



VICTORIA
GOVERNMENT GAZETTE.

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Factories and Shops Acts.

DETERMINATION OF THE GLUE AND GELATINE BOARD.

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

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to "determine the lowest prices or rates which may be paid to any person employed in the trade of manufacturing glue and gelatine" has made the following Determination, namely:—

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

2.

ADULT MALES.

	Per Week.
	£ s. d.
1. Men working in raw material stores	5 15 6
2. Men working raw materials cutting machine	5 16 6
3. Men in charge of and actually washing raw material and/or preparing limes and/or working at trotter plant	5 19 6
4. Men assisting at washing raw material and/or preparing limes and working at trotter plants	5 15 6
5. Men working at lime pits	5 19 6
6. Men in charge of and actually operating dollies	6 2 6
7. Men assisting in dolly shed	5 16 6
8. Men in charge of and actually working at boiling pans	5 19 6
9. Men assisting in boiling shed	5 15 6
10. Men in charge of and actually working at vacuum evaporators, bone kettles, gelatine, glue and/or agar agar filters, concentrated liquor vats and coolers	6 2 6
11. Men assisting	5 15 6
12. Men engaged at agar agar freezing plant	5 18 6
13. Men operating gelatine, glue and/or agar agar cutters	5 18 6
14. Men assisting	5 15 6
15. Men working at drying plants	5 15 6
16. Men engaged at gelatine, glue and/or agar agar grinding	5 16 6
17. Men engaged in treating frames	5 15 6
18. Men engaged in assembling and repairing frames	5 15 6
19. Blenders and store-hands	5 16 6
20. Men in charge of and actually working at scutching pans, hydraulic presses, grease pans, grease filters and seeding tanks and washing trotter bones	5 19 6
21. Men assisting	5 15 6
22. Men working on roller driers and associated grinders	5 16 6
23. Men in charge of and actually working at vegetable and prepared glue vats	5 19 6
24. Men assisting and store-hands including calves feet jelly	5 15 6
25. Men operating residue driers	6 0 6
26. Men crushing and/or bagging dried residues	5 16 6
27. Men receiving and passing on bones (Melbourne)	5 19 6
28. Men actually operating de-greasing plant	6 2 6
29. Men assisting at de-greasing plant and bone polishing	5 16 6
30. Men engaged in washing and neutralizing vats (Melbourne)	5 18 6
31. Men engaged in crushing bone residues	5 16 6
32. Men in charge of and actually operating pearl plant	6 0 6
33. Men assisting	5 15 6
34. Men in charge of and actually operating dextrine plant	6 0 6
35. Men assisting	5 15 6
36. Men actually operating earth calcining plant	6 0 6
37. Men assisting	5 15 6
38. Men not elsewhere included	5 8 6
39. Men employed at emptying sewers, settling pits and cleaning sewers shall be paid at the rate of 1s. per hour in addition to their ordinary or overtime rate whilst engaged on such work.	
40. Men employed at cleaning or scraping the inside of booby tanks or digesters shall be paid at the rate of 6d. per hour in addition to their ordinary or overtime rate whilst engaged on such work.	

ADULT FEMALE.										Per Week.		
										£	s.	d.
Adult female employees—												
after three months' employment in the industry										3	7	6
of less than three months' employment in the industry										3	1	6
JUNIORS.												
Males.												
Under 16 years of age										1	7	0
16 and under 17 years of age										1	18	0
17 and under 18 years of age										2	11	6
18 and under 19 years of age										3	5	0
19 and under 20 years of age										4	1	6
20 and under 21 years of age										4	17	6
Females.												
Under 16 years of age										1	9	3
16 and under 17 years of age										1	17	0
17 and under 18 years of age										2	3	0
18 and under 19 years of age										2	9	3
19 and under 20 years of age										2	15	3
20 and under 21 years of age										3	1	6

Provided that a junior female after three years' experience in the industry shall be paid the full adult rate prescribed in Clause 2.

DEFINITIONS.

3. (a) "Federation" means the Australian Leather and Allied Trades Employees Federation.
 (b) "Double time rates" or "rate of double time" shall mean when applicable to ordinary or shift hours of work on a week-day, holiday or Sunday, the ordinary hour rate payable as part of the weekly wage, and in addition, a rate equal to such ordinary hour rate; when applicable to hours worked outside the ordinary or shift hours on the days mentioned or in excess of 48 hours per week or 176 hours per twenty-eight consecutive days, the terms shall mean twice such ordinary rate.
 (c) "Casual worker" means an employee (other than a regular employee) employed by the day.

CONTRACT OF EMPLOYMENT.

4. (a) Employees other than casual workers shall be employed by the week. To be entitled to the week's pay a regular day employee must be ready, willing and available to work during 44 hours of the week and a shift worker during 48 hours of any week, or an average of 44 hours over a period of four weeks.
 In order to terminate the employment, one week's notice shall be given to terminate on any day with payment to day of termination or in lieu of notice one week's pay shall be paid or deducted, unless such dismissal is for wilful failure to attend for duty, malingering, misconduct or neglect of duty. Provided, however, that in the event of a stoppage through breakdown of machinery or any other cause for which the employer cannot be held responsible, the employer may on any day notify any employee that his service shall not be required on the following day or days and the employee's employment shall be temporarily terminated accordingly, and he shall not be entitled to be paid for the time not worked.
 (b) To meet emergencies, any employer may engage a casual employee for a day or more on paying extra wages calculated at the rate of 10 per cent. higher than those prescribed for similar work. Such an employee shall not be paid for a holiday occurring during any week he is employed.

MIXED FUNCTIONS.

5. Where an employee is engaged on any day on mixed functions or on work carrying a higher rate of pay than his ordinary classification, he shall be paid at the higher rate for the time so worked on such higher classification. If the aggregate hours worked by an employee on such higher classification exceed 16 in the week, he shall be paid at the higher rate for the week.

JUNIOR LABOUR.

6. (a) An employer may employ juniors in any capacity except as hereunder provided that the proportion of juniors to adults employed in any department in the works, except that of laying out and packing gelatine, glue or agar agar, shall not exceed one to two, and provided that the proportion of juniors to adults employed in whole works with the exception of the department of laying out and packing gelatine, glue, agar agar does not exceed one to three.
 (b) Where a junior is engaged he shall, if the employer requires it, furnish a certificate or statutory declaration as to his age, and the employer may rely on such certificate or declaration until, or unless, he has notice of its inaccuracy.
 (c) No juniors shall, except where it has been the custom of the employer to so employ them, be employed on any machine.

