



VICTORIA GOVERNMENT GAZETTE.

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[1948

Factories and Shops Acts.

DETERMINATION OF THE HOTEL AND RESTAURANT BOARD.

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

NOTE.—On the 6th May, 1940, the following trade was proclaimed an Apprenticeship Trade as carried on in the Metropolitan District.

Cooking in hotels, clubs, restaurants, eating houses, coffee palaces in which three or more adults are permanently employed in the kitchen.

Full particulars of the Apprenticeship Regulations for this trade may be obtained on application to the Secretary, Apprenticeship Commission, 103 Russell Street, Melbourne.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which now 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 a restaurant, coffee palace, hotel, eating-house, or any premises for which an Australian wine licence or billiard table licence is in force or which are occupied as a club, but not including persons subject to the jurisdiction of any other Board heretofore appointed;

(b) employed in the business of a caterer;

(c) employed in connexion with the sale of aerated waters, fruit juice drinks, cordials, coffee, chocolate, cocoas, milk, or any other non-intoxicating beverage whatsoever consumed on the premises;

(d) employed whole or part time selling confectionery, or pastry in any place in which the business of a restaurant is carried on—

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 1st January, 1948, the last previous Determination of this Board shall be revoked and replaced by this Determination.

HOTELS.

2.

APPRENTICES AND IMPROVERS.

	Wages (see below for Deductions where Board or Lodging is Provided).				
	Within a radius of 25 miles of the General Post Office, Melbourne; and in the City of Melbourne.		In all other parts of Victoria.		
	Males.	Females.	Males.	Females.	
	Per Week of 40 hours.		Per Week of 40 hours.		
	s. d.	s. d.	s. d.	s. d.	
Improvers employed in the bar—					PROPORTION (IN ANY PLACE). MALES OR FEMALES. Apprentices. One apprentice to every three or fraction of three workers receiving not less than the minimum wage. Improvers. Such number of improvers as shall not, together with apprentices, exceed, in the aggregate, one to every three or fraction of three adult weekly workers receiving not less than the minimum wage.
18 years of age or under ..	76 6	..	76 6	..	
19 years of age ..	84 0	..	84 0	..	
20 years of age ..	99 0	..	99 0	..	
Apprentices and all other Improvers—					
18 years of age or under ..	49 6	72 9	43 0	69 6	
17 years of age ..	59 0	72 9	52 6	69 6	
18 years of age ..	66 6	72 9	58 6	69 6	
19 years of age ..	77 0	72 9	67 0	69 6	
20 years of age ..	93 6	72 9	83 0	69 6	
Deductions from the above rates when the employee is supplied, by the employer, with board or lodging as follows:—					
	Deductions per week.				
Board of three meals on each day ..	13 5	13 5	12 3	12 3	
Board of three meals on each day other than the employee's weekly day off ..	11 6	11 6	11 6	11 6	
Lodging ..	4 9	4 9	4 9	4 9	

OTHER EMPLOYEES.

