VICTORIA

GOVERNMENT GAZETTE.

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Factories and Shops Acts.

DETERMINATION OF THE MEAT PRESERVERS 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 since the 18th July, 1938, has had the power to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons—

(*a*) Employed in the process, trade, or business of—

(1) Preserving meat;
(2) Preparing food products from animal fat or from edible oils;
(3) Putting up preserved meat or food products prepared from animal fat or from edible oils;

(*b*) Employed as a storeman, packer, or sorter in connexion with the trade or business of—

(1) Preserving meat;
(2) Preparing food products from animal fat or from edible oils,"

has made the following Determination, namely :—

1. That on the 12th September, 1946, the last previous Determination of this Board shall be revoked and replaced by this Determination.

Persons other than those employed in connexion with dehydration of meat.

2. WAGES.

APPRENTICES, IMPROVERS, AND JUVENILE WORKERS.

—	Males.			Females.		
	Weekly Rate.	War Time Loading.	Total Weekly Wage.	Weekly Rate.	War Time Loading.	Total Weekly Wage.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Under 16 years	33 6	1 3	34 9	32 0	1 0	33 0
16 years and under 17 years	39 3	1 3	40 6	36 6	1 3	37 9
17 " " 18 "	47 6	1 6	49 0	40 6	1 3	41 9
18 " " 19 "	56 3	2 0	58 3	46 0	1 6	47 6
19 " " 20 "	70 0	2 3	72 3	51 3	1 9	53 0
20 " " 21 "	86 9	3 0	89 9	58 9	1 9	60 6

PROPORTION OF APPRENTICES AND IMPROVERS.—MEAT PRESERVING SECTION.

Apprentices.

One male apprentice to every three or fraction of three male workers receiving not less than 117s. 6d. per week of 44 hours.

One female apprentice to every three or fraction of three female workers receiving not less than 67s. 9d. per week of 44 hours.

Improvers.

One male improver to every 25 or fraction of 25 male workers receiving not less than 117s. 6d. per week of 44 hours.

One female improver to every 25 or fraction of 25 female workers receiving not less than 67s. 9d. per week of 44 hours.

ALL OTHER SECTIONS.

Apprentices.

One male apprentice to every three or fraction of three male workers receiving not less than 118s. 6d. per week of 44 hours.

One female apprentice to every three or fraction of three female workers receiving not less than 67s. 9d. per week of 44 hours.

Improvers.

One male improver to every 25 or fraction of 25 male workers receiving not less than 118s. 6d. per week of 44 hours.

One female improver to every 25 or fraction of 25 female workers receiving not less than 67s. 9d. per week of 44 hours.

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OTHER EMPLOYEES.

MEAT PRESERVING SECTION.

	Weekly Rate.	War Time Loading.	Total Weekly Wage.
	s. d.	s. d.	s. d.
Leading hand, i.e., a person in charge of a department or shift	119 6	4 0	123 6
Assistant preserver	119 6	4 0	123 6
Smoke kiln attendant whilst employed solely as such ..	123 6	4 0	127 6
Sausage smoke room attendant	118 6	4 0	122 6
Retort Hand, i.e., a person who loads and unloads retorts ..	117 6	4 0	121 6
Scalder or braiser	117 6	4 0	121 6
Doughmaker	117 6	4 0	121 6
Cappers, clinchers, and/or vacuum operators whilst employed solely as such	117 6	4 0	121 6
Lacquer hands whilst employed solely as such (i.e. employees feeding into and/or taking off machine)	117 6	4 0	121 6
Soda wash hands whilst employed solely as such (i.e., employees feeding into and/or taking off machine)	117 6	4 0	121 6
Females engaged—			
Taking away from automatic stuffing machine ..	98 0	2 0	100 0
Running sausage skins for canning purposes ..	80 9	2 0	82 9
Stamping, or Branding .. Labelling, keying, wiping tins, and carrying off from filling table .. .. Weighing, filling, emptying, stacking, capping, sealing, closing, opening, labelling, wrapping, packing, cleaning, or sterilizing tins, cartons, bottles, jars or moulds .. Preparing for, placing in, taking away from machines and placing in trays .. Cutting Sausages	65 9	2 0	67 9
All others	113 6	4 0	117 6

ALL OTHER SECTIONS.

	Weekly Rate.	War Time Loading.	Total Weekly Wage.
	s. d.	s. d.	s. d.
Leading Hand, i.e., a person in charge of a Department or shift	120 6	4 0	124 6
Mixer	121 6	4 0	125 6
Potman	121 6	4 0	125 6
Females engaged— Patting, wrapping, stamping, or branding .. .. Labelling, wiping tins, and carrying off from filling tables .. .. .. Filling, cleaning, weighing, stacking, sealing, closing, packing tins, jars, cartons or moulds .. .. Taking away from automatic machines .. .. Wrapping premier jus for oleo presses	65 9	2 0	67 9
All others	114 6	4 0	118 6

SHIFT WORKERS.

3. Shift workers shall not commence work before 1 p.m. on any day from Monday to Friday or before 10.30 a.m. on Saturday. They shall be paid at the ordinary rate for the class of work performed for all work done up to the time of ending work as fixed in clause 6 for certain other employees. For any balance up to 8 hours 10 minutes on days Monday to Friday and 3 hours 10 minutes on Saturday when the week's work is done in six days, and any balance up to 8 hours 48 minutes on days Monday to Friday when the week's work is done in five days, time and a quarter shall be paid.

PRO RATA PAYMENT OF WAGES.

4. An employee other than a "Temporary Worker" who is employed for less than the hours fixed for a full week's work shall be paid the ordinary wages rates calculated pro rata according to the number of hours worked.

ORDINARY WEEK'S WORK.

5. The number of hours which shall constitute a week's work shall be 44 which may be worked in periods not exceeding 8 hours 10 minutes on each day from Monday to Friday and 3 hours 10 minutes on Saturday, or in periods not exceeding 8 hours 48 minutes on each day from Monday to Friday.

TIMES OF BEGINNING AND ENDING WORK.

6. The times of beginning and ending work each day for persons (other than potman or potman's assistant and shift workers) shall be as follows:—

(a) In places where work is done on Saturday—

	Time of Beginning.	Time of Ending.
Mondays to Fridays	.. 7.15 a.m.	.. 5 p.m.
Saturdays	.. 7.15 a.m.	.. 11 a.m.

(b) In places where work is not done on Saturday—

	Time of Beginning.	Time of Ending.
Mondays to Fridays	.. 7.15 a.m.	.. 5.30 p.m.

OVERTIME.

7. The following overtime rates shall be paid for overtime.

(a) Potman or potman's assistant (not being a shift worker) — For work done in excess of 44 hours in any week .. — Time and a half

(b) Others (not being shift workers) .. .. — (1) Outside the hours fixed in clause 6 .. .. (Except after 12 noon on Saturday, when the rate shall be double time.) — Time and a half

(2) Within the hours fixed in clause 6 in excess of the hours fixed in clause 5 — Time and a half

(c) Shift workers — (1) When the week's work is done in six days.

(a) For work done in excess of 8 hours 10 minutes on any day from Monday to Friday or in excess of 3 hours 10 minutes on Saturday before 1.40 p.m. — Time and a half

(b) After 1.40 p.m. on Saturday .. .. — Double time

(2) When the week's work is done in five days

(a) For work done in excess of 8 hours 48 minutes on any day from Monday to Friday and on Saturday before noon — Time and a half

(b) After 12 noon on Saturday .. — Double time

MINIMUM OF OVERTIME.

8. Employees called upon to work after meal time as provided in clause 9 after ordinary ceasing time shall be provided with a minimum of two hours' work, or shall be entitled to two hours' payment; but such payment shall not exceed three times the ordinary week-day rate payable to permanent employees.

MEAL HOURS.

General Conditions.

9. (i) Employees working at night shall not work continuously for more than four hours without an interval of one hour for a meal, except where a person other than a shift worker has had the ordinary tea hour and is finishing before midnight.

(ii) Meal hour if worked shall be paid for at double time on prevailing rates; same to continue until such time as the employee has a full hour of leisure for a meal.

Shift Workers Only.

(iii) Subject to sub-clauses (iv) and (v) hereof shift workers shall only be entitled to one meal hour per shift to be taken not earlier than four hours or later than five hours after commencing work. Provided that once the meal hour has been fixed it can only be altered by mutual agreement between the employer and employee concerned.

(iv) Shift workers may, provided there is a mutual agreement between the employer and the employee, work the shift continuously with a crib time break of twenty minutes which shall count as time worked.

(v) If a shift worker is required to work overtime he shall be entitled to a further meal at the end of the shift and before commencing such overtime.

Employees other than Shift Workers.

Breakfast.—A period of one hour at a time of the day to be arranged between employer and employees shall be allowed for breakfast to any person who commences work before 7.15 a.m.

Dinner.—A period of one hour between 12 noon and 1.30 p.m. shall be allowed for dinner.

Tea.—A period of one hour between 5 p.m. and 6 p.m. (when work is to continue after 6 p.m.) shall be allowed for tea.

SUNDAYS AND HOLIDAYS.

10. (*a*) Double time shall be paid for work done between 8 a.m. and 5 p.m. on Sundays and on the following holidays, viz:—Christmas Day, Boxing Day, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Union Picnic Day, and Melbourne Cup Day; but if any other day be by Act of Parliament or Proclamation substituted for the above-mentioned holidays, the special rate shall be payable for work done only on the day so substituted. Time and a half, calculated on the special rate mentioned in this clause, shall be paid for work done before 8 a.m. or after 5 p.m. on Sundays and holidays.

(*b*) Employees called upon to work on Sundays or holidays shall be provided with four hours' work, or shall be paid for four, hour's work; but such payment shall not exceed three times the ordinary week-day rate payable to permanent employees.

(*c*) Employees (other than temporary workers) not called upon to work on a holiday shall be paid for such holiday at ordinary rates provided that any portion of the working week is or has been worked by them.

Notwithstanding the provisions of sub-clause (*c*) an employee who does not work on Anzac Day shall not be entitled to payment for such holiday.

(*d*) Holidays for shift work employees shall be deemed to operate on the shift commencing during the holiday.

SICK LEAVE.

11. (*a*) Any employee who has been in the employment of the same employer for a period of not less than three months and who does not attend for duty shall lose his pay for the actual time lost unless such employee produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the employer that his non-attendance was due to personal ill-health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the ground of personal ill-health or accident for more than six days in each year or a proportionately less time during any shorter period of employment.

(*b*) Notwithstanding the provisions of sub-clause (*a*) hereof, if the full period of sick leave as prescribed is not taken in any year, such portion as is not taken shall be cumulative from year to year up to a period not exceeding twelve days which shall be the maximum amount of leave to which any employee shall be entitled in any year without deduction of pay.

For the purposes of this sub-clause, service prior to the 1st May, 1943 shall be disregarded.

ANNUAL LEAVE.

Period of Leave.

12. (*a*) A period of fourteen consecutive days' leave shall be allowed annually to an employee after twelve months' continuous service (less the period of annual leave) as an employee in any one or more of the occupations to which this Determination applies.

Seven-day Shift Workers.

(*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.

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 fourteen consecutive days' annual leave prescribed in sub-clause (*a*) hereof increased by half a day for each month he is continuously engaged as aforesaid.

Annual Leave Exclusive of Public Holidays.

(*c*) Subject to this sub-clause 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 and is observed on a day which in the case of that employee would have been an ordinary working day, there shall be added to that period one day for each such holiday falling as aforesaid.

Where a holiday falls as aforesaid and the employee fails without reasonable cause proof whereof shall be upon him to attend for work at his ordinary starting time on the working day immediately following the last day of the period of his annual leave, he shall not be entitled to be paid for any such holiday.

Broken Leave.

(*d*) The annual leave shall be given and taken in a continuous period or, if the employee and the employer so agree, in two separate periods and not otherwise.

Calculation of Continuous Service.

(*e*) 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 personal sickness or accident or on account of leave lawfully granted by the employer; or

(iii) any absence with reasonable cause proof whereof shall be upon the employee.

In cases of personal sickness or accident or absence with reasonable cause the employee to become entitled to the benefit of this sub-clause shall inform the employer in writing if practicable within 24 hours of the commencement of such absence of his inability to attend for duty and as far as practicable the nature of the illness injury or cause and the estimated duration of his absence. A notification given by an employee pursuant to clause 11 shall be accepted as a notification under this sub-clause.

Any absence from work by reason of any cause not being a cause specified in this sub-clause shall not be deemed to break the continuity of service for the purposes of this clause unless the employer during the absence or within fourteen days of the termination of the absence notifies the employee in writing that such absence will be regarded as having broken the continuity of service.

In cases of individual absenteeism such notice shall be given in writing to the employee concerned, but in cases of concerted or collective absenteeism notice may be given to employees by the posting up of a notification in the plant, in the manner in which general notifications to employees are usually made in that plant and by posting to the union whose members have participated in such concerted or collective absenteeism a copy of same not later than the day it is posted up in the plant.