HOURS OF WORK.

7. The ordinary hours of employment shall be 44 per week. Not more than 8 hours on Monday to Friday inclusive, and not more than 4 hours on Saturday shall be worked without payment of overtime, between 7 a.m. and 6 p.m. on Monday to Friday inclusive and 6.45 a.m. and 12.30 p.m. on Saturday. Provided that the 44-hour week may, by agreement between the employer and his employees be worked in five days of 8 hours 48 minutes per day.

MEAL TIMES.

8. (a) The break for midday meals shall be at least 45 minutes or where the employer and the Federation agree or the Wages Board determines, 42 minutes to be taken between 11.30 a.m. and 1 p.m.
 (b) The starting and finishing times for meals shall not be altered except by agreement between the employer and his employees or by the Wages Board.
 (c) An employee shall not be compelled to work for more than five and a half hours without a break for a meal.
 (d) For work done during meal hours and thereafter until a meal-hour break is allowed, double time shall be paid.

SHIFT WORK.

9. (a) In this clause "first or day shift" means any shift commencing at 6 a.m. or the first shift commencing thereafter.
 (b) The ordinary hours of shift workers shall not exceed 176 hours in 28 consecutive days, provided that not more than 48 hours may be worked in any week without payment of overtime.
 (c) The time of commencing and finishing shift shall be fixed by agreement between the employer and his employees and in default of agreement, by the Wages Board.
 (d) A shift worker shall not be compelled to work for more than five and a half hours without a crib time being allowed.
 (e) Shift workers shall have crib time of twenty minutes without deduction of pay to be taken at a time suitable to the process upon which he is engaged.
 (f) Shift workers on the first or day shift shall be paid at ordinary time rates.
 Shift workers on the second shift shall be paid 5 per centum more than the ordinary rates for such shift. Shift workers on the third shift shall be paid 7½ per centum more than the ordinary rates for such shifts.
 (g) No junior male under the age of eighteen years shall work on the night shift.
 (h) No female shall be employed on shift work.

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

(j) Shift workers whilst working on holidays prescribed by clause 12 of this Determination shall be paid at the rate of ordinary time, provided that such shift workers shall be entitled to ten days' holiday per annum or ten days' pay in lieu thereof. On the termination of service during the currency of any year, payment for holidays shall be made on a *pro rata* basis.

(k) For all time worked outside the hours of commencing and finishing shift, as agreed, and for all time in excess of 48 hours per week, shift workers shall be paid overtime at the rate of time and a half for the first two hours and double time thereafter. Provided that for all work performed on the first shift on Sunday, whether overtime or not, double rates shall be paid. Notwithstanding anything contained in this sub-clause, an employee may be worked one first shift on Sunday in each four weeks without payment of overtime, provided that his total hours of work during such four weeks do not exceed 168 hours.

OVERTIME.

10. (a) Except as provided by sub-clause (g) hereof, all work done outside the ordinary hours, shall be deemed overtime and shall be paid for at the rate of time and a half for the first 2 hours and double time thereafter.

(b) In computing overtime, each day's work shall stand alone.

(c) An employee shall work such overtime as shall be reasonably required of him.

(d) An employee required to work overtime shall be guaranteed a minimum of 15 minutes.

(e) Any employee required to work overtime for more than two hours on any day, after the normal finishing time, without being notified the day before that he will be so required to work, shall either be supplied with a meal by the employer or paid 2s.

(f) If an employee pursuant to sub-clause (c) hereof has provided a meal and is not required to work overtime, he shall be paid 2s. for the meal so provided.

(g) The following overtime work including such work as may be performed on a Sunday or holiday, shall be paid for at the rate of time and a half:—

(i) The effecting of repairs or renewals to and the cleaning of plant or machinery in order to enable work to proceed forthwith;

(ii) Such emergency work as owing to the nature of the trade necessitates the immediate, as distinct from the normal treatment of material to save it from going bad or the removal after it has gone bad. Any question in dispute hereunder shall be decided by the Wages Board.

PAYMENT OF WAGES.

11. (a) Wages shall be paid at the works weekly not later than Thursday in each week. Not more than two days' pay over and above that becoming due shall be kept in hand.

(b) Wages shall be paid in the employer's time or within 5 minutes of finishing time. If an employee be kept waiting for payments more than five minutes after finishing time, he shall be paid overtime rates for the time so kept waiting.

(c) Should an employee be dismissed during the course of a week, he shall be paid at the usual place of payment on demand there by him, any wages which are legally due to him, within 15 minutes of dismissal.

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

HOLIDAYS.

12. (a) The days on which: New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Anzac Day, Labour Day, Melbourne Cup Day, Christmas Day, Boxing Day, or the holiday, if any, substituted for any such day by or under any State Act of Parliament, are observed shall be holidays. Employees other than shift workers not required to work on holidays shall be paid the ordinary rates of pay.

(b) If the engagement of an employee is terminated by his employer within fourteen days of any of the holidays set out in sub-clause (a) hereof, the employee shall be paid for such holiday or holidays, if and when the Federation or the employee satisfies the employer or (if the matter is disputed) the Wages Board, that the employee has not in the meantime commenced work with another employer.

(c) Where an employee is absent from his employment on the working day or part of the working day before or after a holiday or holidays without reasonable excuse or without the employer's consent such employee shall not be entitled to payment for such holiday or holidays.

RATES FOR HOLIDAYS AND SUNDAYS.

13. (a) Except as to shift workers working on regular rostered shifts, all work performed on Sundays and the holidays set out in clause 12 of this Determination shall be paid for at the rate of double time.

(b) An employee called upon to work on a Sunday or a holiday shall be paid for a minimum of three hours' duty for a Sunday and four hours for a holiday.

ANNUAL LEAVE.

Period of Leave.

14. (a) Except as hereinafter provided a period of fourteen consecutive days' leave with payment of ordinary wages as prescribed shall be allowed annually to an employee by his employer after a period of twelve months' continuous service with such employer.

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 one half day for each month he is continuously engaged as aforesaid.

Public Holidays Excluded.

(c) (i) Such period of annual leave shall not include any holidays as prescribed in clause 12 observed on working days, but shall include all other non-working days.