	Wages (see below for Deductions where Board or Lodging is Provided).			
	Within a radius of 25 miles of the General Post Office, Melbourne, within a radius of 5 miles of the principal Post Office at Geelong, and in the City of Mildura.		In all other parts of Victoria.	
	Males.	Females.	Males.	Females.
	Per Week of 40 Hours.	Per Week of 40 Hours.	Per Week of 40 Hours.	Per Week of 40 Hours.
	s. d.	s. d.	s. d.	s. d.
Barman	128 6	..	125 6	..
Cellarman	139 6	..	136 6	..
Assistant Cellarman	128 6	..	125 6	..
Steward	128 6	..	125 6	..
Barmaids .. .. .	..	128 6	..	125 6
First cook where number of persons employed in kitchen is—				
Eight or more	164 6	113 3	161 6	110 3
Five, six, or seven	147 0	93 3	144 0	90 3
Three or four	141 0	86 3	138 0	83 3
Other first cooks, or cook employed alone	135 0	85 3	132 0	82 3
Second cook where number of persons employed in kitchen is—				
Eight or more	147 0	93 3	144 0	90 3
Five, six, or seven	135 0	85 3	132 0	82 3
Other second cooks	129 0	81 3	126 0	78 3
Night or relieving cook where number of persons employed in kitchen is—				
Eight or more	147 0	93 3	144 0	90 3
Five, six, or seven	135 0	85 3	132 0	82 3
Other night or relieving cooks	129 0	81 3	126 0	78 3
Larder cook	132 0	81 3	129 0	78 3
Pastrycook	135 0	81 3	132 0	78 3
Stove, grill, fish, third or breakfast cook	129 0	77 3	126 0	74 3
Vegetable or assistant cook	127 0	75 3	124 0	72 3
Oysterman	123 0	..	120 0	..
Pantryman or kitchenman	123 0	..	120 0	..
Storeman	125 6	..	122 6	..
Head waiter	128 6	..	125 6	..
Other waiters	123 0	..	120 0	..
Night porter	123 0	..	120 0	..
Day porter	123 0	..	120 0	..
Billiard-room attendant	123 0	..	120 0	..
Commissionaire or messenger	123 0	..	120 0	..
Housekeeper, stewardess, or managers .. .. .	..	88 9	..	85 9
Laundress .. .. .	..	77 3	..	74 3
Head waitress .. .. .	..	77 3	..	74 3
Other waitresses .. .. .	..	73 3	..	70 3
Pantrymaid or kitchenmaid .. .. .	..	74 3	..	71 3
Housemaid .. .. .	..	74 3	..	71 3
Persons not otherwise provided for	123 0	74 3	120 0	71 3
Deductions from the above rates when the employee is supplied by the employer with board or lodging as follows—				
Board of three meals on each day	13 5	13 5	12 3	12 3
Board of three meals on each day other than on the employee's weekly day off	11 6	11 6	11 6	11 6
Lodging	4 9	4 9	4 9	4 9
Midday waitress or midday kitchenmaid or pantrymaid (employed only between 11.40 a.m. and 3 p.m.) .. .. .	..	Per week of 19 hours 43 6	..	Per week of 19 hours 40 6

NOTE.—A copy of this Determination shall be displayed at or near the entrance of every establishment where the Determination of this Wages Board applies.

Under the provisions of Section 7 of the Factories and Shops Act 1936 (No. 4461) every employer of any employee in any hotel is required to keep a time-book in the prescribed form wherein each employee shall enter daily a record of the hours worked.

OVERTIME.

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

(a) Persons employed in the bar—

For all work done outside a period of 11 hours per day from the time of their beginning to the time of their ending work or in excess of 9 hours in any one day	Time and a half	} Calculated on the rates fixed without board and lodging.
For all work done in any week (within a period of 11 hours per day from the time of their beginning to the time of their ending work) in excess of the maximum number of hours fixed as a week's work	Time and a half	

(b) All other persons

For all work done outside a period of 13 hours per day from the time of their beginning to the time of their ending work or in excess of 10 hours in any one day	Time and a half	} Calculated on the rates fixed without board and lodging.
For all work done in any week (within a period of 13 hours per day from the time of their beginning to the time of their ending work) in excess of the maximum number of hours fixed as a week's work	Time and a half	

TERMS OF EMPLOYMENT.

4. All employees (other than casual employees) shall be engaged by the week and shall be paid weekly. Except in the case of misconduct by an employee forty-eight hours' notice shall be given by the employer or employee to terminate employment, or in lieu of such notice, two days' wages shall be paid by the employer or forfeited by the employee. When notice of termination of service has been given, employees shall be paid within 24 hours from the expiry of such notice.

CASUAL LABOUR.

5. Casual employee shall mean and be deemed to be any employee engaged for less period than the working week of 40 hours on the class of employment for which the casual is employed. This clause shall not apply to employees engaged by the week.

Casual employees shall be paid—

Males Time and a half with a minimum of 2 hours' work for each engagement.
Females Time and a half with a minimum of 2 hours' work for each engagement.

Casual employees shall be entitled to all fares exceeding 3d. per day necessarily incurred.

LIVING IN ALLOWANCE.

6. No employee shall be compelled to board on the premises where he or she is employed. If the employer desires the employee to board on the premises where he or she is employed, then meals and accommodation shall be provided by the employer without any deduction in wages. If the employer and employee mutually agree that meals and accommodation shall be provided the amounts to be deducted shall be those set out in clause 2.

HOLIDAYS AND LEAVE OF ABSENCE.

7. (a) All employees shall have a full day off in each week. In addition to such full day any person whether an adult or an improver employed as a cellarman, assistant cellarman, barman, barmaid, or a steward shall have a half holiday on one day in each week, between Monday and Saturday, to commence not later than 1 p.m. on such day, until the following morning.

(b) All work performed by employees on New Year's Day, Australia Day, Union Picnic Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Labour Day, Christmas Day and Boxing Day shall be paid at the rate of time and a half.

