave the colliery. In the event of one man of a party leaving after such an exchange, the man who has exchanged shall return to the original cavil if so required by the management or party.
10. Should any dispute arise with regard to the conditions in which any place has been left, the men cavilled to such place may call in the miners' scrutineers or the two miners working on either side provided they are not cross-mates, to decide the matter, and should they allow any compensation, it may be stopped from the wages of the men who worked in the place last, and paid to the men who cavilled such place. The compensation may be stopped from the miners' wages by the management and paid to the men who cavilled to work such place, on their written order.
11. Any miner leaving the colliery and being re-employed during the currency of a quarter shall work his own cavil with the consent of the miners working such place.
12. No man shall work in another man's cavil, except to open out air-ways or to effect repairs.
13. Where four men cavil a place and it is subsequently found necessary to move two men, the four shall cavil to determine who shall leave the place.

(15) **Annual Leave.**—

- (a) Each employee shall be entitled to annual leave up to but not exceeding eight ordinary working days in each year.
- (b) The period in respect of which payments are to be made under this clause shall be the twelve calendar months terminating on the last day of the first pay period which ends in the month of December in each year.
- (c) One day's leave shall be granted for each thirty-two shifts worked and/or where payment is made for attendance of work.
- (d) If on the last day of the period for which the annual leave has been calculated a part of the immediately preceding thirty-two shifts shall have been completed in the terms of sub-clause (c) of this clause the employee shall be entitled to credit as for thirty-two shifts.
- (e) On the last day worked prior to the commencement of his annual leave each employee shall be paid for the period of leave to which he is entitled under this clause at the prescribed rate for his classification or class of work or, in the case of a contract miner, at the contract miners' minimum wage.
- (f) (i) Annual leave shall be granted during the Christmas period for all employees excepting those who may be required to perform essential services during such period.
(ii) Any employee who performs essential services during the Christmas period shall be granted annual leave by mutual arrangement.
- (g) On termination of his employment other than by dismissal for wilful misconduct an employee shall be entitled to payment for all leave accrued.

(16) DEFINITIONS.—“Probationary miner” shall mean a person who has had less than two years' experience of work at the coal face.

“Day shift” shall mean any shift commencing not earlier than 6 a.m. and not later than 8 a.m.

(17) PERIODICAL ADJUSTMENT OF WAGES.—The wages rates for adults set out in clause (2) are based upon the following basic wage and, pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically increased or decreased by the same amount, and at the same time as such basic wage. Provided that the wages of other employees shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest penny half or less than half of one penny to be disregarded.

The basic wage shown hereunder shall be adjusted as prescribed in clause (18).

Basic Wage.

Place.	Needs Basic Wage. (Adjustable.)	Index Number Set Assigned.
Within the area to which this Determination applies	£ s. d. 4 12 0	Melbourne

(18) ADJUSTMENT OF BASIC WAGE.—(a) Until the beginning of the first pay period to commence in May, 1943, the amount of the basic wage shall be as prescribed in clause (17).

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

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

- (1) The index number set to be applied is that assigned to Melbourne.
- (2) The index number for the calendar quarter next preceding the period of thirteen weeks 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.	Per Shift.	
		Increase.	Decrease.
	£ s. d.	s. d.	s. d.
994-1006	4 1 0	.. ..	2 2
1007-1018	4 2 0	.. ..	2 0
1019-1030	4 3 0	.. ..	1 9
1031-1043	4 4 0	.. ..	1 7
1044-1055	4 5 0	.. ..	1 4
1056-1067	4 6 0	.. ..	1 2
1068-1080	4 7 0	.. ..	1 0
1081-1092	4 8 0	.. ..	0 9
1093-1104	4 9 0	.. ..	0 7
1105-1117	4 10 0	.. ..	0 4
1118-1129	4 11 0	.. ..	0 2
1130-1141	4 12 0	No Change.	No Change.
1142-1154	4 13 0	0 3	.. ..
1155-1166	4 14 0	0 5	.. ..
1167-1179	4 15 0	0 8	.. ..
1180-1191	4 16 0	0 10	.. ..
1192-1203	4 17 0	1 0	.. ..
1204-1216	4 18 0	1 3	.. ..
1217-1228	4 19 0	1 5	.. ..
1229-1240	5 0 0	1 8	.. ..
1241-1253	5 1 0	1 10	.. ..
1254-1265	5 2 0	2 0	.. ..