(ii) If any holiday as prescribed in clause 12 falls within an employee's period of annual leave and is observed on the day which in the case of that employee would have been an ordinary working day there shall be added to that period one day, being an ordinary working day for each holiday observed as aforesaid.

(iii) Where an employee without reasonable excuse proof whereof shall lie upon him is absent from his employment on the working day or part of the working day prior to the commencement of his annual leave or fails to resume work at his ordinary starting time on the working day immediately following the last day of the period of his annual leave the employee shall not be entitled to payment for the public holidays which fall within his period of annual leave.

Notice of Leave to be Given.

(d) At least seven days' notice shall be given to an employee as to when he is to commence his leave, and if such notice be withdrawn by an employer, the employee, if he postpones his leave, shall be compensated by the employer for any reasonable out of pocket loss occasioned thereby; in the case of dispute to be settled by the Wages Board.

Time when Leave to be Granted.

(e) 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 one week's notice to the employee.

Leave to be given and taken.

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

Payment of Wages.

- (g) Each employee before going on leave shall be paid two weeks' wages at ordinary rates for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave. Payment in case of employees employed on piece work or bonus work or any other system of payment by results shall be at time rates.

Leave in advance.

- (h) (i) An employer may grant 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 the expiration of the twelve months in respect of which annual leave had been taken before it accrued.

(ii) Where leave has been granted to an employee pursuant to sub-clause (h) (i) hereof before the right thereto has accrued due and the employee subsequently leaves or is discharged from the service of the employer before completing the twelve months' continuous service in respect of which the leave was granted, the employer may for each 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 in clause 12 of this Determination. Provided that in cases where such leave is granted at the request of the employee, the employer may when making payment under sub-clause (g) hereof, withhold from the employee a sum equal to one-twelfth for each complete month of the qualifying period not served by the employee at the time of going on such leave and retain such sum until the expiration of such qualifying period.

Proportionate Payment.

- (i) Proportionate payment shall be made in respect of each completed month of continuous service in any qualifying twelve-monthly period when an employee lawfully leaves his employment or his employment is terminated by his employer through no fault of the employee.

Calculation of continuous Service.

- (j) (i) Continuity of service shall be deemed to be continuous notwithstanding—

- (a) any interruption or termination of the employment by the employer if such interruption or termination has been made with the intention of avoiding obligations hereunder in respect of annual leave;
- (b) any absence from work of not more than fourteen days in the twelve months on account of sickness or accident (proof whereof shall be on the employee);
- (c) any absence on account of leave granted imposed or agreed to by the employer;
- (d) any absence due to reasonable cause (including absences on account of sickness or accident of more than fourteen days) (proof whereof shall be on the employee).

Provided that 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 if practicable inform the employer in writing within 24 hours after 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.

- (ii) In calculating a period of twelve months' continuous service:—

- (a) (1) any annual leave taken therein;
- (2) any absences of the kind mentioned in (a) and (b) of paragraph (i) above shall be counted as part of such period;
- (b) in respect of absences of the kind mentioned in (c) and (d) paragraph (i) above the employee shall serve such additional period as part of his qualification for annual leave as will equal the period of such absences;
- (c) (1) where an employee is absent from work for any cause whatsoever the employer shall if so requested by the employee notify the employee within fourteen days of the receipt of such request whether the employer regards such absence as breaking either conditionally or unconditionally the continuity of service of such employee if the employee does not make such request within seven days of his return to work after any such absence such absence shall be deemed to have broken such continuity. If the employer does not give such notice within the said fourteen days such absence shall not be deemed to be such a break.
The employee shall make such request in writing and shall deliver same to the employer's office at the factory where he is employed or if there be no such office to the manager of such factory or in his absence to the employer's foreman.
The employer shall give the notification to the employee by having the same delivered to such employee personally in writing;
- (2) where an employee has been absent from his employment, and the employer has notified him that such absence is regarded as a break in the continuity of service, the employee may within fourteen days of such notification from the employer, appeal to the Wages Board against such notification of the employer.

Calculation of Month.

- (k) 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.

Successor or Assignee or Transmitttee.

- (l) Where the employer is a successor or assignee or transmitttee 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 transmitttee 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.

Annual close down.

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

- (i) He may by giving to the employees concerned 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 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 (i) of this clause, subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

Disputes.

(n) Any dispute as to the rights of an employee to or with respect to annual leave shall be dealt with by the Wages Board.

(o) For any current period of continuous service the annual leave quantum or proportionate payment in lieu thereof in respect of service prior to the 1st day of January, 1946, shall be calculated upon the basis of the provisions of the former annual leave clause and that the calculation of the annual leave quantum or proportionate payment in lieu thereof in respect of service since the 1st day of January, 1946, shall be in accordance with the clause now substituted.

(p) An employee shall not be entitled to leave or payment in lieu thereof for any period in respect of which leave or payment in lieu thereof has been allowed or made under the clause hereby revoked.

SICK LEAVE.

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

(i) he shall not be entitled to paid leave of absence unless he has been in the service of the employer concerned for at least two months immediately prior to such absence;

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

(iii) he shall, within 48 hours of the commencement of such absence inform the employer of his inability to attend for duty, and as far as practicable, state the nature of the injury or illness and the estimated duration of the absence;

(iv) he shall prove to the satisfaction of his employer (or in the event of dispute the Wages Board) that he was unable on account of such illness or injury, to attend for duty on the day or days for which sick leave is claimed;

(v) he shall not be entitled in any year (whether in the employ of one employer or of several) to leave in excess of 44 hours of working time.

(b) Provided further that where under any scheme of insurance or of an accident, relief or provident fund to secure the benefit of which the employer has paid the necessary premium or contribution, compensation becomes payable for absences through sickness the employer shall not be bound to pay more of such wage than is sufficient with such compensation to make up the full amount for any such days.

TOOLS OF TRADE.

16. The employer shall provide tools and implements of trade, leggings, aprons (rubber, leather or cloth where suitable), gloves, respirators, thigh boots and goggles where either are necessarily required by the employee in the performance of his duties, and oilskin coats or capes for employees working outdoors in wet weather.

Such aforementioned articles to remain the property of the employer, and any wilful loss or damage or damage due to neglect must be paid for by the employee.

DAMAGE TO CLOTHING.