(c) Employees shall receive two weeks' leave of absence on full pay on completion of twelve calendar months' service. Such leave of absence may be applied for and shall commence at any time within two months after the date of holidays becoming due. A *pro rata* leave of absence on full pay shall be granted to any employee who has worked three months or over.

SICK LEAVE.

8. Any employee, other than a casual, who has been in the service of the same employer continuously, shall be allowed one week's sick leave on full pay annually. Such sick leave shall be inoperative for the first three months of employment. On completion of three months and up to six months of employment three days' sick leave on full pay shall be allowed. After six months' service the full period of one week on full pay shall be operative: Provided that not more than one week shall be allowed for each year of service.

Provided further that any claim made for sick leave shall be supported by evidence satisfactory to the employer that the employee is unable to work because of personal ill-health; but in the event of a continuous period of six days' sick leave being required, a medical certificate shall be furnished, the cost of such certificate to be borne by the employer.

"Any employer taking over a business shall be responsible for all sick leave covered by the period of employment of each employee who was employed by a predecessor in the business."

This clause shall be deemed to have come into effect on the 1st July, 1946.

DEFINITIONS.

9. (a) "Barman" or "Barmaid" shall mean and be deemed to be a person usually employed for more than two hours in any one day or night, in the sale of liquor, over the bar, either wholesale or retail, in any hotel or other licensed premises.

(b) "Cellarman" is an employee in charge of, responsible for and substantially engaged in looking after the contents of the cellar of an hotel.

(c) "Assistant Cellarman" shall mean and be deemed to be a person who is substantially engaged in working in the cellar of an hotel.

NOTE.—Attention is drawn (subject to the provisions of the Factories and Shops Acts) to the employment of females as barmaids in hotels pursuant to National Security (Employment of Women) Regulations.

The Women's Employment Board on 8th September, 1942, on the application of the United Licensed Victuallers Association (Victorian Branch) approved and laid down the conditions in respect to the employment of females not under 35 years of age as barmaids in hotels.

Extracts of the decisions of the Board are given herein:—

That females may be employed on the said work.

That the hours during which females may be employed on such work shall be 10 a.m. to 6 p.m. six days per week but in no event shall the total hours per week exceed 40.

That there shall be no period of probation.

That this decision shall bind the applicant and the Federated Liquor and Allied Trades Employees' Union and its members.

That the period of employment of extra females in bars (excluding those at present employed and registered with the State Government) shall be for the duration of the war.

That these employees shall be paid the same rate of wage as men, and this condition shall apply to present registered barmaids as it would be impracticable to differentiate.

That in order to prevent any replacement of existing bar personnel, whether male or female, by the prospective new female employees, there shall be established a Committee comprising an equal number of representatives of employers and employees. The decision of this Committee as to whether an employer may be permitted to engage new female labour shall be final, so far as this Order is made.

All female personnel to be engaged, whether permanently or for casual work, shall before commencing employment become members of the Federated Liquor and Allied Trades Employees' Union.

CLUBS.

10.

APPRENTICES OR IMPROVERS.

WAGES PER WEEK OF 40 HOURS.				PROPORTION (IN ANY PLACE).			
	Males.			Females.			MALES OR FEMALES.
	Ordinary Wage.	War Loading.	Total Wage.	Ordinary Wage.	War Loading.	Total Wage.	
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	
Under 16 years of age	30 6	1 0	31 6	30 6	1 0	31 6	One apprentice to every three or fraction of three workers receiving not less than the minimum wage.
16 years of age ..	41 0	1 6	42 6	32 6	1 0	33 6	
17 ..	46 0	1 6	47 6	37 0	1 3	38 3	One improver to every four or fraction of four workers receiving not less than the minimum wage.
18 ..	54 0	1 9	55 9	39 6	1 6	41 0	
19 ..	65 6	2 3	67 9	43 0	1 6	44 6	
20 ..	86 0	3 0	89 0	49 0	1 9	50 9	

OTHER EMPLOYEES.