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

The adjustable rates are based upon a basic wage of 81s.

A. V. BARNES, J.P., Chairman.

J. W. RYAN, Secretary.

Melbourne, 4th March, 1943.

1. The first step is to identify the problem. In this case, the problem is that the company is not meeting its sales targets.



VICTORIA GOVERNMENT GAZETTE.

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No. 49]

MONDAY, MARCH 8.

[1943

Factories and Shops Acts.

DETERMINATION OF THE BISCUIT BOARD.

NOTES:—(a) This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts and the Order in Council thereunder, and such portions of the city of Sandringham as are not included in the said District; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the towns of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

(b) On the 21st June, 1913, the powers of the Biscuit Board were extended to enable it to "determine the lowest prices or rates which may be paid to any person employed as storeman, packer, or sorter in connexion with the trade or business of making biscuits."

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 employed in making biscuits," has made the following Determination, namely:—

(1) That on the 24th February, 1943, the adjusted Determination which came into force as from the beginning of the first pay period to commence in February, 1943, shall be revoked and replaced by this Determination.

(2)

Apprentices or Improvers.			Other Employees.	
WAGES PER WEEK OF 44 HOURS.			WAGES.	
	Male Apprentices or Improvers.	Female Apprentices or Improvers.		Per week of 44 hours. s. d.
Under 16 years of age	s. d. 28 3	s. d. 32 9	Bakers (including Wafer Bakers and Branette Bakers)	113 0
16 years of age	35 0	32 9	Brakesman	109 6
17	48 6	36 3	Machine Attendant	107 0
18	55 6	42 6	Men carrying and stacking flour	115 0
19	65 3	46 3	Mixers (including Wafer Mixers and Sugar Cream Mixers)	113 0
20	73 9	50 3	Oven firemen	113 0
Apprentices or improvers engaged attending gas ovens during the baking of wafers and branettes shall be paid 5s. per week in addition to above rates.			Adult males operating "Enroba" chocolate dipping machine	106 0
PROPORTION (IN ANY PLACE).			Despatch hands	106 0
Apprentices.			All other males	103 0
MALES.			All other females	59 6
One male apprentice to every three or fraction of three male workers receiving not less than 103s. per week of 44 hours.				
FEMALES.				
One female apprentice to every three or fraction of three female workers receiving not less than 59s. 6d. per week of 44 hours.				
Improvers.				
MALES.				
Two male improvers to every male worker receiving not less than 103s. per week of 44 hours.				
FEMALES.				
Four female improvers to every female worker receiving not less than 59s. 6d. per week of 44 hours.				

(3) **TERMS OF ENGAGEMENT.**—Employees who work less than 44 hours in any week may be paid *pro rata* according to the number of hours worked.

(4) **OVERTIME.**—

(a) Places in which the week's work is performed in 5½ days—

Time worked in excess of 8 hours on any one day, Monday to Friday (inclusive) .. Time and a half.
Time worked in excess of 4 hours on Saturday Time and a half.

(b) Places in which the week's work is performed in 5 days—

Time worked in excess of 8 hours 48 minutes on any one day, Monday to Friday (inclusive) Time and a half.

(c) Any time worked in excess of 44 hours in any week Time and a half.

(5) **TEA MONEY.**—An allowance of 1s. 6d. for tea money shall be paid to all employees when work extends for more than two hours beyond the usual time of ending work.