17. In the event of boots or clothing belonging to an employee being damaged or destroyed by fire or corrosive substance outside the normal course of usage of such boots or clothing, compensation to the extent of the damage sustained shall be made by the employer.

ACCOMMODATION.

18. (a) Boiling water shall be supplied by the employer for the employees at lunch time.

(b) Dining room and dressing accommodation and facilities for drying working clothes shall be provided by the employer who shall be held responsible for the place being kept clean. Dressing rooms shall contain suitable provisions (hanging facilities) for the clothes of each employee.

(c) Suitable showers shall be available for all employees, and both hot and cold water shall be laid on and shall be readily accessible to employees.

(d) The employer shall provide a suitable covered bicycle stand.

FIRST-AID OUTFIT.

19. The employer shall provide and continuously maintain an efficient first-aid outfit in each factory controlled by him.

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:—

Article.	Quantities to be kept in ambulance chest—	
	Factories and workshops in which not more than thirty persons are employed.	Factories and workshops in which more than thirty persons are employed.
Antiseptic solution	1 bottle	1 bottle
Bandages, cotton and gauze	$\frac{1}{2}$ doz. assorted sizes	1 doz. assorted sizes
Iodine, tincture of	1 oz.	2 oz.
Castor oil	$\frac{1}{2}$ oz.	2 oz.
Manual first-aid	1	1
Petrolatum, carbolized	1 jar	1 jar
Picric acid solution, made according to the following recipe or prescription— 1 $\frac{1}{2}$ teaspoonsful of powdered picric acid; 3-oz. absolute alcohol; 2 pints distilled water		
Pins, safety	1 packet	1 packet
Sal volatile	1 oz.	6 oz.
Scissors	1 pair	1 pair
Tweezers	1 pair	1 pair
Tourniquet	1	1
Cotton, absorbent		
Gauze, sterilized and plain		
Lint, absorbent		
Plaster, adhesive		
	} An adequate assortment	

TIME AND WAGES BOOK.

20. (a) Each employer shall keep in each factory, workshop or place where work is carried on by him, some card or check used in connexion with a mechanical clock or a time and wages book showing the name of each employee and his or her occupation, the hours worked each day and the wages and allowances paid each week.

(b) The time occupied by an employee in filling in any time books or cards or in the making of records shall be treated as time of duty, but this does not apply to checking in or out at the beginning or end of duty.

(c) The time and wages book shall be open for inspection to an officer of the Federation duly accredited in writing by the Federation during the midday meal hour at the employer's office or other convenient place: Provided that an inspection shall not be demanded unless the secretary of the Federation or the District Secretary or organizer of any division suspects that a breach of this Determination has been or is being committed: Provided also that only one demand for such inspection shall be made in any one fortnight at the same establishment: And provided further that if the meal hour shall not be a convenient time for any employer he may fix some other time of at least one hour for any such inspection.

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

UNION BUSINESS.

21. (a) Shop stewards appointed by employees in each work-shop shall be allowed the necessary time during working hours to interview the employer or his representative in matters effecting employees whom they represent.

(b) Any members of the Federal Council of the Federation or any member of the Committee of Management of any State Branch or section thereof may leave work to attend to the business of the Federation provided that reasonable notice has been given to the employer. Employees shall not be paid for the period of such absence.

RESIGNATION FROM FEDERATION.

22. An employer shall not compel an employee to resign his membership of the Federation through the fact of such member being made a foreman or placed on the staff.

RIGHT OF ENTRY OF UNION OFFICIALS.

23. A duly accredited representative of the Federation shall have the right to enter an employer's workshop during the midday meal hour for the purpose of interviewing employees on legitimate Federation business on the following conditions:—

(i) that he produces his authority to the gatekeeper or such other person as may be appointed by the employer;

(ii) that he interviews employees only at the place where they are taking their meal;

(iii) that not more than one representative in all be in any workshop at any one time;

(iv) that no one representative visit a workshop more than once in each week; and

(v) that if any employer alleges that a representative is unduly interfering with his workshop or is creating disaffection amongst his employees or is offensive in his methods or is committing a breach of any of the previous conditions, such employer may refuse the right of entry, but the representative shall have the right of bringing such refusal before the Wages Board.

POSTING OF NOTICES.

24. (a) The employer shall permit notice-boards to be erected in a prominent position in his establishment for the purpose of posting any notices thereon in connexion with the legitimate business of the Federation. All such notices shall be signed by the branch secretary of the Federation.

(b) Every employer shall post and keep posted a copy of this Determination in a place accessible to all employees.

PERIODICAL ADJUSTMENT OF WAGES.

25. The wages rates set out for adults in clause 2 are based upon the following basic wage, and, pursuant to the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically increased or decreased by the same amount and at the same time as such basic wage. The basic wage shall be adjusted as prescribed in clause 26:—

Total Base Rate.—Males.

Place.	Needs Basic Wage (adjustable in accordance with clause 26 of this Determination).	Loading (constant).	Industry Loading (constant).	War Loading (constant).	Total Base Rate.	Index Number Set Assigned.
	Per Week. £ s. d.	Per Week. s. d.	Per Week. s. d.	Per Week. s. d.	Per Week. £ s. d.	
Within the area to which this Determination applies	4 13 0	6 0	5 0	4 6	5 8 6	Melbourne

Total Base Rate.—Females.

Place.	An amount equal to 54 per centum of the needs basic wage and loading (constant) thereof for adult males (adjustable in accordance with clause 26 of this Determination calculated to the nearest 3d.	Industry Loading (constant).	War Loading (constant).	Total Base Rate.	Index Number Set Assigned.
	Per Week. £ s. d.	Per Week. s. d.	Per Week. s. d.	Per Week. £ s. d.	
Within the area to which this Determination applies	2 13 6	5 0	3 0	3 1 6	Melbourne

ADJUSTMENT OF BASIC WAGE.

26. (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 25.

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

- (i) Adjustment is to be based upon the equating of index number 1,000 with a wage of 81s.
- (ii) The index number set to be applied to a place is that assigned thereto in clause 25.
- (iii) 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.
- (iv) The amounts assigned in the following table (or in any extension thereof) to the index number division comprising that number are to be ascertained.
- (v) The basic wage shall be of those assigned amounts during such period of or near a quarter.

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.

Juniors.

The minimum rates of payment to be paid to junior employees shall be as follows:—

Males.