A notice to an individual employee may be given by delivering same to him personally or by posting it to his last recorded address, in which case it shall be deemed to have reached him in due course of post.

In calculating the period of twelve months' continuous service any such absence as aforesaid shall not, except to the extent of not more than fourteen days in a twelve-monthly period in the case of sickness or accident, be taken into account in calculating the period of twelve months' continuous service.

Calculation of Service.

(*f*) Service before the date of operation of this Determination shall be taken into consideration for the purpose of calculating annual leave, but an employee shall not be entitled to leave or 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 clause hereby revoked. Provided however, that in respect of service before the 1st January, 1946, the annual leave shall be allowed at the rate of 3⅔ hours for each completed one month of continuous service and in respect of service after that date at the rate of 7½ hours for each completed one month of continuous service. Any broken part of a month served before the 1st January, 1946, shall for the purposes of this clause be deemed to be service after the 1st January, 1946. The period of annual leave to be allowed under this sub-clause shall be calculated to the nearest day any broken part of a day in the result not exceeding half a day to be disregarded.

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

Calculation of Month.

(*g*) 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.

Leave to be Taken.

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

Time of Taking Leave.

(*i*) Annual leave shall be given at a time fixed by the employer within a period not exceeding three months from the date when the right to annual leave accrued and after not less than two weeks' notice to the employee.

Leave Allowed Before Due Date.

(*j*) 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.

Where leave has been granted to an employee pursuant to this sub-clause 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 one complete month 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-twelth 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.

Payment for Period of Leave.

(*k*) Each employee before going on leave shall be paid two weeks' wages, except a seven-days shift worker who shall be paid the amount of wage he would have received in respect of the ordinary time which he would have worked had he not been on leave during the relevant periods. For the purposes of this sub-clause and sub-clause (*l*) hereof, wages shall be at the rate prescribed by clause 2 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.

Proportionate Leave on Dismissal.

(*l*) If after one month's continuous service in any qualifying twelve-monthly period an employee lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid at his ordinary rate of wage for 3⅔ hours in respect of each completed one month of continuous service before the 1st January, 1946, and for 7½ hours at the same rate in respect of each completed month of continuous service after that date, the service in each case being service in respect of which leave has not been granted hereunder.

Annual Close Down.

(*m*) Where an employer closes down his plant, or a section or sections thereof, for the purposes of allowing annual leave to all or the bulk of the employees in the plant, or section or sections concerned, the following provisions shall apply—

(i) He may by giving not less than one month's notice of his intention so to do stand off for the duration of the close down all employees in the plant or section or sections concerned, and allow to those who are not then qualified for two full weeks' leave, paid leave on a proportionate basis of one-sixth of a week's leave for each completed month of continuous service.

(ii) An employee who has then qualified for two full weeks' leave, and has also completed a further month or more of continuous service shall be allowed his leave, and shall also be paid one-sixth of a week's wages in respect of each completed month of continuous service performed since the close of his last twelve-monthly qualifying period.

(iii) The next twelve-monthly qualifying period for each employee affected by such close down shall commence from the day on which the plant, or section or sections concerned is re-opened for work.

(iv) If in the first year of his service with an employer an employee is allowed proportionate annual leave under paragraph (*i*) hereof, and subsequently within such year lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, he shall be entitled to the benefit of sub-clause (*l*) of this clause subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

SMOKE-OH.

13. A "smoke-oh" period of 15 minutes without deduction of pay shall be allowed as follows:—

(*a*) To shift workers—

At intervals of not less than 2 hours nor more than 2½ hours after the commencement of work or of recommencing work after a meal break. Provided that where a meal break occurs within any such interval of 2½ hours the employee shall not be entitled to a "smoke-oh" during that interval.

(*b*) To other workers—

Each morning between the hours of 9.30 and 10.30 and each afternoon between the hours of 2.30 and 3.30.

CHANGING TIME.

14. Employers shall allow all employees 5 minutes changing time at the end of the ordinary day's work and such time shall be counted as time worked.

TEMPORARY WORKERS.

15. Temporary workers shall be paid at the rate of time and a third but the rates payable to such employees for overtime shall be based on the rates payable to an ordinary worker.

LIMITATION OF PENALTY RATES.

16. Where under any provision in this Determination (other than the provision contained in clause 9 (ii)), cumulative penalty rates would entitle an employee to a sum in excess of three times the ordinary week-day rate per hour of a permanent worker performing like work, the rate payable to such employee, whilst he is employed at work for which penalty rates are provided, shall not exceed three times the ordinary week-day rate referred to ; excepting where an employee is called upon to work through a meal time on a Sunday or a holiday.

DEFINITIONS.

17. (*a*) A temporary worker shall mean any person who is employed for less than three full consecutive working days. Saturdays, Sundays, and holidays are not to be counted as working days, i.e., Friday, Monday, and Tuesday would be three consecutive working days whether Saturday or Sunday is worked or not.

(*b*) Juvenile worker shall mean a person under 21 years of age, other than an apprentice or an improver, who may be employed at—

Patting, wrapping, stamping, or branding ;
Labelling, keying, wiping tins, and carrying off from filling table ;
Filling or cleaning tins, jars, or moulds ;
Weighing, filling, emptying, stacking, capping, sealing, opening, packing, cleaning, or sterilizing tins, cartons, or bottles ;
Taking away from machines ;
Wrapping premier jus for oleo presses, washing margarine boxes, and assisting potman cleaning up ; weighing and closing tins.

MEAL ALLOWANCE.

18. An employee required to work overtime for more than one and a quarter hours after the time of ending work in clause 6, shall be paid 2s. tea money unless notified on the previous day that his services will be needed. If having been notified accordingly he has provided himself with a meal he shall receive, in the event of the work not being done or ceasing before respective meal times, 2s. for each meal so provided.

WEIGHT CARRYING.

19. No female over the age of eighteen years shall be required to carry a greater weight than thirty pounds. Section 207 of the *Factories and Shops Act* 1928 (No. 3677) provides that—" No person employing any girl under the age of eighteen years in a factory or shop shall permit such girl while so employed to lift or carry a greater weight than twenty-five pounds ".

WET WORK.

20. When female employees are engaged in wet work, employers shall take reasonable precautions to protect such employee from getting wet.

FIRST-AID CHEST.

21. A first-aid chest, with all necessaries for same, shall be provided.

MIXED FUNCTIONS.

22. Any person engaged on two or more classes of work in any day shall be paid at the highest rates prevailing for that day.

DINING AND DRESSING ROOMS.

23. Proper dining and dressing rooms shall be provided, and shall be kept in a sanitary condition by the employer.

WASHING DOWN.

24. For the purposes of washing down, hoses and water taps must be provided at convenient places.

PAYMENT OF WAGES.

25. All employees to be paid weekly, and in the time of the employer.

MINIMUM OF WORK.

26. All persons who are engaged for work shall be paid for eight hours' work at least on week days and three and a half hours' work at least on Saturday, even if they are not required to work.

WAITING TIME.

27. When an employee has been notified to start work at a certain hour, but is not put on at such hour, the time that the employee is kept waiting shall be treated as time of duty.

WASHING FACILITIES.

28. A proper place shall be provided for the purpose of washing clothes.

RIGHT OF ENTRY OF UNION OFFICIALS.

29. The Secretary or Assistant Secretary of the Federated Cold Storage and Meat Preserving Employees' Union of Australasia shall be allowed to inspect all time and wages books at the place at which the time book or other record is kept between the hours of 10 a.m. and 2 p.m. on any working day excepting pay day or on the day immediately preceding pay day.

APRONS TO BE PROVIDED.

30. Aprons shall be provided by the employer for employees doing the following classes of work—

(*a*) Males—Retort hands ; potmen and assistants ; washing cans ; handling gravy pots ; attending potato or vegetable machines ; dicing machines, or mixers in canning process.

(*b*) Females—Putting meat into cans, or hand peeling potatoes or vegetables.

CLOGS OR PROTECTIVE FOOTWEAR TO BE PROVIDED.

31. Clogs or protective footwear shall be provided for wet work.

Persons employed in connexion with dehydration of meat.

32. † WAGES PER WEEK.

* IMPROVERS AND JUVENILE WORKERS.

	s.	d.	
Under 17 years of age	43	6	PROPORTION OF IMPROVERS. One improver to every 25 or fraction of 25 workers receiving not less than the minimum wage.
17 years of age	55	3	
18 years of age	70	9	
19 years of age	97	0	
20 years of age	101	0	

* The Board has determined that no apprentices shall be employed in this section.

OTHER EMPLOYEES.

	£	s.	d.
Leading hand, i.e., a person in charge of a department or shift (Provided that where four or less retorts are in operation, the leading hand shall perform mixed functions and take charge of shift.).	6	11	0
Retort hand	6	1	6
Band saw operator	6	1	6
All others	5	17	6

† The above rates include a war loading of 3s. per week for adults and proportionate amounts for juniors.

SHIFT WORK.

33. (a) The ordinary hours of shift-workers shall be 44 per week, to be worked in 5 shifts of 8 hours 48 minutes on Monday to Friday inclusive or 5 shifts of 8 hours and one shift (Saturday) of 4 hours.

(b) Such shifts shall be rostered.

(c) Shift-workers whilst on afternoon or night shift shall be paid 12½ per cent. in addition to the rates shown in Clause 32.

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

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

WEEKLY WAGES.

34. All employees (other than temporary workers) ready, willing, and available for work shall be paid the full weekly wage fixed herein irrespective of the number of hours worked.

ORDINARY WEEK'S WORK (other than Shift Workers).

35. The number of hours which shall constitute a week's work shall be 44 which may be worked in periods not exceeding 8 hours 10 minutes on each day from Monday to Friday and 3 hours 10 minutes on Saturday, or in periods not exceeding 8 hours 48 minutes on each day from Monday to Friday.

TIMES OF BEGINNING AND ENDING WORK (other than Shift Workers).

36. The times of beginning and ending work each day shall be as follows:—

(a) In places where work is done on Saturday—

	Time of Beginning	Time of Ending.
Mondays to Fridays	7.15 a.m.	5 p.m.
Saturdays	7.15 a.m.	11 a.m.

(b) In places where work is not done on Saturday—

Mondays to Fridays	7.15 a.m.	5.30 p.m.

OVERTIME.

37. The following rates shall be paid for overtime:—

(a) Shift-workers—for all work done in excess of 8 hours per day, or in excess of 44 hours per week overtime shall be paid—

(i) When the week's work is done in six days—Time and a half on prevailing rates shall be paid provided that if any such overtime is done after 1.40 p.m. on a Saturday, double time on prevailing rates shall be paid for work so done after such hour on such day.

(ii) When the week's work is done in five days—All work done before noon on a Saturday shall be paid for at the rate of time and a half on prevailing rates and for all work done after such hour double time on prevailing rates shall be paid.

(iii) When shifts are worked on six days in a week and the total hours worked exceed 44 hours in that week, overtime shall be paid for the excess time over 44 hours.

(b) Others (not being shift-workers)—

(i) Outside the hours fixed in clause 36 (except after 12 noon on Saturday, when the rate shall be double time); time and a half.

(ii) Within the hours fixed in clause 36, in excess of the hours fixed in clause 35; time and a half.

MINIMUM OF OVERTIME.

38. Employees called upon to work after meal time as provided in clause 39 after ordinary ceasing time shall be provided with a minimum of two hours' work, or shall be entitled to two hours' payment; but such payment shall not exceed three times the ordinary week-day rate payable to permanent employees.

MEAL HOURS.

General Conditions.

39. (i) Employees working at night shall not work continuously for more than four hours without an interval of one hour for a meal, except where a person other than a shift worker has had the ordinary tea hour and is finishing before midnight.

(ii) Meal hour if worked shall be paid for at double time on prevailing rates; same to continue until such time as the employee has a full hour of leisure for a meal.

Shift Workers Only.

(iii) One half hour shall be allowed for crib in each shift which shall be counted as working time, and shall be taken at appropriate times to ensure that the quality of the product is maintained at the highest standard and with due regard to the convenience of the employees.

(iv) If a shift worker is required to work overtime he shall be entitled to a further meal at the end of the shift and before commencing such overtime.

Employees other than Shift Workers.

Breakfast.—A period of one hour at a time of the day to be arranged between employer and employees shall be allowed for breakfast to any person who commences work before 7.15 a.m.

Dinner.—A period of one hour between 12 noon and 1.30 p.m. shall be allowed for dinner.

Tea.—A period of one hour between 5 p.m. and 6 p.m. (when work is to continue after 6 p.m.) shall be allowed for tea.

SUNDAYS AND HOLIDAYS.