(6) **ALLOWANCES.**—Employees who are required to wear, when at work, overalls, the laundering of which is not paid for by the employer, shall be paid the following allowance in addition to their ordinary weekly wage:—

Males aged 19 years and over	2s. per week extra.
Males under 19 years	1s. 6d. per week extra.
All females	2s. per week extra.

(7) **TIME BOOK OR OTHER RECORD.**—The correct times of beginning and ending work shall be recorded daily in a book; time-card, or by mechanical means to be furnished by the employer; such record to be open for inspection by the permanent Secretary-Treasurer of the Victorian Branch of the Biscuit Makers' Union of Australia.

(8) **MEAL TIME.**—A meal period of not less than 30 minutes and not more than one hour shall be allowed after a period of five hours' continuous work. Such meal period shall not be calculated as time worked.

(9) **NIGHT WORK.**—

(i) All employees working on night work between the hours of 9 p.m. and 6.30 a.m. shall receive the rate of 2s. per night-additional to the usual wage rate.

(ii) No female of any age shall be employed between the hours of 9 p.m. and 6.30 a.m.

(10) **SHIFT WORK.**—Each employee engaged on shift work shall have a break of 10 hours between shifts.

(11) **SUNDAY WORK.**—For all work done on Sunday, double time shall be paid with a minimum of 10s.

(12) **PAYMENT FOR HOLIDAYS.**—Employees shall be granted the following holidays without deduction of pay:—New Year's Day, Australia Day (26th January), Union Picnic Day, Good Friday, Easter Monday, Anzac Day, Labour Day, King's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day; or any other day substituted for the above days by Act of Parliament or Proclamation.

Double time shall be the rate for all work done on Sunday, New Year's Day, Australia Day (26th January), Good Friday, Easter Monday, Labour Day, King's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the above-named holidays, the special rate shall only be payable for work done on the day so substituted.

(13) **ANNUAL LEAVE.**—Employers shall in each year give their employees continuously employed as defined, a holiday from and after the day observed as Boxing Day to the 31st December inclusive and shall pay wages for ordinary working days included in that period. Pieceworkers receiving such holidays shall be paid timework rates.

Employees entitled to such holiday and required to work during that period shall be given a week's holiday on full pay at some other time during the year or if dismissed from employment before receiving such holiday shall be paid an extra week's wages on dismissal.

"Continuously employed" for the purpose of this clause means employed (breaks arising from slackening of work being reckoned as being employed) for the six months immediately preceding the 25th day of each December. Any employee dismissed during the three weeks immediately preceding the 25th day of December shall be entitled to payment of one week's wages for such annual holiday.

(14) **SICK PAY.**—

(i) Any employee not attending for duty shall lose his or her pay for the actual time lost unless he or she produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to accident arising in the course of his or her employment or to personal ill-health, but such employee shall not be entitled to payment for non-attendance on the ground of such accident or personal ill-health for more than four days in any one year: Provided that during the first year of service with an employer he or she shall not be entitled to more than one day's sick pay for the first three months; two days' sick pay for the first six months; three days' sick pay for the first nine months. For the purposes of this clause "year" shall mean a period of twelve months commencing on 27th day of May in each year.

(ii) Any employee on piecework not attending for duty on the ground of personal ill-health shall be paid at the corresponding timeworker's wage for the period of ill-health in all respects as if, during such period, he or she had been a weekly timeworker employed on such days and during such hours as are usually worked by timeworkers upon any day shift, and he or she shall comply with and be subject to the conditions for timeworkers prescribed in paragraph (i) of this clause.

(15) **PIECEWORK.**—The Board determines, under the provisions of section 150 of the *Factories and Shops Act 1928*, that any employer may fix and pay piecework prices to any person or persons or classes of persons employed at any work for which the Board has fixed the minimum wage, provided that any such employer shall base such piecework prices on the earnings of an average worker working under like conditions, and such piecework prices shall be fixed so that an average worker can earn not less than the wages that are fixed by the Board for such work.