Age of employee.	A total payment per week at the equivalent of the below stated percentage of the total base rate for adult male employees calculated to the nearest 6d.
	Per cent.
Under 16 years of age	25
16 and under 17 years of age	35
17 and under 18 years of age	47½
18 and under 19 years of age	60
19 and under 20 years of age	75
20 and under 21 years of age	90

Females.

Age of employee.	A total payment per week at the equivalent of the below stated percentage of the total base rate for adult female employees calculated to the nearest 3d.
	Per cent.
Under 16 years of age	47½
16 and under 17 years of age	60
17 and under 18 years of age	70
18 and under 19 years of age	80
19 and under 20 years of age	90
20 and under 21 years of age	100

27. In addition to the total base rate provided in clause 25, the margins set out in this clause shall be the minimum rate payable to employees therein named:—

Classifications.	Margins.
	Per Week.
	s. d.
1. Men working in raw material stores	7 0
2. Men working raw materials cutting machine	8 0
3. Men in charge of and actually washing raw material and/or preparing limes and/or working at trotter plant	11 0
4. Men assisting at washing raw material and/or preparing limes and working at trotter plants	7 0
5. Men working at lime pits	11 0
6. Men in charge of and actually operating dollies	14 0
7. Men assisting in dolly shed	8 0
8. Men in charge of and actually working at boiling pans	11 0
9. Men assisting in boiling shed	7 0
10. Men in charge of and actually working at vacuum evaporators, bone kettles, gelatinic, glue and/or agar agar filters, concentrated liquor vats and coolers	14 0
11. Men assisting	7 0
12. Men engaged at agar agar freezing plant	10 0

Classifications.	Margins.
	Per week.
	<i>s. d.</i>
13. Men operating gelatine, glue and/or agar agar cutters	10 0
14. Men assisting	7 0
15. Men working at drying plants	7 0
16. Men engaged at gelatine, glue and/or agar agar grinding	8 0
17. Men engaged in treating frames	7 0
18. Men engaged in assembling and repairing frames.. .. .	7 0
19. Blenders and store-hands	8 0
20. Men in charge of and actually working at scutching pans, hydraulic pressers, grease pans, grease filters and seeding tanks and washing trotter bones	11 0
21. Men assisting	7 0
22. Men working on roller driers and associated grinders	8 0
23. Men in charge of and actually working at vegetable and prepared glue vats	11 0
24. Men assisting and store-hands including calves feet jelly	7 0
25. Men operating residue driers	12 0
26. Men crushing and/or bagging dried residues	8 0
27. Men receiving and passing on bones (Melbourne).. .. .	11 0
28. Men actually operating de-greasing plant	14 0
29. Men assisting at de-greasing plant and bone polishing	8 0
30. Men engaged in washing and neutralizing vats (Melbourne)	10 0
31. Men engaged in crushing bone residues	8 0
32. Men in charge of and actually operating pearl plant	12 0
33. Men assisting	7 0
34. Men in charge of and actually operating dextrine plant	12 0
35. Men assisting	7 0
36. Men actually operating earth calcining plant	12 0
37. Men assisting	7 0
38. Men not elsewhere included	Nil
39. Men employed at emptying sewers, settling pits and cleaning sewers shall be paid at the rate of 1s. per hour in addition to their ordinary or overtime rate whilst engaged on such work	
40. Men employed at cleaning or scraping the inside of booby tanks or digesters shall be paid at the rate of 6d. per hour in addition to their ordinary or overtime rate whilst engaged on such work.	
Adult female employees—	
after three months' employment in the industry	6 0
of less than three months' employment in the industry	Nil.

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

J. R. MacPHERSON, Acting Secretary.

Melbourne, 6th August, 1946.



VICTORIA GOVERNMENT GAZETTE.

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FRIDAY, OCTOBER 11.

[1946

Factories and Shops Acts.

DETERMINATION OF THE TANNERS (FURRED SKINS) BOARD.

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

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to "determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the trade of a tanner of all kinds of furred skins, or a dresser or a dyer of such skins," has made the following Determination, namely:—

1 That as from the beginning of the first pay period to commence on or after the 2nd September, 1946, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers.				Other Employees.			
WAGES PER WEEK OF 44 HOURS.				WAGES PER WEEK OF 44 HOURS.			
	Males.	Females employed in beaming, fleshing or slickering of any furred skins.	Other Females.	<i>Males.</i>			
				Beam fleshers, pullers on upright knife, shavers	..	£	s. d.
				Operators of rotary shaving knife	..	6	0 6
				Other males	..	5	5 0
				<i>Females.</i>			
				Females employed in beaming, fleshing, or slickering of any furred skins	..	6	0 6
				Other females	..	2	18 6
14 to 15 years of age	18 9	57 6	18 3	WET WORK.			
15 to 16 "	25 0		18 9	In addition to the wages hereinbefore prescribed adult employees of the classifications set out herein shall receive a special allowance of 3s. 6d. per week:—Beam fleshers, wet pullers on upright knife, shavers, wet drumhand, paddle or vat hand, hydro extractor operator and ripping machine operator.			
16 to 17 "	34 0		24 3				
17 to 18 "	43 0		32 0				
18 to 19 "	55 6		40 6				
19 to 20 "	65 6	47 6					
20 to 21 "	81 0	105 0	53 0				

PROPORTION (IN ANY PLACE).

Apprentices and Male Improvers.

Two apprentices or improvers to every three or fraction of three workers receiving not less than the minimum wage.

Female Improvers.

One female improver to one, } Female workers
 Three female improvers to two, } receiving not
 And thereafter, } less than the
 Three additional female improvers to every } minimum
 two additional } wage.

An indenture of apprenticeship prescribed by the Board was approved on 5th March, 1926.

DEFINITIONS.

3. "Flesher" is an adult person removing flesh from raw wet skins on a beam or upright knife.
 "Shaver" is an adult person shaving partly dressed skins with a sharp-edged knife.
 "Puller" is an adult person employed pulling wet raw skins over an upright knife.

ORDINARY WEEK'S WORK.

4. The number of hours which shall constitute an ordinary week's work shall be 44.

TERMS OF EMPLOYMENT.

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

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

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

(d) No employee shall, without just cause, be absent from his or her place of employment during the prescribed hours whilst there is work to be done by such employee, and where weekly wages are fixed the employee to be entitled to the sums so fixed must be available and ready and willing to do such work on the days and during the hours fixed by this Determination.