40. (a) Double time shall be paid for work done between 8 a.m. and 5 p.m. on Sundays and on the following holidays, viz:—Christmas Day, Boxing Day, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Union Picnic Day, and Melbourne Cup Day; but if any other day be by Act of Parliament or Proclamation substituted for the above-mentioned holidays, the special rate shall be payable for work done only on the day so substituted. Overtime at the rate of time and a half, calculated on the special rate mentioned in this clause, shall be paid for work done before 8 a.m. or after 5 p.m. on Sundays and holidays.

(b) Employees called upon to work on Sundays or holidays shall be provided with four hours' work, or shall be paid for four hour's work; but such payment shall not exceed three times the ordinary week-day rate payable to permanent employees.

(c) Employees (other than temporary workers) not called upon to work on a holiday shall be paid for such holiday at ordinary rates provided that any portion of the working week is or has been worked by them.

Notwithstanding the provisions of sub-clause (c) an employee who does not work on Anzac Day shall not be entitled to payment for such holiday.

SICK LEAVE.

41. (a) Any employee who has been in the employment of the same employer for a period of not less than three months and who does not attend for duty shall lose his pay for the actual time lost unless such employee produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the employer that his non-attendance was due to personal ill-health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the ground of personal ill-health or accident for more than six days in each year or a proportionately less time during any shorter period of employment.

(b) Notwithstanding the provisions of sub-clause (a) hereof, if the full period of sick leave as prescribed is not taken in any year, such portion as is not taken shall be cumulative from year to year up to a period not exceeding twelve days which shall be the maximum amount of leave to which any employee shall be entitled in any year without deduction of pay.

For the purposes of this sub-clause, service prior to 1st May, 1943, shall be disregarded.

ANNUAL LEAVE.

Period of Leave.

42. (a) A period of fourteen consecutive days' leave shall be allowed annually to an employee after twelve months' continuous service (less the period of annual leave) as an employee in any one or more of the occupations to which this Determination applies.

Seven-day Shift Workers.

(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.

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 fourteen consecutive days' annual leave prescribed in sub-clause (a) hereof increased by half a day for each month he is continuously engaged as aforesaid.

Annual Leave Exclusive of Public Holidays.

(c) Subject to this sub-clause the annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by clause 40 of this Determination, and if any such holiday falls within an employee's period of annual leave and is observed on a day which in the case of that employee would have been an ordinary working day, there shall be added to that period one day for each such holiday falling as aforesaid.

Where a holiday falls as aforesaid and the employee fails without reasonable cause proof whereof shall be upon him to attend for work at his ordinary starting time on the working day immediately following the last day of the period of his annual leave, he shall not be entitled to be paid for any such holiday.

Broken Leave.

(d) The annual leave shall be given and taken in a continuous period or, if the employee and the employer so agree, in two separate periods and not otherwise.

Calculation of Continuous Service.

(e) 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 personal sickness or accident or on account of leave lawfully granted by the employer; or

(iii) any absence with reasonable cause proof whereof shall be upon the employee.

In cases of personal sickness or accident or absence with reasonable cause the employee to become entitled to the benefit of this sub-clause shall inform the employer in writing if practicable within 24 hours of the commencement of such absence of his inability to attend for duty and as far as practicable the nature of the illness injury or cause and the estimated duration of his absence. A notification given by an employee pursuant to clause 41 shall be accepted as a notification under this sub-clause.

Any absence from work by reason of any cause not being a cause specified in this sub-clause shall not be deemed to break the continuity of service for the purposes of this clause unless the employer during the absence or within fourteen days of the termination of the absence notifies the employee in writing that such absence will be regarded as having broken the continuity of service.

In cases of individual absenteeism such notice shall be given in writing to the employee concerned, but in cases of concerted or collective absenteeism notice may be given to employees by the posting up of a notification in the plant, in the manner in which general notifications to employees are usually made in that plant and by posting to the union whose members have participated in such concerted or collective absenteeism a copy of same not later than the day it is posted up in the plant.

A notice to an individual employee may be given by delivering same to him personally or by posting it to his last recorded address, in which case it shall be deemed to have reached him in due course of post.

In calculating the period of twelve months' continuous service any such absence as aforesaid shall not, except to the extent of not more than fourteen days in a twelve-monthly period in the case of sickness or accident, be taken into account in calculating the period of twelve months' continuous service.

Calculation of Service.

(f) Service before the date of operation of this Determination shall be taken into consideration for the purpose of calculating annual leave, but an employee shall not be entitled to leave or 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 clause hereby revoked. Provided however, that in respect of service before the 1st January, 1946, the annual leave shall be allowed at the rate of 3⅔ hours for each completed one month of continuous service and in respect of service after that date at the rate of 7½ hours for each completed one month of continuous service. Any broken part of a month served before the 1st January, 1946, shall for the purposes of this clause be deemed to be service after the 1st January, 1946. The period of annual leave to be allowed under this sub-clause shall be calculated to the nearest day any broken part of a day in the result not exceeding half a day to be disregarded.

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

Calculation of Month.

(g) 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.

Leave to be Taken.

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

Time of Taking Leave.

(i) Annual leave shall be given at a time fixed by the employer within a period not exceeding three months from the date when the right to annual leave accrued and after not less than two weeks' notice to the employee.

Leave Allowed Before Due Date.

(j) 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.

Where leave has been granted to an employee pursuant to this sub-clause 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 one complete month 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-twelfth 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 40 of this Determination.

Payment for Period of Leave.

(*k*) Each employee before going on leave shall be paid two weeks' wages, except a seven-days shift worker who shall be paid the amount of wage he would have received in respect of the ordinary time which he would have worked had he not been on leave during the relevant periods. For the purposes of this sub-clause and sub-clause (*l*) hereof, wages shall be at the rate prescribed by clause 32 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.

Proportionate Leave on Dismissal.

(*l*) If after one month's continuous service in any qualifying twelve-monthly period an employee lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid at his ordinary rate of wage for 3⅔ hours in respect of each completed one month of continuous service before the 1st January, 1946, and for 7⅓ hours at the same rate in respect of each completed month of continuous service after that date, the service in each case being service in respect of which leave has not been granted hereunder.

Annual Close Down.

(*m*) Where an employer closes down his plant, or a section or sections thereof, for the purposes of allowing annual leave to all or the bulk of the employees in the plant, or section or sections concerned, the following provisions shall apply—

(i) He may by giving not less than one month's notice of his intention so to do stand off for the duration of the close down all employees in the plant or section or sections concerned, and allow to those who are not then qualified for two full weeks' leave, paid leave on a proportionate basis of one-sixth of a week's leave for each completed month of continuous service.

(ii) An employee who has then qualified for two full weeks' leave, and has also completed a further month or more of continuous service shall be allowed his leave, and shall also be paid one-sixth of a week's wages in respect of each completed month of continuous service performed since the close of his last twelve-monthly qualifying period.

(iii) The next twelve-monthly qualifying period for each employee affected by such close down shall commence from the day on which the plant, or section or sections concerned is re-opened for work.

(iv) If in the first year of his service with an employer an employee is allowed proportionate annual leave under paragraph (*i*) hereof, and subsequently within such year lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, he shall be entitled to the benefit of sub-clause (*l*) of this clause subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

SMOKE-OH.

43. A "smoke-oh" period of 15 minutes without deduction of pay shall be allowed as follows:—

(*a*) To shift workers—

At intervals of not less than 2 hours nor more than 2½ hours after the commencement of work or of recommencing work after a meal break. Provided that where a meal break occurs within any such interval of 2½ hours the employee shall not be entitled to a "smoke-oh" during that interval.

(*b*) To other workers—

Each morning between the hours of 9.30 and 10.30 and each afternoon between the hours of 2.30 and 3.30.

CHANGING TIME.

44. Employers shall allow all employees 5 minutes changing time at the end of the ordinary day's work and such time shall be counted as time worked.

TEMPORARY WORKERS.

45. Temporary workers shall be paid at the rate of time and a third but the rates payable to such employees for overtime shall be based on the rates payable to an ordinary worker.

LIMITATION OF PENALTY RATES.

46. Where under any provision in this Determination (other than the provision contained in clause 39 (ii)), cumulative penalty rates would entitle an employee to a sum in excess of three times the ordinary week-day rate per hour of a permanent worker performing like work, the rate payable to such employee, whilst he is employed at work for which penalty rates are provided, shall not exceed three times the ordinary week-day rate referred to; excepting where an employee is called upon to work through a meal time on a Sunday or a holiday.

DEFINITIONS.

47. (*a*) A temporary worker shall mean any person who is employed for less than three full consecutive working days. Saturdays, Sundays, and holidays are not to be counted as working days, i.e., Friday, Monday, and Tuesday would be three consecutive working days whether Saturday or Sunday is worked or not.

(*b*) Juvenile worker shall mean a person under 21 years of age, other than an improver, who may be employed at—

Patting, wrapping, stamping, or branding;
Labelling, keying, wiping tins, and carrying off from filling table;
Filling or cleaning tins, jars, or moulds;
Weighing, filling, emptying, stacking, capping, sealing, opening, packing, cleaning, or sterilizing tins, cartons, or bottles;
Taking away from machines;
Picking meat from bones.

MEAL ALLOWANCE.

48. An employee required to work overtime for more than one and a quarter hours after the time of ending work in clause 36 shall be paid 2s. tea money unless notified on the previous day that his services will be needed. If having been notified accordingly he has provided himself with a meal he shall receive, in the event of the work not being done or ceasing before respective meal times, 2s. for each meal so provided.

WEIGHT CARRYING.

49. No female over the age of eighteen years shall be required to carry a greater weight than thirty pounds. Section 207 of the *Factories and Shops Act* 1928 (No. 3677) provides that—"No person employing any girl under the age of eighteen years in a factory or shop shall permit such girl while so employed to lift or carry a greater weight than twenty-five pounds".

WET WORK.

50. When female employees are engaged in wet work, employers shall take reasonable precautions to protect such employees from getting wet.

FIRST-AID CHEST.

51. A first-aid chest, with all necessaries for same, shall be provided.

MIXED FUNCTIONS.

52. Any person engaged on two or more classes of work in any day shall be paid at the highest rates prevailing for that day.

DINING AND DRESSING ROOMS.

53. Proper dining and dressing rooms shall be provided, and shall be kept in a sanitary condition by the employer.

WASHING DOWN.

54. For the purposes of washing down, hoses and water taps must be provided at convenient places.

PAYMENT OF WAGES.

55. All employees to be paid weekly, and in the time of the employer.

MINIMUM OF WORK.

56. All persons who are engaged for work shall be paid for eight hours' work at least on week days and three and a half hours' work at least on Saturday, even if they are not required to work.

WAITING TIME.

57. When an employee has been notified to start work at a certain hour, but is not put on at such hour, the time that the employee is kept waiting shall be treated as time of duty.

WASHING FACILITIES.

58. A proper place shall be provided for the purpose of washing clothes.

RIGHT OF ENTRY OF UNION OFFICIALS.

59. The Secretary or Assistant Secretary of the Federated Cold Storage and Meat Preserving Employees' Union of Australasia shall be allowed to inspect all time and wages books at the place at which the time book or other record is kept between the hours of 10 a.m. and 2 p.m. on any working day excepting pay day or on the day immediately preceding pay day.

APRONS TO BE PROVIDED.

60. Aprons shall be provided by the employer for employees doing the following classes of work—

(a) Males—Retort hands; washing cans; handling gravy pots;

(b) Females—Putting meat into cans.

CLOGS OR PROTECTIVE FOOTWEAR TO BE PROVIDED.

61. Clogs or protective footwear shall be provided for wet work.

ALL PERSONS TO WHOM THIS DETERMINATION APPLIES.

PERIODICAL ADJUSTMENT OF WAGES.

62. The wages rates for males set out in clauses 2 and 32 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 apprentices, improvers, juvenile workers and of females shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded.

The basic wage shown hereunder shall be adjusted as prescribed in clause 63.

Basic Wage.

Place.	Basic Wage.	Index Number Set Assigned.
	£ s. d.	
Throughout the State	4 13 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

63. (a) Until the beginning of the first pay period to commence in November, 1946, the amount of the basic wage shall be as prescribed in clause 62.

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

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

(1) The index number set to be applied is that assigned to Melbourne.

(2) The index number for the calendar quarter next preceding the period of or near a quarter for which the adjustment is made is to be ascertained.

(3) The amount assigned in the following table (or in any extension thereof) to the index number division comprising that number is to be ascertained.

(4) The basic wage shall be of that assigned amount during such successive period.

Table.

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

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

P. A. RANDLES, J.P., Chairman.

J. R. MACPHERSON, Acting Secretary.

Melbourne, 6th September, 1946.

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No. 190] MONDAY, OCTOBER 7. [1946

Factories and Shops Acts.

DETERMINATION OF THE BRICK TRADE BOARD.

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

(*b*) On 21st February, 1911, the powers of the Brick Trade Board were extended so that it might fix "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 sand, lime, or cement brickmaking."