(16) **AUTHORIZED PERSON MAY ENTER FACTORY.**—The permanent Secretary-Treasurer of the Biscuit Makers' Union of Australia, Victorian Branch, shall have the right to enter and inspect, during working hours, any part of a biscuit factory or workshop in which any work is being carried on. The Secretary-Treasurer of the Biscuit Makers' Union shall have the right to interview employees in regard to conditions of employment.

(17) **PERIODICAL ADJUSTMENT OF WAGES.**—The wages rates for males set out in clause (2) are based upon the following basic wage and, pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically increased or decreased by the same amount, and at the same time as such basic wage. Provided that the wages of adult females, apprentices, and improvers, shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded.

The basic wage shown hereunder shall be adjusted as prescribed in clause (18).

Basic Wage.

Place.	Needs Basic Wage.	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
Within the area to which this Determination applies ..	£ s. d. 4 12 0	s. d. 6 0	£ s. d. 4 18 0	Melbourne

(18) ADJUSTMENT OF BASIC WAGE.—(a) Until the beginning of the first pay period to commence in May, 1943, the amount of the basic wage shall be as prescribed in clause (17).

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

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

- (1) The index number set to be applied is that assigned to Melbourne.
- (2) The index number for the calendar quarter next preceding the period of thirteen weeks 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.

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

J. V. WILLOX, Secretary.

Melbourne, 3rd March, 1943.

1. $\text{gcd}(12, 15) = 3$ and $\text{gcd}(15, 18) = 3$.
 2. $\text{gcd}(12, 18) = 6$.
 3. $\text{gcd}(12, 21) = 3$.
 4. $\text{gcd}(15, 21) = 3$.
 5. $\text{gcd}(18, 21) = 3$.
 6. $\text{gcd}(12, 24) = 12$.
 7. $\text{gcd}(15, 24) = 3$.
 8. $\text{gcd}(18, 24) = 6$.
 9. $\text{gcd}(21, 24) = 3$.
 10. $\text{gcd}(12, 27) = 3$.
 11. $\text{gcd}(15, 27) = 3$.
 12. $\text{gcd}(18, 27) = 9$.
 13. $\text{gcd}(21, 27) = 3$.
 14. $\text{gcd}(12, 30) = 6$.
 15. $\text{gcd}(15, 30) = 15$.
 16. $\text{gcd}(18, 30) = 6$.
 17. $\text{gcd}(21, 30) = 3$.
 18. $\text{gcd}(24, 30) = 6$.
 19. $\text{gcd}(27, 30) = 3$.
 20. $\text{gcd}(30, 36) = 6$.
 21. $\text{gcd}(30, 42) = 6$.
 22. $\text{gcd}(30, 48) = 6$.
 23. $\text{gcd}(30, 54) = 6$.
 24. $\text{gcd}(30, 60) = 30$.
 25. $\text{gcd}(36, 42) = 6$.
 26. $\text{gcd}(36, 48) = 12$.
 27. $\text{gcd}(36, 54) = 18$.
 28. $\text{gcd}(36, 60) = 12$.
 29. $\text{gcd}(42, 48) = 6$.
 30. $\text{gcd}(42, 54) = 6$.
 31. $\text{gcd}(42, 60) = 6$.
 32. $\text{gcd}(48, 54) = 6$.
 33. $\text{gcd}(48, 60) = 12$.
 34. $\text{gcd}(54, 60) = 6$.
 35. $\text{gcd}(60, 72) = 12$.
 36. $\text{gcd}(60, 84) = 12$.
 37. $\text{gcd}(60, 90) = 30$.
 38. $\text{gcd}(72, 84) = 12$.
 39. $\text{gcd}(72, 90) = 18$.
 40. $\text{gcd}(84, 90) = 6$.