SHIFTS.

6. (a) Day Shift.—The times of beginning and ending work shall be:—

Time of Beginning (not earlier than)—	Time of Ending (not later than)—
8 a.m.	1 p.m. on Saturday.
8 a.m.	6 p.m. on the other working days of the week.

Provided that if the majority of the employees in any department desire to begin work at 7.30 a.m., the work may begin in that department at 7.30 a.m.

(b) Afternoon, Night, or Other Shift—

(i) Hours.—The hours of duty on any shift other than day shift shall be arranged mutually between the employer and the majority of the employees, providing that 9 hours shall be the maximum duration of such shift.

(ii) Wages.—An additional 5 per centum shall be added to the rates fixed for a day shift.

7. All time worked—

(a) Outside the times of beginning and ending work prescribed in clause 6 (a) and agreed upon in 6 (b) or

(b) Within such times, but in excess of 44 hours in any one week shall be paid at the rate of time and a half for the first four hours' work and double time thereafter. Provided that, in computing overtime, each day's work shall stand alone.

HOLIDAYS.

8. All employees shall be granted the following holidays without deduction of pay, viz.—Australia Day, Labour Day, Anzac Day, Good Friday, Easter Saturday, Easter Monday, Melbourne Cup Day, Christmas Day, Boxing Day, and New Year's Day. If any of the above holidays occur on a Saturday or a Sunday and are not observed on any other day, then employees shall not be paid for such Sunday but shall be paid for such Saturday as for a half day.

SPECIAL RATES.

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

SICK LEAVE.

10. (a) Any employee who has been in the employment of the same employer continuously 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 forty-four hours of working time in each year of service or a proportionately less time during any shorter period of employment. For the purposes of this clause service prior to 1st October, 1943, shall be disregarded.

(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 eighty-eight hours of working time, which shall be the maximum amount of leave to which an employee shall be entitled in any year without deduction of pay.

ANNUAL LEAVE.

Period of Leave.

11. (a) Except as hereinafter provided a period of fourteen consecutive days' leave with payment of ordinary wages as prescribed shall be allowed annually to an employee by his employer after a period of twelve months' continuous service with such employer.

Public Holidays Excluded.

(b) (i) Such period of annual leave shall not include holidays as prescribed in clause 8 observed on working days, but shall include all other non-working days.

(ii) If any holiday as prescribed in clause 8 falls within an employee's period of annual leave and is observed on the day which in the case of that employee would have been an ordinary working day, there shall be added to that period one day, being an ordinary working day for each holiday observed as aforesaid.

(iii) Where an employee without reasonable excuse proof whereof shall lie upon him is absent from his employment on the working day or part of the working day prior to the commencement of his annual leave or fails to resume work at his ordinary starting time on the working day immediately following the last day of the period of his annual leave, the employee shall not be entitled to payment for the public holidays which fall within his period of annual leave.

Notice of Leave to be Given.

(c) At least seven days' notice shall be given to an employee as to when he is to commence his leave, and if such notice be withdrawn by an employer, the employee if he postpones his leave, shall be compensated by the employer for any reasonable out of pocket loss occasioned thereby; in the case of dispute to be settled by the Wages Board.

Time When Leave to be Granted.

(d) 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 one week's notice to the employee.

Leave to be Given and Taken.

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

Payment of Wages.

(f) Each employee before going on leave shall be paid two weeks' wages at ordinary rates for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave. Payment in case of employees employed on piece work or bonus work or any other system of payment by results shall be at time rates.

Leave in Advance.

(g) (i) An employer may grant 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 the expiration of the twelve months in respect of which annual leave has been taken before it accrued.

(ii) Where leave has been granted to an employee pursuant to sub-clause (g) (i) hereof before the right thereto has accrued due and the employee subsequently leaves or is discharged from the service of the employer before completing the twelve months' continuous service in respect of which the leave was granted, the employer may for each 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 in clause 8 of this Determination. Provided that in cases where such leave is granted at the request of the employee, the employer may when making payment under sub-clause (f) hereof, withhold from the employee a sum equal to one-twelfth for each complete month of the qualifying period not served by the employee at the time of going on such leave and retain such sum until the expiration of such qualifying period.

Proportionate Payment.

(h) Proportionate payment shall be made in respect of each completed month of continuous service in any qualifying twelve-monthly period when an employee lawfully leaves his employment or his employment is terminated by his employer through no fault of the employee.

Calculation of Continuous Service.

- (i) (a) Continuity of 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 with the intention of avoiding obligations hereunder in respect of annual leave;
 - (ii) any absence from work of not more than fourteen days in the twelve months on account of sickness or accident (proof whereof shall be on the employee);
 - (iii) any absence on account of leave granted imposed or agreed to by the employer;
 - (iv) any absence due to reasonable cause (including absences on account of sickness or accident of more than fourteen days) (proof whereof shall be on the employee).

Provided that 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 if practicable inform the employer in writing within 24 hours after 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.

(b) In calculating a period of twelve months' continuous service—

- (i) (1) any annual leave taken therein;
- (2) any absences of the kind mentioned in (i) and (ii) of paragraph (a) above shall be counted as part of such period;
- (ii) in respect of absences of the kind mentioned in (iii) and (iv) of paragraph (a) above, the employee shall serve such additional period as part of his qualification for annual leave as will equal the period of such absences;
- (iii) (1) where an employee is absent from work for any cause whatsoever the employer shall, if so requested by the employee, notify the employee within fourteen days of the receipt of such request whether the employer regards such absence as breaking either conditionally or unconditionally the continuity of service of such employee. If the employee does not make such request within seven days of his return to work after any such absence, such absence shall be deemed to have broken such continuity. If the employer does not give such notice within the said fourteen days, such absence shall not be deemed to be such a break.

The employee shall make such request in writing and shall deliver same to the employer's office at the factory where he is employed, or if there be no such office, to the manager of such factory or in his absence to the employee's foreman.

The employer shall give the notification to the employee by having the same delivered to such employee personally in writing;

- (2) where an employee has been absent from his employment, and the employer has notified him that such absence is regarded as a break in the continuity of service, the employee may within fourteen days of such notification from the employer, appeal to the Wages Board against such notification of the employer.

Calculation of Month.

(j) 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.

Successor or Assignee or Transmittee.

(k) 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.

Annual Close Down.