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 brickmaking (including clay-digging)" has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 27th August, 1946, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

(*a*) Improvers.	Per Week of 44 Hours. s. d.
WAGES.	
FIREBRICKS AND TEXTURE BRICKS.	
14 years of age	39 8
15 „ „	41 3
16 „ „	43 8
17 „ „	49 3
18 „ „	59 9
19 „ „	78 8
20 „ „	82 3
OTHER BRICKS.	
14 years of age	41 5
15 „ „	43 0
16 „ „	45 6
17 „ „	51 4
18 „ „	62 3
19 „ „	82 0
20 „ „	85 8

Provided that any improver employed as a loft-worker, or at taking off from a single brick machine, be paid not less than 84s. 8d. per week of 44 hours plus an allowance at the rate of 3s. 6d. per week as compensation for time lost through wet weather.

Provided also that improvers trucking from a single brick machine or taking off or trucking from a double brick machine shall be paid not less than the rate fixed for truckers.

PROPORTION (in any factory or place).

One improver to every eight or fraction of eight employees receiving not less than 121s. per week of 44 hours.

Other Employees.	Per Hour. s. d.	Wage per Week of 44 Hours. s. d.
FIREBRICKS AND TEXTURE BRICKS.		
Burners	2 $10^{7}/_{11}$	127 0
Crusher attendants who also haul	2 $9^{15}/_{22}$	123 6
Crusher attendants who do not haul	2 9	121 0
Wet or dry pan attendants who do not haul	2 $9^{9}/_{11}$	124 0
Machine drivers, wire cut attendant, column man, or off-bearers from wire cut machine	2 $9^{15}/_{22}$	123 6
Hand moulders, dressers and cutters	2 $11^{5}/_{11}$	130 0
Drawers	2 $10\frac{1}{2}$	126 6
Setters	2 $11^{5}/_{11}$	130 0
Facemen working in a clayhole 25 feet or less in depth	3 $0^{6}/_{11}$	134 0
All other facemen	3 $1^{1}/_{11}$	136 0
Wheelers of green or burnt bricks	2 $9^{15}/_{22}$	123 6
Clayhole men (employer to provide tools)	2 $11^{8}/_{11}$	131 0
Pressers	2 $9^{9}/_{22}$	122 6
Loftmen	2 $9^{3}/_{11}$	122 0
Yardmen and wastemen	2 9	121 0
OTHER BRICKS.		
Burners	2 $10^{7}/_{11}$	127 0
Machine drivers or machine riggers	2 $11^{8}/_{11}$	131 0
Wet or dry pan attendants who do not haul	2 $11^{3}/_{11}$	129 0
Crusher attendants who do not haul	2 $10^{17}/_{22}$	127 6
Crusher and wet or dry pan attendants who also haul	3 $0^{3}/_{11}$	133 0
Drawers and setters of fancy bricks (other than those employed in Hoffman kilns)	3 $0^{6}/_{11}$	134 0
Other drawers	3 $1^{5}/_{22}$	136 6
Other setters	3 $1^{5}/_{22}$	136 6
Facemen working in a clayhole 25 feet or less in depth	3 $1^{10}/_{11}$	139 0
All other facemen	3 $3^{6}/_{11}$	145 0
Clayhole men (employer to provide tools)	3 $1^{1}/_{11}$	136 0
Hand moulders, lime grinders, lime crushers, pressers, sand and lime mixers or silomen	2 $11^{19}/_{22}$	131 6
Off-bearers from wire cut machines	2 $11^{1}/_{22}$	128 6
Truckers	2 $11^{1}/_{22}$	128 6
Adults taking off brick machines	2 $11^{1}/_{22}$	128 6
Dampermen or kiln cleaners	2 $11^{6}/_{11}$	130 0
Loftmen	2 $10^{7}/_{11}$	127 0
Yardmen and wastemen	2 $10^{4}/_{11}$	126 0

The Board has determined that no person shall be taken as an apprentice.

(*b*) The wage rates prescribed in the Other Bricks Section in sub-clause (*a*) hereof, include the following allowances, as compensation for time lost through wet weather:—

(i) All adults (other than burners) at the rate of 5s. per week of 44 hours.

(ii) Improvers—

14 years of age—at the rate of				1s. 8d.	per week of	44	hours.
15	,,	,,	,, ,,	1s. 8d.	,,	44	,,
16	,,	,,	,, ,,	1s. 10d.	,,	44	,,
17	,,	,,	,, ,,	2s. 0d.	,,	44	,,
18	,,	,,	,, ,,	2s. 6d.	,,	44	,,
19	,,	,,	,, ,,	3s. 3d.	,,	44	,,
20	,,	,,	,, ,,	3s. 5d.	,,	44	,,

Time of Beginning and Ending Work.

3. For any persons except burners, machine drivers, machine riggers, and pan or crusher attendants—

Time of Beginning.	Time of Ending.
7 a.m. ..	.. 12 noon on Saturdays, or the day on which the half-holiday is locally observed.
7 a.m. ..	.. 5.30 p.m. on each of the other five working days of the week.

Special Rate.

4. Burners on night shift shall be paid 10 per cent. extra for work performed between 6 p.m. and 6 a.m.

Overtime.

5. (*a*) Any employee who works for any time in excess of the ordinary hours of work per day shall be paid for such extra time at the rate of time and a half. Provided that where an employee ordinarily works a five-day week, work done on Saturday shall be deemed to be overtime, and shall be paid for as such, except in the case where an employee is required to work on such Saturday to make up for time lost (except because of Public Holidays) through any circumstances over which the employer had no control. In such an excepted case the employee shall only be entitled to be paid at ordinary rates for the first four hours worked on such Saturday.

(*b*) Any employee (other than a burner, machine driver, machine rigger, or pan or crusher attendant) who works outside the spread of hours fixed in clause 3 shall be paid for such time at the rate of time and a half.

(*c*) All work done by machine drivers, machine riggers, and pan or crusher attendants either before the ordinary starting time or after the ordinary finishing time of the factory shall be paid for at the rate of time and a half irrespective of the number of hours worked.

Meal Allowance.

6. 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 be paid a meal allowance of 2s. 6d.

Sundays and Holidays.

7. Time and a half shall be the special rate for all work done on Sundays, and double time for all work done on New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, 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.

Payment for Holidays.

8. All employees shall, as far as practicable, be granted the holidays mentioned in clause 7 without deduction of pay.

Payment of Wages.

9. All wages due shall be paid not later than Friday in each week, except where otherwise mutually agreed between employer and employee.

Annual Holiday.

10. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops* (*Annual Holidays*) *Act* 1946 and any amendments which may be made thereto from time to time.

Sick Leave.

11. (*a*) Where an employee has been in the service of an employer for a period of not less than three months and is disabled by personal ill-health, proof of which sickness is given to the employer by medical certificate or other satisfactory evidence within twenty-four hours of the employee's consequential absence, he shall, on account thereof, be entitled without deduction of pay to absent himself from work for a period not exceeding in the aggregate four days in any year of employment in the industry.

(*b*) Notwithstanding anything contained in the previous sub-clause if the full period of sick leave as prescribed above is not taken in any year, such portion as is not taken shall, provided an employee remains in the service of the one employer, or any successor of such employer, be cumulative from year to year up to a period not exceeding twenty days, which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay.

(*c*) For the purposes of this clause a year shall be deemed to commence on the 1st July and to end on the next following 30th June.

Termination of Employment.

12. In any case where it is intended to close down a kiln or portion of the works, one week's notice of such intention shall be given to employees whose services are to be terminated.

Morning Tea Interval.

13. A morning tea interval of seven minutes shall be allowed employees each morning during ordinary working hours without deduction of pay, such interval shall be arranged by the employer so as to avoid the necessity for a stoppage of operations in the establishment.

Assistance for Truckers.

14. Persons trucking 75 yards or over shall be supplied with assistance, and any person so assisting shall be paid at trucker's rate.

Injured Employees.

15. In all cases of accidents where it is deemed necessary to send the injured person to a hospital or a doctor he shall be accompanied by an attendant.

First-aid Outfit.

16. An adequate first-aid kit and a stretcher shall be provided in the clayhole.

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	An adequate assortment
Lint, absorbent	An adequate assortment
Plaster, adhesive	An adequate assortment

Piece-work Prices for Bricks other than Firebricks.

17. The lowest piece-work prices to be paid for bricks, other than firebricks, shall be—

—	In Yards where Railway Trucks are used.		In Yards where Railway Trucks are not used.	
	Ordinary Bricks, per 1,000.	Radial or Culvert or Bull-nosed Bricks, per 1,000.	Ordinary Bricks, per 1,000.	Radial or Culvert or Bull-nosed Bricks per 1,000.
	s. d.	s. d.	s. d.	s. d.
Drawing, wheeling, and stacking where the distance wheeled commencing from the outside wall of kiln at the wicket from which the bricks are drawn is—				
Not more than 26 yards	3 4	3 7½	3 2½	3 6
26 to 36 yards	3 8½	4 0½	3 7	3 10½
36 to 46 yards	3 10½	4 1½	3 9½	4 0½
Over 46 yards	4 5	4 8½	4 3½	4 7

Drawing, wheeling, and loading on railway trucks—

—	On Level Surface.		On Up-grade Planks.	
	Ordinary Bricks, per 1,000.	Radial or Culvert or Bull-nosed Bricks, per 1,000.	Ordinary Bricks, per 1,000.	Radial or Culvert or Bull-nosed Bricks, per 1,000.
	s. d.	s. d.	s. d.	s. d.
Not more than 26 yards	4 6	4 9	4 9½	5 0½
26 to 36 yards	4 10½	5 1½	5 1½	5 4½
36 to 46 yards	5 0½	5 3½	5 4	5 6½
Over 46 yards	5 7½	5 10	5 10½	6 1½

	s. d.
Hand-moulding square bricks where material is prepared on the ground within 15 feet of table and off-bearing to grass hacks	21 8
" " " " in sheds	18 9
" " " " from bowling stool and placing on grass hacks (where material is placed on the table)	15 3
" " " " from bowling stool in sheds (where material is placed on the table)	14 0
" " fancy bricks and offbearing to hacks or in sheds	21 8
" " " " from bowling stool	19 7
Setting	3 6
Picking blues	20 0

An amount at the rate of 5s. per week of 44 hours has been added to the earnings of piece workers as compensation for time lost through wet weather.

Piecework Prices which may be fixed by an Employer.

18. 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 employed in fire-brick making, or as a clayholeman, machine driver, machine rigger, wheeler of green bricks, or trucker, 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 rates that are fixed by the Board for such work.

Periodical Adjustment of Wages.

19. The wages rates 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 proportionate adjustments to the rates for improvers and to the piecework prices shall be made at the same time as follows :—

(*a*) In the case of improvers and hand moulding and setting by piecework to the nearest penny, half or less than half of one penny to be disregarded.

(*b*) In the case of drawers, wheelers, stackers and loaders by piecework, an increase or decrease of one farthing per 1,000 bricks for every increase or decrease of 1s. in the basic wage.

The basic wage shown hereunder shall be adjusted as prescribed in clause 20.

Basic Wage.

Place.	Basic Wage.	Index Number Set Assigned.
	£ s. d.	
Throughout the State	4 13 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

(a) Until the beginning of the first pay period to commence in November, 1946, the amount of the basic wage shall be as prescribed in clause 19.

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

For the purposes of this Determination the expression "Commonwealth Statistician's Retail Price Index Numbers" or any like expression means the numbers stated to be such Index Numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer or to be signed by or on behalf of the Commonwealth Statistician.

(1) The Index Number set to be applied is that assigned to Melbourne.

(2) The index number for the calendar quarter next preceding the period of or near a quarter for which the adjustment is made is to be ascertained.

(3) The amount assigned in the following table (or in any extension thereof) to the Index Number Division comprising that Number is to be ascertained.

(4) The basic wage shall be of that assigned amount during such successive period.

TABLE.

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

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

J. V. WILLOX, Acting Secretary.

Melbourne, 12th August, 1946.

By Authority: J. J. GOURLEY, Government Printer, Melbourne.

VICTORIA

GOVERNMENT GAZETTE.

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Factories and Shops Acts.

DETERMINATION OF THE STOREMEN, PACKERS, AND SORTERS 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—

(*a*) to any person employed—

(i) as a Storeman, Packer, or Sorter;

(ii) in assisting a Storeman, Packer or Sorter;

(iii) as an assembler, collector, or checker of goods in course of receipt or despatch;

(*b*) to any person or persons or classes of persons employed at wiping eggs in any place where eggs are stored, sorted, or packed for trade or sale—

but not including any persons subject to the jurisdiction of any of the following Boards:—

Aerated Water Trade Board
Agricultural Implements Board
Bedstead Makers Board
Biscuit Board
Boarding Houses Board
Brewers Board
Butter Board
Butter Factories Board
Cardboard Box Trade Board
Cigar Trade Board
Condenseries Board
Confectioners Board
Cordage Board
Fellmongers Board
Flock Board
Flour Board
Flour Board (Country)
Frozen Goods Board
Fruit Packing Board
Furniture Board (Picture Frames)
Furniture Board (Wood Mantelpiece or Overmantel)
Glassworkers Board
Grocers Sundries Board
Ham and Bacon Curers Board
Hotel and Restaurant Board
Ice Board
Jam Trade Board
Leather Goods Board
Marine Stores Board
Meat Preservers Board
Millet Broom Board
Nailmakers Board
Paper Board
Paper Bag Trade Board
Pastrycooks Board
Plate Glass Board
Pottery Board
Printers Board
Printers Board (Country)
Printers Board (Provincial)
Retail Dairy Board
Rubber Trade Board
Shops Board No. 1 (Boot Dealers)
Shops Board No. 7 (Country Shoe Assistants)
Shops Board No. 9 (Drapers and Men's Clothing)
Shops Board No. 12 (Fuel and Fodder)
Shops Board No. 13 (Fuel and Fodder —Country)
Shops Board No. 14 (Furniture Dealers)
Shops Board No. 15 (Grocers)
Shops Board No. 16 (Hardware)
Slaughtering for Export Board
Tea Packing Board
Tinsmiths Board
Wholesale Grocers Board
Wireworkers Board
Woodworkers Board
Woollen and Cotton Trade Board

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 22nd August, 1946, the last previous Determination of this Board shall be revoked and replaced by this Determination.

PART I.

WAGE RATES.

ALL PLACES OTHER THAN OIL, GREASE, AND PETROLEUM PRODUCTS STORES.

2. APPRENTICES AND IMPROVERS.

	Wages Per Week of 44 Hours.					Number (in any place).
	Males.		Females.			
	Bread-making Establishments.	Any Other Place.	Establishments in which are sorted Waste Pieces or Clippings of Cottons, Silks, Woollens, or Woollen and Cotton Pieces.	Egg Packing Establishments.	Any Other Place.	APPRENTICES. One apprentice to every three or fraction of three workers of the same sex receiving not less than the minimum wage. An indenture of apprenticeship prescribed by the Board was approved on 24th May, 1923.
	s. d.	s. d.	s. d.	s. d.	s. d.	MALE IMPROVERS. *Egg Packing Establishments.* One male improver to every two or fraction of two male workers receiving not less than 113s. per week of 44 hours. *Any Other Place.* One male improver to every four or fraction of four male workers receiving not less than 112s. per week of 44 hours.
Under 16 years of age	73 9	24 6	27 6	26 6	24 6	FEMALE IMPROVERS. *Laundries.* One female improver to every three or fraction of three female workers receiving not less than 70s. per week of 44 hours.
16 to 17 years of age		32 6	31 3	33 9	31 9	
17 to 18 years of age		42 0	37 0	38 6	35 6	
18 to 19 years of age		58 9	41 6	45 6	41 3	
19 to 20 years of age	94 0	75 6	48 3	49 9	46 6	
20 to 21 years of age	113 6	92 3	55 0	56 6	52 6	*Establishments in which are sorted waste pieces or clippings of cottons, silks, woollens, or woollen and cotton pieces.* Two female improvers to every three or fraction of three female workers receiving not less than 69s. 3d. per week of 44 hours. *Egg Packing Establishments.* One female improver to every three or fraction of three female workers receiving not less than 67s. 3d. per week of 44 hours. *Any Other Place.* One female improver to every four or fraction of four female workers receiving not less than 64s. 6d. per week of 44 hours.
					Provided that any female improver employed packing or sorting laundry-work shall, after completing three years' experience, be paid the wage fixed for an adult	

3. OIL GREASE, AND PETROLEUM PRODUCTS STORES ONLY.

JUNIOR RATES.

Wages Per Week of 44 Hours.

	s. d.
Under 16 years of age	34 6
16 to 17 years of age	43 0
17 to 18 years of age	49 6
18 to 19 years of age	59 6
19 to 20 years of age	77 6
20 to 21 years of age	92 0

(*a*) Provided that any youth called upon to stack full cases more than three high, to stack barrels, or to lift any weight over 1 cwt. shall be classed as an adult and entitled to receive the adult rate of pay whilst so engaged.

(*b*) Provided further that no employee under 21 years of age shall be employed on the filling of rail or road tank waggons.

4. (*a*) OTHER EMPLOYEES.

MALES.

IN OIL, GREASE, AND PETROLEUM PRODUCTS STORES.

	Wages Per Week of 44 Hours. s. d.
(i) Storemen or Packers	113 0
Leading hands—as defined in clause 22 hereof—	
(I)	118 0
(II.)	123 0
(III.)	123 0
(IV.)	133 0

(ii) Casual hands shall be paid at the rate per hour of 3s. 7½d. adjustable under clause 53 hereof.

PART I.—continued.

4. (b) IN (OR ON) ANY PLACE OTHER THAN OIL, GREASE, AND PETROLEUM PRODUCTS STORES.

—	Males employed in (or on) or in connexion with—											
	Wharfs, Wharf Sheds, Customs Railway Sheds, or Fumigating Sheds.	Potato or Onion Stores.	Bond or Free Stores or Establishments engaged in the General Bulk Storage Business.	Lime, Cement, or Plaster Stores.	Fibrous Plaster Stores, or Wholesale Softgoods Warehouses.	Boot Factories, or Wholesale Chemists' or Manufacturing Chemists' Establishments.	Bread-making Establishments.	Bag (Hessian, Jute or Cotton) Stores, Tobacco, Paint, Painters' Oils, Colour and Varnish Stores.	Machinery Stores.	Dye Stores other than Dye Stores connected with the business of dyeing or the manufacture of piece-goods or apparel.	Seed Stores.	Any Other Place.*
Column No.	1	2	3	4	5	6	7	8	9	10	11	12
	Wages Per Week of—											
	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.
Any person engaged as a Storeman, Packer, or Sorter who (notwithstanding he may be under the orders of a superior who does not devote the whole of his time to supervising the storing, packing, or sorting)—												
(a) Works singly ..	131 0	122 8	119 6	118 0	115 0	117 6	128 0	117 6	119 6	127 0	115 0	119 6
(b) Supervises or directs the number of persons 18 years of age or over indicated hereunder, viz.:—												
(a) 1, 2, 3, 4, 5, or 6 such persons	131 0	122 8	119 6	120 6	117 3	119 9	134 3	119 9	126 9	129 3	117 3	121 9
(b) 7 or more such persons ..	131 0	122 8	119 6	134 6	131 9	134 6	148 9	134 6	135 9	143 3	139 9	135 9
Storeman in charge of a bulk store removed from the main place of business	..	..	..	..	115 0	117 6	..	117 6	119 6	127 0	115 0	119 6
Packers of crockery, china, or glassware	..	..	..	..	..	..	..	..	..	..	..	118 3
Packers of metal window frames	..	..	..	..	..	..	..	..	..	..	..	115 0
Persons handling pianos, piano-players, or organs	..	..	..	..	..	..	..	..	..	..	..	115 0
Egg packers, sorters, or testers with six months' or more experience	..	..	..	..	..	..	..	..	..	..	..	113 0
All male adults not otherwise provided for	131 0	122 8	119 6	115 0	112 0	113 0	128 0	113 0	115 0	123 0	113 0	115 0

Storemen or packers called upon to work in cool stores shall be paid 3s. $1^{17}/_{22}$d. per hour whilst so employed. This rate includes $1^{1}/_{11}$d. as a war loading. Such war loading shall not be taken into account when computing overtime or holiday pay.

* Note.—The rates set out in column No. 12 above apply to males employed—

(a) (i) As storemen in Figured, Roll, and Sheet Glass Stores; and

(ii) As storemen in Engineering Establishments, or who are in charge of, or issue stores and tools for use in such establishments.

(b) In (or on) or in connexion with—

(i) Bulk paper stores or rubber goods manufacturers' stores.

(ii) Iron yards in which steel or iron bars, plates, pipes or sheets, black or galvanized, are handled.

(iii) Hardware stores.

(iv) Electrical goods manufacturers' stores.

(v) Electrical goods stores (wholesale or retail establishments) other than electrical goods manufacturers' stores.

(vi) Match factory stores.

(vii) Wholesale confectionery stores.

(viii) Bulk salt stores, stores in which stoves are stocked (except stove or oven manufacturers' stores) and stores in which sausage casings are stored, packed, or sorted.

(ix) Stove, oven, or metal goods manufacturers' stores.

(x) Dye stores connected with the business of dyeing, or the manufacture of piece-goods or apparel; and

(xi) Any place not elsewhere included in clause 4 (b).

4. (c) **Females.**

—	Females Employed in or in Connexion with—			
	Manufacturing Chemists' Factories.	Establishments in which are sorted Waste Pieces or Clippings of Cottons, Silks, Woollens, or Woollen and Cotton Pieces.	Egg Packing Establishments.	Any Other Place.
	Wages per Week of—			
	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.	44 Hours. s. d.
Any person engaged as a female Packer or Sorter who (notwithstanding she may be under the orders of a superior who does not devote the whole of his time to supervising the storing, packing, or sorting)—				
(a) Works singly	67 3	74 0	79 3	67 3
(b) Supervises or directs the number of persons 18 years of age or over, indicated hereunder, viz.:—				
(i) 1, 2, 3, 4, 5, or 6 such persons	71 3	79 3	84 0	71 3
(ii) 7 or more such persons	80 6	87 0	93 0	80 6
Females employed packing or sorting laundry work	..	..	..	70 0
Packers of crockery, china, or glassware	..	..	..	80 0
Egg Packers, Sorters, or Testers—				
With less than eight weeks' experience	..	..	68 3	..
With eight weeks' or more experience	..	..	75 6	..
All female adults not otherwise provided for	64 6	69 3	67 3	64 6

PART II.

PROVISIONS APPLICABLE ONLY TO PERSONS EMPLOYED IN OIL, GREASE, AND PETROLEUM PRODUCTS STORES.

5. SPECIAL RATES.

In addition to the wages prescribed in clauses 3 and 4 of this Determination the following special rates shall be paid :—

(a) When not more than two storemen and packers are employed for more than half an hour handling or rolling barrels or drums weighing over 5 cwt., they shall be paid 6d. per hour extra whilst so employed.

(b) *Confined Space.*—Employees working in a confined space as defined in clause 22 hereof, 3d. per hour extra.

(c) *Dirty Work.*—Employees performing dirty work as defined in clause 22 hereof, 3d. per hour extra.

(d) *Cumulative Rates.*—Where an employee performs work which is covered by sub-clauses (b) and (c) of this clause the rates shall be cumulative so as to provide a total rate of 6d. per hour for dirty work performed within a confined space.

6. HOURS.

(a) Forty-four hours shall constitute a week's work, and they shall be worked as follows :—
Eight hours per day from Monday to Friday, both inclusive, and four hours on Saturday to be worked between the hours of 7 a.m. and 5.30 p.m. Monday to Friday, both inclusive, and between the hours of 7 a.m. and noon on Saturday.

(b) Provided that it shall be optional for an employer to work either a six-day or a five-day week. When a five-day week is worked, the daily hours on Monday to Friday, both inclusive, shall not exceed 8 hours 48 minutes, within the hours provided in the immediately preceding paragraph, without the payment of the overtime rate.

(c) Subject to the above, the hours of starting and knocking off may be fixed by each employer, but having once been fixed they shall not be altered without seven days' notice to the employees.

7. SHIFT WORK.

(a) Where the industry necessitates a continuous process, three shifts of eight hours each may be worked. Employees working on such shifts shall be paid 8s. per week in addition to the rates prescribed in clauses 3 and 4 hereof.

(b) Employees required for duty in connection with the loading of tank waggons and fully assembled composite waggons with petroleum products in bulk or drums or packages may be employed on shifts provided that such shift work extends over one calendar month, and when so employed shall be paid 8s. per week in addition to the rates prescribed in clauses 3 and 4 hereof.

(c) Five shifts of eight hours including crib time of half an hour and one shift of four hours or five shifts of eight hours 48 minutes, including crib time of half an hour shall constitute a week's work.

(d) Overtime shall be calculated in accordance with the provisions of clause 8 of this Determination.

8. OVERTIME.

(a) For all work done on Sundays, Holidays and after 12.30 p.m. Saturdays the rates of pay shall be double time.

(b) For all work done outside ordinary hours except as provided in sub-clause (a) hereof, the rates of pay shall be time and a half for the first three hours and double time thereafter, such double time to continue until the employee has been released from duty.

(c) 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.

(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) For all work done during supper, breakfast or lunch hours and thereafter until a full meal break is allowed double time shall be paid.