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

- (i) He may by giving to the employees concerned 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 reopened 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 (h) of this clause, subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

Disputes.

(m) Any dispute as to the rights of an employee to or with respect to annual leave shall be dealt with by the Wages Board.

MEAL TIME.

12. Meal time shall be taken between 12 noon and 2 p.m.

PAYMENT OF WAGES.

13. (a) Wages shall be paid not later than Friday of each week in the employer's time or within five minutes of knock off time. Time waiting for payment after such five minutes shall be paid for at overtime rates.

(b) Any employee who has worked only a portion of a week and who is dismissed by his employer shall be paid on ceasing work for all time worked during that week, less any deductions that the employer may be lawfully entitled to make.

(c) Each employer shall be entitled to retain in hand from each employee an amount equal to two day's wages of such employee.

TOOLS AND APPLIANCES.

14. Every employer shall provide gloves, apron, leggings with vamps attached, or rubber boots for wet work, or any tools or implements of trade required by employees in the performance of their duties.

RIGHT OF ENTRY OF UNION OFFICIAL.

15. A duly accredited representative of the Australian Saddlery, Leather, Sail, Canvas, Tanning, Leather Dressing and Allied Workers' Trades Employees' Federation 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.

AUTHORIZED PERSON MAY ENTER FACTORY.

16. (i) Any person or persons duly authorized, in writing, by the Secretary for Labour (such authorization to be terminable at the will of the Secretary for Labour) shall have power to inspect any part of a factory, workshop, or place where it is believed that a breach of this Determination is occurring or has occurred.

(ii) At least six hours' notice shall be given by the authorized person or persons (not exceeding two) prior to his or their actually going on the premises, and the employer shall be notified of his or their arrival, and shall in person (accompanied by a nominee, or by his nominees not exceeding two) be entitled to accompany the authorized person or persons, and shall provide access to the wages book or time sheet or records of any employee including outside workers. The work and duties of the employees shall be interfered with as little as possible by the authorized person or persons.

(iii) The Secretary for Labour shall have power to dispense with the said six hours' notice on special application being made for any cause shown and supported by an affidavit setting out the facts. A certificate duly signed by the Secretary for Labour stating that such notice has been dispensed with shall be sufficient proof of such fact.

PERIODICAL ADJUSTMENT OF WAGES.

17. The wages rates for adult males set out in clause 2 are based upon the following basic wage and, pursuant to and in accordance with the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically increased or decreased by the same amount and at the same time as such basic wage.

Provided that the wages of any female for whom an amount in excess of the basic wage has been fixed shall receive the same adjustment as a male adult. The rates of all females (other than those fixed at a rate in excess of the basic wage) and male apprentices and improvers shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 3d., half or less than half of 3d. to be disregarded.

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

Basic Wage.

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

ADJUSTMENT OF BASIC WAGE.

18. (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 15.

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

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

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

J. R. MAOPHERSON, Acting Secretary.

Melbourne, 20th August, 1946.



VICTORIA
GOVERNMENT GAZETTE.

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No. 199]

FRIDAY, OCTOBER 11.

[1946

Factories and Shops Acts.

DETERMINATION OF THE BAG MAKERS 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 December, 1934, has had the power to determine the lowest prices or rates which may be paid to persons employed in making or repairing jute, hessian, or cotton bags, or in making or repairing wool packs, has made the following Determination, namely:—

1. That on the 2nd October, 1946, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

IMPROVERS—MALE.							IMPROVERS AND JUVENILE WORKERS—FEMALES.						
Wages—Per Week of 44 Hours. Commencing Age.							Wages—Per Week of 44 Hours. Commencing Age.						
—	15 Years and under.	16 Years.	17 Years.	18 Years.	19 Years.	20 Years.	—	15 Years and under.	16 Years.	17 Years.	18 Years.	19 Years.	20 Years.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.		s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
1st 6 months	28 6	31 3	37 0	58 0	75 9	93 3	1st 6 months ..	28 3	31 0	36 9	43 6	47 9	54 0
2nd 6 months	31 3	37 0	58 0	75 9	93 3	..	2nd 6 months..	31 0	36 9	43 6	47 9	54 0	..
2nd year	37 0	58 0	75 9	93 3	..	..	2nd year ..	36 9	43 6	47 9	54 0	..	..
3rd year	58 0	75 9	93 3	..	..	..	3rd year ..	43 6	47 9	54 0	..	..	..
4th year	75 9	93 3	..	..	..	..	4th year ..	47 9	54 0	..	..	..	..
5th year	93 3	..	..	..	..	..	5th year ..	54 0	..	..	..	..	..

PROPORTION.		PROPORTION.	
<i>Males.</i>		<i>Female Improvers.</i>	
One male improver to every three or fraction of three male workers receiving not less than 113s. per week of 44 hours.		Two female improvers to every six or fraction of six female workers receiving not less than 66s. 6d. per week of 44 hours.	
		JUVENILE WORKERS.	
		Not more than three juvenile workers to each adult female worker receiving not less than 66s. 6d. per week of 44 hours.	
		NOTE.—A juvenile worker is a female person under 21 years of age (other than an apprentice or an improver) employed in bag-making at machining, cutting, turning, folding, breaking-off, or dying.	

OTHER EMPLOYEES.

		Per Week of 44 Hours.	
		s.	d.
<i>Males.</i>			
Combination bag-making machine attendant		113	0
Repairs by hand		113	0
Repairs by machine		113	0
<i>Females.</i>			
Bag-making machinist		67	3
Repairs by hand		74	6
Repairs by machine		74	6
Persons over 21 years of age bag-making (hand or machine) without previous experience at the trade—			
1st 3 months		52	6
2nd 3 months		58	0
Persons over 21 years of age repairing (hand or machine) without previous experience at the trade—			
1st 3 months		52	6
All others		66	6

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

TIME OF BEGINNING AND ENDING WORK.

3. Time of beginning—
 7.30 a.m.
 7.30 a.m.
- Time of ending—
 12.30 p.m. on the day on which the half-holiday is observed locally.
 6 p.m. on the other five working days of the week.

OVERTIME.

4. For all work done—
 (a) Outside the hours fixed as the times of beginning and ending work.
 (b) Within the hours so fixed in excess of nine hours on Monday, Tuesday, Wednesday, Thursday, Friday, and four hours on Saturday.
 (c) Within the hours so fixed in excess of the number of hours fixed for a week's work, excluding that provided for under (b),
 a time-worker shall be paid at the rate of time and a half and a piece-worker at the rate of rate and a half.