9. MEAL HOURS.

(a) One hour on Monday to Friday, both inclusive, shall be allowed for each meal except tea, provided that should any employer and any employee agree, the meal hour may be shortened to meet the exigencies of transport or for the purpose of more effectively operating either a rostered five day working week or a five day working week.

(b) The hours for breakfast and lunch shall be fixed in each case by mutual arrangement, but having once been fixed, they shall not be altered without seven days' notice to the employees.

(c) 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 tea 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.

(d) The interval for supper shall be between midnight and 1 a.m.

10. MEAL ALLOWANCE.

A weekly or casual employee required to work overtime for more than one and a half hours after his usual knock off time, shall either be supplied with a meal by the employer or be paid 2s. for each meal.

11. HOLIDAYS.

(a) Weekly employees shall be entitled without deduction of pay to the holidays observed in respect of—Union Picnic Day to be held on a day to be mutually agreed upon between the union and the employers or, if no agreement is reached, at a date to be fixed by the Wages Board—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, King's Birthday, Labour Day, Christmas Day, Boxing Day and one other holiday on the day fixed as follows :—Within 25 miles of the General Post Office, Melbourne—Melbourne Cup Day, elsewhere any day agreed by the employer and employee concerned or fixed by the Wages Board.

(b) Provided that in addition to the above mentioned holidays all gazetted public holidays upon which Railway Goods Yards are closed for the receipt of ordinary goods shall be observed as holidays.

12. ANNUAL LEAVE.

(a) Employees shall be entitled to two weeks' leave, exclusive of any public holidays as provided in clause 11, on full pay at the expiration of each twelve months' service. The annual leave provided by this clause shall be allowed, and shall be taken within three months of such leave falling due, and payment shall not be made or accepted in lieu of annual leave.

Provided that when an employee leaves or is dismissed before the expiration of twelve months, he shall be paid one-sixth of a week's wages for each month of completed service.

(b) Each employee, before going on leave, shall be paid two weeks' wages. For the purpose of this sub-clause the two-weeks' wages shall be at the rate at 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.

(c) When the right to annual leave has accrued the employer shall give not less than one week's notice to the employee concerned of his intention to grant such leave.

PART II.—continued.

13. TERMS OF ENGAGEMENT.

(a) Employees are to be engaged either as weekly or casual hands.

(b) In the case of casual hands the engagement shall be terminable at any time by either party. In the case of weekly hands the engagement shall be terminable by a week's notice on either side. Provided that any employee, being incompetent, disobedient or misconducting himself may be dismissed without notice.

(c) Men engaged for stacking ex ship shall be deemed to be casual hands during the whole time they are engaged on such work.

(d) Where an employer is not satisfied as to the reason of an employee absenting himself from work he may deduct from the wages of such employee the time he has been so absent, unless the employee produces a medical certificate or other satisfactory evidence of sickness if required by the employer, in which case the employer shall make no deduction for such sickness. Should any dispute as to satisfactory evidence of sickness occur it shall be determined by the Wages Board. Provided that should an employee remain absent for more than six days in all during any calendar year the employer may thereafter make such deduction.

(e) Casual employees who are instructed to report for work at a stipulated time, and who report for work at such time, but for whom work is not available within 30 minutes of the said stipulated time, shall be paid ordinary casual rates from the said stipulated starting time.

(f) In the event of a casual worker being instructed to report for work and his services are not required, he shall be paid for two hours at casual rates.

14. PAYMENT OF WAGES.

(a) The payment of weekly employees shall be made during working hours in each week on a day suitable to the employer. Provided that in the case of weekly employees two days' wages may be kept in hand.

(b) Casual hands shall be paid at the time of their services being dispensed with and at the place where the work has been performed.

15. DUAL CAPACITY.

(a) Where a weekly employee is put to work temporarily at a classification higher than that under which he was engaged or deemed to be working, he shall be paid as follows :—

(i) Up to four hours on any one day—the rate prescribed for such higher classification with a minimum of one hour ;

(ii) Over four hours on any one day—a full day's pay at the rate prescribed for such higher classification ;

(iii) Over 22 hours in any one week—a full week's pay at the rate prescribed for such higher classification.

(b) A weekly employee shall not suffer any deduction in wages during any week by reason of his having been put to work for a part of such week at a classification lower than that under which he was engaged or deemed to be working.

16. TRAVELLING TIME.

(a) In the case of the engagement of casual labour the time during which the employee is travelling from the place of engagement to the place of employment, or waiting at the job after engagement, shall be treated as ordinary time of duty in addition to the time of actual work. Provided that such travelling time shall not exceed 30 minutes.

(b) Where circumstances arise necessitating a longer period of travelling time than 30 minutes the extra time so required shall be paid for. Should any dispute arise as to whether payment should be made such dispute shall be determined by the Wages Board.

17. SMOKE-OHS.

Employees shall be allowed smoke-oh periods of ten minutes during each period of at least 4 hour ordinary working time. This provision shall also apply to work performed on Saturday afternoons, Sundays and holidays.

18. FIRST AID.

In each establishment the employer shall provide a properly equipped first aid chest at a place reasonably accessible to all employees. Such a chest shall, as to its contents, comply with any Act or Regulation in force from time to time.

19. FARES.

Transport from store to store in the employers' time shall be arranged by the employers at their own expense or the actual expense incurred shall be paid by the employers.

20. FOOTWEAR.

Suitable and approved footwear shall be provided for employees whilst engaged in places where employers require special footwear to be used.

21. DINING ROOM.

The employer shall provide a suitable place in which the employee may change his clothing and eat his meals. In any case in which the employer objects that it is impracticable or unreasonable to make such provisions, or in which the suitability of the place is called in question, the matter shall be determined by the Wages Board.

22. DEFINITIONS.

(a) A "Storeman and Packer" shall mean every employee engaged in the work of receiving, stacking, storing, packing, delivering or handling in any way whatsoever petroleum products, equipment or other merchandise sold, used or employed in connexion with a petroleum merchant's business.

(b) A "Leading Hand" shall be an employee who :—

(i) has 1 or 2 employees under his supervision.

(ii) is in charge of a store.

(iii) is in charge of 3–9 employees.

(iv) is in charge of 10 or more employees.

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

(d) A "Casual Hand" shall be one whose period of engagement is less than two weeks.

(e) "Dirty Work" shall mean handling the following substances other than in closed containers—Agrol, Sulphuric Acid, Graphite, Aluminium Stearate, and filling and handling lime sulphur ; also, subject to the proviso hereinafter mentioned, other work which a foreman and a workman shall agree is of an unusually dirty or offensive nature. In cases of disagreement between a foreman and a 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 executive officer responsible for the management or superintendence of the plant concerned. In such a 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 the Union alleges that an employer or his representative is unreasonable or capricious in relation to such claims he shall have the right to bring such case before the Wages Board.

Provided that the normal handling of materials used in the oil industry other than those listed above shall not be regarded as work of an unusually dirty or offensive nature.

PART III.

PROVISIONS APPLICABLE ONLY TO PERSONS EMPLOYED IN BOND OR FREE STORES OR ESTABLISHMENTS ENGAGED IN THE GENERAL BULK STORAGE BUSINESS.

Terms of Engagement.

23. (*a*) Employees are to be engaged as weekly or casual employees. A weekly employee is one engaged by the week, and paid by the week, and whose engagement shall be terminable by one week's notice on either side, notice not to be continued from week to week.

(*b*) Such notice shall be given on and take effect from pay day, or, in lieu of such notice, a week's pay shall be given.

(*c*) Where a weekly employee is engaged on any day other than the day immediately following pay day, he shall be entitled to casual rates for the broken portion of the week worked by him.

(*d*) A casual employee is one whose period of engagement is for less than four weeks, and whose engagement may be terminated at any time.

(*e*) Casual employees shall be guaranteed not less than two hours' work every start.

(*f*) Weekly employees may be summarily dismissed by the employer for dishonesty, misconduct, or for absence from work without reasonable cause, without liability to pay for more than actual time worked.

(*g*) Where an employer is not satisfied as to the reason of an employee absenting himself from work, he may deduct from the wages of such employee the time he has been so absent, unless the employee produces a medical certificate of sickness if required by the employer; in which case the employer shall make no deduction for such sickness. Provided that should an employee remain absent for more than six days in all during any calendar year the employer may thereafter make such deduction.

Casual Work.

24. Casual employees, i.e., persons employed in Bond or Free Stores or Establishments engaged in the general bulk storage business for less than four weeks, shall be paid at the rate of 3s. 3¼d. per hour, and such employees shall be guaranteed not less than two hours' work at every start.

Clauses other than clauses 2 to 4 inclusive of Part I. and clause 17 of Part III. of the Determination published in *Government Gazette* No. 129 of the 16th July, 1946, shall remain in force.

Hours.

25. The working hours shall not exceed 44 per week to be worked between the hours of 7.30 a.m., and 5.30 p.m. on Monday to Friday inclusive and 7.30 a.m. to 12 noon on Saturday, provided that a week's notice shall be given by the employer to the hands concerned of intention to change the usual hours of starting and finishing.

Different starting and finishing times may be fixed in distinct departments in the same establishment of the employer but not for men working together in the same department.

Overtime.

26. Overtime shall be paid to both weekly and casual employees for all work done before the usual starting time, and after the usual finishing time, at the rate of time and a half for the first three hours and double time thereafter.

Provided that after 12 noon on Saturday casual employees shall be paid double rates, and after 12.30 p.m. on Saturday weekly employees shall be paid double rates.

Special Rates for Sundays and Public Holidays.

27. (i) 6s. per hour shall be paid for all work done on Sunday, Christmas Day, or Good Friday, and (ii) for all work done on all other statutory or gazetted public holidays observed by the Customs Authority, weekly employees shall be paid at the rate of double time in addition to their weekly wage and casual employees shall be paid at the rate of double time.

Holidays.

28. All statutory and gazetted public holidays observed by the Customs Authority shall be recognized holidays without any deductions from the weekly wages to be paid under this Determination.

Meal Hours.

29. Meal hours shall be as follows:—

Dinner: One hour between 12 noon and 2 p.m.
Tea: 5 p.m. to 6 p.m.

Each employer shall fix the meal hour, which shall not be altered without seven days' notice to the employees.

Meal Hour Rates.

30. All meal hours if worked shall, except as otherwise provided, be paid for at double rates, such rates to be continued until such time as the meal hour has been allowed, provided that should work not continue after 6 p.m. meal hour rates shall not apply.

Meal Allowance.

31. Employees called upon to work overtime after 6 p.m. on Monday to Friday or 1 p.m. on Saturday shall receive a meal allowance of 2s.

Annual Leave.

32. (*a*) Employees shall be entitled to two weeks' leave exclusive of any public holidays as provided in clause 28 on full pay at the expiration of each twelve months' service. The annual leave provided by this clause shall be allowed and shall be taken within three months of such leave falling due and payment shall not be made or accepted in lieu of annual leave; provided that when an employee leaves or is dismissed before the expiration of twelve months' service but on or after completing six months' service he shall be paid one sixth of two weeks' wages for each completed two months' service.

(*b*) Each employee before going on leave shall be paid two weeks' wages. For the purpose of this sub-clause the two weeks' wages shall be at the rate at 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.

(*c*) When the right to annual leave has accrued the employer shall give not less than one week's notice to the employee concerned of his intention to grant such leave.

Carrying Heavy Goods.

33. Casual employees when receiving and carrying continuously for one hour or more bagged stuff, case goods, or other packages exceeding 180 lb. in weight shall be paid 6d. per hour above the ordinary rates, provided that when carrying 10-bushel bags of bran, both temporary employees and weekly employees shall be paid 9½d. per hour above the ordinary rates.

PART IV.

PROVISIONS APPLICABLE TO PERSONS OTHER THAN THOSE EMPLOYED IN OIL, GREASE, AND PETROLEUM PRODUCTS STORES, OR IN BOND OR FREE STORES OR ESTABLISHMENTS ENGAGED IN THE GENERAL BULK STORAGE BUSINESS.

Terms of Engagement.

34. (*a*) Employees are to be engaged as weekly or casual employees. A weekly employee is one engaged by the week and paid by the week, and whose engagement shall be terminable by one week's notice on either side, such notice not to be continued from week to week.

(*b*) After one full week's work, such notice may be given to a weekly employee at any time, but an employer may pay one week's wages in lieu of notice.

(*c*) Casual employees shall be guaranteed not less than two hours' engagement every start.

(*d*) A weekly employee to be entitled to the weekly wage shall be available, ready, and willing to perform his or her usual work during the days and hours usually worked by such class of employee, and may be summarily dismissed for dishonesty, misconduct, neglect of duty, or for absence from work without reasonable cause, and in the event of such dismissal the employee shall be paid only for the time actually worked. Provided that an employer may deduct payment for time lost during which the employee cannot be usefully employed by reason of any strike, breakdown of machinery, or other cause for which the employer cannot reasonably be held responsible.

(*e*) Any employee not attending for duty shall lose his pay for the actual time lost unless such employee has had not less than three months' service with the same employer, and produces or forwards within twenty-four hours of the commencement of such absence evidence satisfactory to the employer that his non-attendance was due to personal ill-health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the grounds of personal ill-health or accident for more than 44 hours of working time in each year. Provided that he shall not be entitled to paid leave of absence for any period in respect of which he is entitled to workers' compensation. For the purpose of administering this sub-clause, "year" means the period between the 1st July and the next following 30th June.

(*f*) Notwithstanding anything contained in sub-clause (*e*) hereof, if the full period of sick leave therein prescribed has not been taken in any year, such portion of the sick leave which was or is not taken shall be cumulative from year to year up to a period not exceeding 132 hours of working time which shall be the maximum amount of leave to which an employee may be entitled in any year without deduction of pay. For the purpose of administering this sub-clause, service prior to the 1st July, 1945, shall not be taken into account.

Ordinary Hours for a Week's Work.

35. (*a*) The ordinary hours for a week's work shall be 44 except in the case of any week in which any of the holidays specified in clause 41 occur.

(*b*) In any such week the ordinary hours of work shall be reduced by the number of hours regarded as an ordinary day's work for any day on which any of the said holidays occur.

Casual Work.

36. Casual work, i.e., work for less than two full weeks, other than in potato or onion stores, shall be paid for at the following rates:—

On wharfs or in wharf sheds, customs railway sheds, or fumigating sheds ..	Ordinary wages rate with an addition of twenty per cent. calculated to the nearest ½d., half or less than half of ½d. to be disregarded.
Elsewhere, except in potato or onion stores	Ordinary wages rate with an addition of thirty-three and one-third per centum.

Hours of Work for All Persons Other Than Those Employed in Bread-Making Establishments.

37. Hours of work for all persons other than those employed in Bread-making Establishments shall be:—

	Times of Beginning.	Times of Ending.
(*a*) On the ordinary working days of the week	7 a.m.	6 p.m.
On Saturday	7 a.m.	Noon in bulk paper, bulk lime, or cement stores. 12.30 p.m. in any other place.

An employer shall not alter the starting and finishing times in his establishment without giving one week's notice.

(*b*) The ordinary hours shall be worked on five days of eight hours (Monday to Friday, inclusive), and one day (Saturday) of four hours; or five days (Monday to Friday, inclusive) of eight hours forty-eight minutes, each continuously, except for meal breaks, at the discretion of the employer.

Hours of Work in Bread-making Establishments.

38. The number of hours to be worked in Bread-making Establishments on each night between 9 p.m. and 7.30 a.m. shall not exceed—

On ordinary nights	7 hours.
On double nights (i.e., nights on which bread for more than one day's consumption is produced) ..	10 hours.

Overtime.

39. The following rates shall be paid for all work done—

(*a*) by persons employed in Bread-making Establishments—

In excess of the number of hours fixed in clause 38, or In excess of the ordinary hours for a week's work prescribed in clause 35	Time and a half.

(*b*) by all other persons—

Outside the times of beginning and ending work as prescribed in clause 37 (*a*), or, in excess of the ordinary hours prescribed in clause 37 (*b*)	Time and a half for the first three hours, and double time thereafter. When double time becomes payable it shall continue until the completion of the overtime work.

Special Rates for Sundays and Public Holidays.

40. Double time shall be the rate for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day (in industries named in the Second Schedule to the *Anzac Day Act* 1928), King's Birthday, Christmas Day, or Boxing Day; provided that Melbourne Cup Day shall be substituted for King's Birthday for persons employed in laundries within the areas to which the Determination of the Laundry Workers Board applies; provided further that in any case where Melbourne Cup Day has been substituted as a holiday, as provided for in clause 34, the special rate herein provided shall operate on such day in lieu of King's Birthday, 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 days so substituted.

Holidays.

41. Weekly employees shall be granted the following holidays without deduction of pay:—The days observed as New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, Boxing Day, Easter Saturday (except those employed in establishments in which perishable goods are handled), and the Picnic Day or Trade Holiday fixed for the majority of the employees in any establishment.

Provided that within the Metropolitan District as defined in the Factories and Shops Acts, Melbourne Cup Day may be substituted for King's Birthday by agreement between the Secretary of the Federated Storemen and Packers Union and any employer concerned.

If any of the above holidays occurs on a Sunday or Saturday, and is not observed on any other day, then employees shall not be paid for such Sunday and shall be paid for such Saturday as for a half-day, but not otherwise.

All employees working on piecework shall be granted the same holidays as are provided for weekly wage workers, and they shall be paid for such holidays the amount for each holiday based on the minimum weekly wage as set out in this Determination for the class of work performed.

PART IV.—continued.

PERSONS EMPLOYED IN POTATO OR ONION STORES FOR LESS THAN FULL WEEK.

42. Persons employed in potato or onion stores, who work less than the number of hours fixed for an ordinary week's work, shall be paid not less than the ordinary wages rate calculated *pro rata*, according to the number of hours worked.

ANNUAL LEAVE.

Period of Leave.

43. (*a*) Except as hereinafter provided a period of fourteen consecutive days' leave shall be allowed annually to an employee after twelve months' continuous service (less the period of annual leave) as an employee in any one or more of the occupations to which this Part of this Determination applies.

Annual Leave Exclusive of Public Holidays.

(*b*) Subject to this sub-clause the annual leave prescribed by this clause shall be exclusive of any of the holidays prescribed by clause 41 of this Determination, and if any such holiday falls within an employee's period of annual leave and is observed on a day which in the case of that employee would have been an ordinary working day, there shall be added to that period one working day for each such holiday falling as aforesaid.

Where a holiday falls as aforesaid and the employee fails without reasonable cause proof whereof shall be upon him to attend for work on the working day immediately preceding the first day or at his ordinary starting time on the working day immediately following the last day of the period of his annual leave, he shall not be entitled to be paid for any such holiday.

Broken Leave.

(*c*) The annual leave shall be given and taken in a continuous period or, if the employee and the employer so agree, in two separate periods and not otherwise.

Calculation of Continuous Service.

(*d*) 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 personal sickness or accident or on account of leave lawfully granted by the employer; or

(iii) any absence with reasonable cause proof whereof shall be upon the employee.

In calculating the period of twelve months' continuous service any such absence as aforesaid shall not, except to the extent of not more than fourteen days in a twelve-monthly period in the case of sickness or accident, be taken into account in calculating the period of twelve months' continuous service.

In cases of personal sickness or accident or absence with reasonable cause the employee to become entitled to the benefit of this sub-clause shall inform the employer in writing if practicable within 24 hours of the commencement of such absence of his inability to attend for duty and as far as practicable the nature of the illness injury or cause and the estimated duration of his absence. A notification given by an employee pursuant to clause 34 (*e*) shall be accepted as a notification under this sub-clause.

Any absence from work by reason of any cause not being a cause specified in this sub-clause shall not be deemed to break the continuity of service for the purposes of this clause unless the employer during the absence or within fourteen days of the termination of the absence notifies the employee in writing that such absence will be regarded as having broken the continuity of service.

In cases of individual absenteeism such notice shall be given in writing to the employee concerned, but in cases of concerted or collective absenteeism notice may be given to employees by the posting up of a notification in the plant, in the manner in which general notifications to employees are usually made in that plant and by posting to the union whose members have participated in such concerted or collective absenteeism a copy of same not later than the day it is posted up in the plant.

A notice to an individual employee may be given by delivering same to him personally or by posting it to his last recorded address, in which case it shall be deemed to have reached him in due course of post.

Calculation of Service.

(*e*) Service before the 1st January, 1946, shall be taken into consideration for the purpose of calculating annual leave, but an employee shall not be entitled to leave or 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 clause hereby revoked. Provided however, that in respect of service before the 1st January, 1946, the annual leave shall be allowed at the rate of 3⅔ hours for each completed one month of continuous service and in respect of service after that date at the rate of 7⅓ hours for each completed one month of continuous service. Any broken part of a month served before the 1st January, 1946, shall for the purposes of this clause be deemed to be service after the 1st January, 1946. The period of annual leave to be allowed under this sub-clause shall be calculated to the nearest day any broken part of a day in the result not exceeding half a day to be disregarded.

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

Calculation of Month.

(*f*) 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.

Leave to be Taken.

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

Time of Taking Leave.

(*h*) 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 two weeks' notice to the employee.

Leave Allowed Before Due Date.

(*i*) 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.

Where leave has been granted to an employee pursuant to this sub-clause 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 one complete month 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-twelfth 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 41 of this Determination.

Payment for Period of Leave.

(*j*) Each employee before going on leave shall be paid two weeks' wages. For the purposes of this sub-clause and sub-clause (*k*) hereof, wages shall be at the rate prescribed by clauses 2, 4 (*b*), and 4 (*c*) 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.

PART IV—continued.

Proportionate Leave on Dismissal.

(*k*) If after one month's continuous service in any qualifying twelve-monthly period an employee lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid at his ordinary rate of wage for 3⅔ hours in respect of each completed one month of continuous service before the 1st January, 1946, and for 7½ hours at the same rate in respect of each completed month of continuous service after that date, the service in each case being service in respect of which leave has not been granted hereunder.

Annual Close Down.

(*l*) Where an employer closes down his plant, or a section or sections thereof, for the purposes of allowing annual leave to all or the bulk of the employees in the plant, or section or sections concerned, the following provisions shall apply—

(i) He may by giving not less than one month's notice of his intention so to do stand off for the duration of the close down all employees in the plant or section or sections concerned, and allow to those who are not then qualified for two full weeks' leave paid leave on a proportionate basis of one-sixth of a week's leave for each completed month of continuous service.

(ii) An employee who has then qualified for two full weeks' leave, and has also completed a further month or more of continuous service shall be allowed his leave, and shall also be paid one-sixth of a week's wages in respect of each completed month of continuous service performed since the close of his last twelve-monthly qualifying period.

(iii) The next twelve-monthly qualifying period for each employee affected by such close down shall commence from the day on which the plant, or section or sections concerned is re-opened for work.

(iv) If in the first year of his service with an employer an employee is allowed proportionate annual leave under paragraph (*i*) hereof, and subsequently within such year lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, he shall be entitled to the benefit of sub-clause (*k*) of this clause subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

Disputes.

(*m*) Any dispute arising in connexion with annual leave shall be referred to the Wages Board.

Meal Allowance.

44. An employee (other than an employee in an egg packing establishment) required to work overtime for any period in excess of one hour after the usual hour of ceasing duty shall be paid an allowance of 2s. 6d. as meal money. Provided that such meal allowance shall not be payable to an employee who can reasonably return home for a meal.

Rest Period.

45. A rest period of ten minutes, at a time fixed by the employer, between 10 a.m. and 11.30 a.m. each day shall be allowed to all employees (other than those employed in egg packing establishments), such time to count as time worked.

Right of Entry of Union Official.

46. A duly accredited representative of the Federated Storemen and Packers' Union of Australia shall have the right to enter employers' establishments during the midday meal hour for the purpose of interviewing employees on legitimate Union business on the following conditions :—

(*a*) That he produces his authority to the employer or his representative.

(*b*) That he interviews employees only at the place where they are taking their meal.

(*c*) That not more than one representative in all be in any establishment at any one time.

(*d*) That no one representative visit an establishment more than once a fortnight.

(*e*) That if an employer alleges that a representative is unduly interfering with his establishment or is creating disaffection amongst his employees or is offensive in his methods or is committing a breach of any of the previous conditions, such employer may refuse the right of entry, but the representative shall have the right to bring such refusal before this Wages Board.

Employer to Provide Tools.

47. All tools which employees (other than those employed in, or on, or in connexion with Wharfs, Wharf Sheds, Customs Railway Sheds, or Fumigating Sheds) are required to use in the course of their work shall be provided by the employer.

Piecework.

48. The Board determines, under the provisions of sub-sections (1) and (2) of section 150 of the *Factories and Shops Act* 1928 (No. 3677), that any employer may fix and pay piecework prices for wholly or partly packing or sorting any articles for which wages rates are fixed, provided that 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 rate fixed by the Board for such work.

PART IVA.

ADDITIONAL PROVISIONS APPLICABLE ONLY TO PERSONS EMPLOYED IN EGG PACKING ESTABLISHMENTS.

Melbourne Cup Day Holiday.

49. Employees shall be either permitted to be absent from duty without deduction of pay from 12 noon on Melbourne Cup Day or paid at the rate of double time for all work done after 12 noon on that day.

Restriction as to Females Lifting Heavy Weights.

50. The maximum weight to be lifted by any female over eighteen years of age shall be thirty pounds.

Rest Periods.

51. A rest period of ten minutes in the forenoon and ten minutes in the afternoon shall be given all female workers without any deduction from wages.

Meal Allowance.