TIME WAGES.

5. Any person employed on time wages for less than the number of hours fixed for an ordinary week's work shall for each hour worked up to 22 hours be paid—
 (a) in any week in which two or more public holidays occur At the ordinary wages rate, with an addition of fifty per centum.
 (b) in any other week At the ordinary wages rate, with an addition of thirty-three and one-third per centum,
 and for each hour worked beyond the 22 hours aforesaid shall be paid at the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

SUNDAYS AND PUBLIC HOLIDAYS.

6. That double time shall be paid for all work done on Sundays, 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, the special rate shall only be payable for work done on the day so substituted.

HOLIDAYS.

7. (a) All employees shall be entitled to the following holidays without any deduction in pay:—New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, King's Birthday, Anzac Day, Christmas Day, Boxing Day, and Fuel and Fodder Picnic Day (only those employed within the Metropolitan District as defined in the Factories and Shops Act and Order in Council thereunder). Provided that Melbourne Cup Day may be substituted for King's Birthday at the election of the employer.
 Provided further, that in any industry or establishment in which a Picnic Day is observed for the majority of the employees on a working day, such day shall be regarded as the holiday in lieu of the above-mentioned Picnic Day.
 (b) PIECE-WORKERS.—All piece-workers shall be entitled to the same holidays as are granted to time-workers and they shall be paid for such holidays the amount for each holiday based on time wages as set out in this Determination.

ANNUAL LEAVE.

Period of Leave.

8. (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 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 7 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 9 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 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 $3\frac{3}{4}$ hours for each completed one month of continuous service and in respect of service after that date at the rate of $7\frac{1}{2}$ 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 (j) and (k) 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 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.

(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 7 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 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.

(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 $3\frac{3}{4}$ hours in respect of each completed one month of continuous service before the 1st January, 1946, and for $7\frac{1}{2}$ 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 (k) 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.

SICK LEAVE.

9. (a) No deduction shall be made from the wages of any employee who has had not less than twelve months' continuous service with the same employer and who is unavoidably absent through illness for not more than forty-four hours of working time in any year of service, provided he or she has submitted within 24 hours of the commencement of such absence evidence satisfactory to the employer that the same is not the result of his or her own misconduct. Provided, further, that pieceworkers shall be paid at the same rate as time workers for any such day or days that they are unavoidably absent on account of illness.

(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 88 hours of working time which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay. For the purposes of this sub-clause service prior to 23rd December, 1944, shall be disregarded.

REST PERIOD FOR FEMALES.

10. A rest period of ten minutes, between 9.30 a.m. and 10.30 a.m., and between 2.30 p.m. and 3.30 p.m. each day shall be given to all female employees, without deduction of pay.

TERMINATION OF EMPLOYMENT.

11. Employment shall be terminated by a week's notice on either side given at any time during the week or by the payment or forfeiture of a week's wages as the case may be. This shall not affect the right of the employer to dismiss any employees without notice for malingering, inefficiency, neglect of duty or misconduct, and in such cases the wages shall be paid up to the time of dismissal only or to deduct payment for any day the employee cannot be usefully employed because of any strike or through any breakdown in machinery or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

RIGHT OF ENTRY OF UNION OFFICIAL.

12. The Secretary of the Federated Fodder and Fuel Trades' Industrial Union shall have the right to enter, during the mid-day meal hour, the portion of any employer's establishment in which any of the classes of labour covered by this Determination are done, for the purpose of interviewing employees on legitimate Union business.

PIECE-WORK.

13. The lowest piece-work rates to be paid to any person for doing work of the description referred to in the following Schedule shall be—

Machine repairing wool packs (employer to provide twine)	2d. each.	} With 36 per cent. added.
Machine repairing first selection washed sugar bags, by darning (employer to provide twine) .. .	4d. per dozen.	
Machine repairing washed sugar bags (employer to provide twine)	5d. "	
Machine repairing ordinary bags (employer to provide twine)	4d. "	
Machine repairing mill or coal bags (employer to provide twine)	11d. "	
Machine repairing uncleaned lime or hide bags—i.e., bags which have not been through any cleaning process such as a mechanical cleaner or by washing (employer to provide twine) .. .	11d. "	
Machine repairers on piece-work shall also be paid 1s. per hour for any time occupied in cleaning machines or cutting patches.		
Hand repairing ordinary bags (employee to provide twine)	10d. per dozen.	
Hand repairing mill, coal, lime, or hide bags (employee to provide twine)	1s. 6d. "	
Hand repairing wool packs (employee to provide twine)	4d. each.	

PIECE-WORK WHICH MAY BE FIXED BY AN EMPLOYER.

14. The Board determines that any employer may fix and pay piece-work rates to any person employed at repairing by machine (employer to provide twine) or by hand (employee to provide twine) bags other than those for which the Board has fixed a piece-work rate, provided that such piece-worker shall be paid in any week, at least the amount payable to a time-worker performing the same class of work for the same number of hours as such piece-worker.

WAITING TIME.

15. All piece-workers kept waiting for work, or any materials, or for repair of machines shall be paid the hourly rate of the corresponding time-worker for such waiting time.

PERIODICAL ADJUSTMENT OF WAGES.

16. 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 improvers, juveniles, and 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.

Provided further that the piece-work prices shall be subject to adjustment according to the fluctuations in the basic wage on the following basis—The percentage difference between 83s. (such amount being the rate provided for a Repairer by Machine—Male—in the Determination which came into force on the 2nd September, 1938), and the amount payable to a Repairer by Machine—Male—after adjustment as hereinbefore provided.

The basic wage shown hereunder shall be adjusted as prescribed in clause 17.

Basic Wage.

Place.	Basic Wage.	Index Number Set Assigned.
Within the area to which this Determination applies	£ s. d. 4 13 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

17. (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 16.

(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
044-1055	4 5 0	1167-1179	4 15 0
056-1067	4 6 0	1180-1191	4 16 0
068-1080	4 7 0	1192-1203	4 17 0
081-1092	4 8 0	1204-1216	4 18 0
093-1104	4 9 0	1217-1228	4 19 0
105-1117	4 10 0	1229-1240	5 0 0

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

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

J. R. MACPHERSON, Acting Secretary.

Melbourne, 17th September, 1946.