52. An employee required to work overtime for any period in excess of one hour after the usual hour of ceasing duty shall be paid an allowance of 2s. 6d. as meal money. Provided that such meal allowance shall not be payable to an employee who can reasonably return home for a meal.

PART V.

WAGE ADJUSTMENT PROVISIONS APPLICABLE TO ALL SECTIONS.

Periodical Adjustment of Wages.

53. The wages rates set out in clauses 4 (*a*) (i), 4 (*a*) (ii), 4 (*b*) (other than the hourly rate for storemen or packers called upon to work in cool stores) and 24 are based upon the following basic wages, and pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Act* 1934, this Board hereby determines that the rates for males in the said clauses 4 (*a*) (i), 4 (*a*) (ii), and 4 (*b*), shall be automatically increased or decreased by the same amount, and at the same time as such basic wage, provided that the wages for females in clause 4 (*c*), and for apprentices, improvers and juvenile workers in clauses 2 and 3, shall be adjusted proportionately to adjustments of the basic wage—such adjustments to be in the case of juveniles in clause 3 to the nearest 6d. and in other cases to the nearest 3d.

PART V—*continued.*

The basic wages shown hereunder shall be adjusted as prescribed in clause 54.

Basic Wages.

Place.	Basic Wage.	Index Number Set Assigned.
	£ s. d.	
Throughout the State—		
(*a*) For all employees other than casual hands employed in Oil, Grease, and Petroleum Products Stores	4 13 0	Melbourne
(*b*) For casual hands employed in Oil, Grease, and Petroleum Products Stores ..	4 13 0	Melbourne, Adelaide, and Hobart (weighted average)

ADJUSTMENT OF BASIC WAGE.

54. (*a*) Until the beginning of the first pay period to commence in November, 1946, the amounts of the basic wages shall be as prescribed in clause 53.

(*b*) During each future period of or near a quarter beginning with the first pay period to commence in a November, a February, a May, or an August, the amounts of the needs 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 purpose 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 for all employees other than casual hands employed in Oil, Grease, and Petroleum Products Stores is that assigned to Melbourne and for casual hands employed in such Oil, Grease, and Petroleum Products Stores, is that of the weighted average of the three capital cities, Melbourne, Adelaide, and Hobart.

(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 appropriate table (or in any extension thereof) to the index number division comprising that number is to be ascertained.

(4) The basic wage and the wage per hour for casual hands shall be of the appropriate assigned amount during such period of or near a quarter.

Table.

Index Number Divisons.	Needs Basic Wage.	Loading Constant.	Total Basic Wage.	Equivalent Hourly Rate for Casual Hands Employed in Oil, Grease, and Petroleum Products Stores.	Equivalent Hourly Rate for Casual Employees *Employed in Bond or* Free Stores or Establishments Engaged in the General Bulk Storage Business.
	£ s. d.	s. d.	£ s. d.	s. d.	s. d.
994–1006	4 1 0	6 0	4 7 0	3 2½	2 11¾
1007–1018	4 2 0	6 0	4 8 0	3 2¾	3 0
1019–1030	4 3 0	6 0	4 9 0	3 3¼	3 0¼
1031–1043	4 4 0	6 0	4 10 0	3 3½	3 0¾
1044–1055	4 5 0	6 0	4 11 0	3 4	3 1
1056–1067	4 6 0	6 0	4 12 0	3 4½	3 1¼
1068–1080	4 7 0	6 0	4 13 0	3 4¾	3 1¾
1081–1092	4 8 0	6 0	4 14 0	3 5¼	3 2
1093–1104	4 9 0	6 0	4 15 0	3 5½	3 2½
1105–1117	4 10 0	6 0	4 16 0	3 6	3 2¾
1118–1129	4 11 0	6 0	4 17 0	3 6½	3 3
1130–1141	4 12 0	6 0	4 18 0	3 6¾	3 3½
1142–1154	4 13 0	6 0	4 19 0	3 7¼	3 3¾
1155–1166	4 14 0	6 0	5 0 0		
1167–1179	4 15 0	6 0	5 1 0		
1180–1191	4 16 0	6 0	5 2 0		
1192–1203	4 17 0	6 0	5 3 0		
1204–1216	4 18 0	6 0	5 4 0		
1217–1228	4 19 0	6 0	5 5 0		
1229–1240	5 0 0	6 0	5 6 0		

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

55. The hourly rate for storemen or packers called upon to work in cool stores shall be adjusted at the same time and at the same rate as that provided for a chamber hand in the Determination of the Frozen Goods Board.

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

J. V. WILLOX, Acting Secretary.

Melbourne, 7th August 1946.

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Factories and Shops Acts.

DETERMINATION OF THE ASBESTOS-CEMENT WORKERS BOARD.

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

(*b*) On the 27th November, 1934, the Cement Articles Board was deprived of 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 process, trade, or business of making portable articles of material containing asbestos and cement in the proportion of not less than one part by weight of asbestos in each twenty parts by weight of the material, and such power was conferred exclusively on the Asbestos-Cement Workers Board.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which since 24th April, 1939, 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 process, trade, or business of making portable articles of material containing asbestos and cement in the proportion of not less than one part by weight of asbestos in each twenty parts by weight of the material;

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 27th August, 1946, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers.

—	Wages. Per Week of 44 Hours. Adjustable Weekly Rate.	Non-Adjustable War Loading.	Total Weekly Rate.
	s. d.	s. d.	s. d.
16 and under 17 years of age	39 5	1 0	40 5
17 and under 18 years of age	54 5	1 2	55 7
18 and under 19 years of age	64 4	1 4	65 8
19 and under 20 years of age	79 3	1 7	80 10
20 and under 21 years of age	88 10	2 1	90 11

No apprentices or improvers under the age of sixteen years to be engaged.

PROPORTION (IN ANY PLACE).

Apprentices and Improvers.

Two apprentices or improvers to every three or fraction of three workers receiving not less than 111s. per week of 44 hours.

Other Employees.

—	Wages. Per Week of 44 Hours. Adjustable Weekly Rate.	Non-Adjustable War Loading.	Total Weekly Rate.
	s. d.	s. d.	s. d.
Wet sheet machine leading hand ..	116 0	5 0	121 0
Wet sheet machine operator ..	112 0	5 0	117 0
Mixer operator—in sole charge of Tide mill	112 0	5 0	117 0
Mixer operator—other	109 0	5 0	114 0
Asbestos treatment operator ..	111 0	5 0	116 0
Cutter-off in charge	116 0	5 0	121 0
Cutter-off	108 6	5 0	113 6
Plateman or stacker	109 0	5 0	114 0
Corrugating machine operator ..	109 0	5 0	114 0
Hand corrugator	107 6	5 0	112 6
Wet trimmer (Power guillotine only)	109 0	5 0	114 0
Dry trimmer—operating power cutting machine	109 0	5 0	114 0
Accessories hand moulder—welded or grafted mouldings	111 0	5 0	116 0
Accessories hand moulder—plain mouldings	109 0	5 0	114 0
Operator cement bulk handling ..	111 0	5 0	116 0
Pipe machine leading hand ..	120 0	5 0	125 0
Mazza machine control operator ..	111 0	5 0	116 0
Pressure pipe curing tank hand ..	108 6	5 0	113 6
Operator pressure pipe turning and socket boring machine	108 6	5 0	113 6
Operator pressure pipe turning and socket boring machine (who sets up machine)	113 6	5 0	118 6
Pressure pipe socket fitter ..	108 6	5 0	113 6
All others	106 0	5 0	111 0

Employees (other than leading hands) temporarily in charge of two or more men shall receive 6s. per week extra.

ALLOWANCE FOR AFTERNOON AND NIGHT SHIFT.

3. Men working on shift work shall be paid, in addition to the rates set out in clause 2, at the rate of 10s. per week for night shift, and 7s. 6d. per week for afternoon shift. Where it is mutually agreed between employer and employees to commence work earlier than 12 midnight, as starting time for the night shift, work done between such commencing time and midnight shall be regarded as work done on the following day, and shall be paid for at the rate applying to that day's work.

OVERTIME.

4. Time and a half shall be paid for all work done:—

(a) outside the usual starting and finishing times.

(b) within the usual starting and finishing times, in excess of the number of hours fixed as a week's work, provided that a shift worker shall not be entitled to overtime unless he has worked—

(i) more than 132 hours during any three consecutive weeks when working on a weekly rotation of shifts, or

(ii) 264 hours during any six consecutive weeks when he is working on a fortnightly rotation of shifts, or

(iii) more than 396 hours during any nine consecutive weeks when he is working on a three-weekly rotation of shifts.

Provided further that sub-clause (iii) hereof shall not be adopted without consultation and agreement between any employer and his employees' accredited representatives.

WEEKLY EMPLOYMENT.

5. (a) 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 usefully be 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.

EMPLOYMENT FOR LESS THAN A FULL WEEK.

6. Employees who work during any week for less than 44 hours shall be paid for the first 22 hours at the rate of time and a quarter and for all time therafter ordinary time up to but not exceeding the ordinary wages rate for an ordinary week's work. Provided that an employee shall be paid only for the time actually worked in any week the ordinary rate of wages where—

(a) he voluntarily terminates his employment,

(b) he is dismissed for misconduct or neglect of duty,

(c) he voluntarily absents himself for any part of such week,

(d) he attends but is not capable of satisfactorily carrying out his duties,

(e) he commences, what is intended to be continuous employment, after the beginning of the normal working week.

This clause shall not apply in the case of a shiftworker who, subject to clause 4, is paid three weeks' wages in respect of three consecutive weeks' work; nor in the event of any breakdown of machinery or plant which prevents the continuation of production.

HOLIDAYS.

7. All employees shall be entitled to the ten holidays hereinafter mentioned without any deduction from the weekly rate of pay viz.:—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Christmas Day, and Boxing Day.

This shall not affect the right of an employer to require any employee to work on any such day (except Anzac Day) provided that such employee is paid the extra rates as set out in clause 8; an employee who, without permission from the employer, is absent on the working day immediately preceding such holiday or who likewise fails to resume work on the working day immediately following such holiday shall not be entitled to such payment.

SPECIAL RATE FOR SUNDAYS AND HOLIDAYS.

8. Double time shall be the special rate for all work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, King's Birthday, 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 then the special rate shall be payable only for the day so substituted.

ANNUAL HOLIDAY.

9. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act* 1946, and any amendments which may be made thereto from time to time.

MEAL ALLOWANCE.

10. A meal allowance of 2s. shall be paid to an employee in respect of any day on which he is required to work for a period of not less than two hours after the usual finishing time, unless he is notified by the employer on the previous day that he will be required to work such extra time.

SICK LEAVE.

11. (a) Where an employee has been in the service of an employer for a period of not less than three months, and is disabled by personal ill health, proof of which sickness is given to the employer by the production of a certificate from a legally qualified Medical Practitioner, statutory declaration, or other satisfactory evidence, within 48 hours of the employee's consequential absence, he shall, on account thereof, be entitled without deduction of pay at ordinary rates to absent himself from work for a period not exceeding in the aggregate four days in any year of employment in the industry.

(b) Notwithstanding anything contained in sub-clause (a) hereof, if the full period of sick leave as prescribed herein is not taken in any year, such portion as is not taken shall, provided an employee remains in the service of the one employer, or any successor of such employer, be cumulative from year to year up to a period not exceeding 20 days, which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay.

(c) For the purpose of this clause the year shall be deemed to commence on July 1st, (beginning on July 1st, 1946) and to end on the next following June 30th, and for the purpose of sub-clause (b) hereof service prior to 1st July, 1946, shall be disregarded.

PERIODICAL ADJUSTMENT OF WAGES.

12. The wages rates 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 apprentices and improvers shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 1d., half or less than half of 1d. to be disregarded.

The basic wage shown hereunder shall be adjusted as prescribed in clause 13.

Basic Wage.

Place.	Basic Wage.	Index Number Set Assigned.
	£ s. d.	
Throughout the State	4 13 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

13. (*a*) Until the beginning of the first pay period to commence in November, 1946, the amount of the basic wage shall be as prescribed in clause 12.

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

For the purposes of this Determination the expression "Commonwealth Statistician's Retail Price Index Numbers" or any like expression means the numbers stated to be such Index Numbers in any document purporting, and not proved to be wrongly so purporting, to be printed by the Commonwealth Government Printer, or to be signed by or on behalf of the Commonwealth Statistician.

(1) The Index Number set to be applied is that assigned to Melbourne.

(2) The Index Number for the calendar quarter next preceding the period of or near a quarter for which the adjustment is made is to be ascertained.

(3) The amount assigned in the following table (or in any extension thereof) to the Index Number Division comprising that Number is to be ascertained.

(4) The basic wage shall be of that assigned amount during such successive period.

TABLE.

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

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

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

J. V. WILLOX, Acting Secretary.

Melbourne, 14th August, 1946.

By Authority: J. J. GOURLEY, Government Printer, Melbourne.