	† WAGES.			
	Within a radius of 25 miles of the General Post Office, Melbourne, the Cities of Bendigo, Ballarat, Geelong, and Warrnambool, and the City of Mildura.		In all other parts of Victoria.	
	Males.	Females.	Males.	Females.
	Per Week of 40 Hours.	Per Week of 40 Hours.	Per Week of 40 Hours.	Per Week of 40 Hours.
	s. d.	s. d.	s. d.	s. d.
Steward	120 6	..	120 0	..
First cook where the number of persons employed in the kitchen is—				
Eight or more	149 6	94 6	149 6	94 6
Five, six, or seven	133 6	82 6	133 6	82 6
Three or four	124 3	80 0	124 3	80 0
Other first cooks or cook employed alone	120 3	80 0	118 6	80 0
Second, or night or relieving cook, when the number of persons employed in the kitchen is—				
Eight or more	129 6	82 6	129 6	82 6
Five, six, or seven	119 6	74 6	119 6	74 6
Less than five	118 0	72 6	116 6	72 6
Larder cook, stove, grill, fish, or breakfast cook	119 6	72 6	119 0	72 6
Pastrycook shall be paid the rates fixed by the Pastrycooks Board				
Sweets cook	120 0	74 6	119 6	74 6
Third cook	118 0	70 0	116 6	70 0
Vegetable or assistant cook	118 6	70 0	118 6	70 0
Oysterman	119 0	..	117 6	..
Pantryman or kitchenman	116 0	..	114 6	..
Storeman	117 6	..	117 6	..
Head waiter	118 0	..	118 0	..
Other waiters	116 0	..	114 6	..
Night porter	116 0	..	114 6	..
Day porter	116 0	..	114 6	..
Billiard-room attendant	116 0	..	114 6	..
Commissionaire or messenger	116 0	..	114 6	..
Housekeeper, stewardess, or manageress .. .. .	..	80 0	..	80 0
Laundress .. .. .	..	70 0	..	70 0
Head waitress or supervisor .. .. .	..	70 0	..	70 0
Other waitresses .. .. .	..	66 0	..	66 0
Pantrymaid or kitchenmaid .. .. .	..	66 0	..	66 0
Counterhand .. .. .	..	66 0	..	66 0
Housemaid .. .. .	..	66 0	..	66 0
Linen maid or seamstress .. .. .	..	70 6	..	70 6
Persons not otherwise provided for	116 0	66 0	114 6	66 0
		Per week of 19 hours. Provided that a minimum payment of 15s. shall be paid each week irrespective of the number of hours worked.		Per week of 19 hours. Provided that a minimum payment of 15s. shall be paid each week irrespective of the number of hours worked.
Midday waitress or midday kitchenmaid or pantrymaid (employed only between 11.40 a.m. and 3 p.m.) .. .. .	..	44 0	..	44 0

NOTE.—War Loading.—For convenience War Loadings as follows:—

Males	4s. per week
Midday waitresses, midday kitchen maids, or pantrymaids	1s. 6d. "
Other females	2s. 6d. "

have been included in wages for employees classified under heading of other employees, but war loadings are not to be taken into account when computing the penal rates payable for overtime or for work done on public holidays stated in clause 15.

NOTE.—A copy of this Determination shall be displayed at or near the entrance of every establishment where the Determination of this Wages Board applies.

† SUBJECT TO:—(a) A maximum deduction as for two meals a day being made where an employee commences work at 9 a.m. or later and finishes at 4 p.m. or earlier on the same day or where he or she commences for the day between 1 p.m. and 4 p.m.; and (b) a maximum deduction as for one meal a day being made where an employee commences work at or after 4 p.m., the minimum wage shall (except in the case of an apprentice, an improver, a midday waitress, a midday kitchenmaid or pantrymaid, or a casual employee) be, where the employer—

- (i) boards the employee and provides three meals per day, one of which shall be a substantial meal, 14s. 10d. per week less;
- (ii) boards the employee and provides three meals per day where substantial meals are not provided, 9s. 4d. per week less;
- (iii) provides only two meals per day for an employee who is employed between 6 a.m. and 3 p.m. or between 11.30 a.m. and 11.45 p.m., 9s. 4d. per week less; or
- (iv) boards and lodges the employee, 20s. 1d. per week less.

Notwithstanding any condition in this clause no deduction for meals shall be made for a public holiday when the employee is not required to work on such public holiday.

In computing the amount to be deducted for meals where an employee works for less than six days a week or who is provided with less meals than those provided for in (i), (ii), and (iii) hereof the amount to be allowed as a deduction for each meal shall be one-seventeenth of the amount herein provided for a weekly deduction.

TERMS OF EMPLOYMENT.

11. Employees (other than casual employees, midday waitresses and midday kitchenmaids or pantrymaids) who in any week work for less than 40 hours shall for such week be paid as follows:—

- (1) (a) For work done during a week in which any of the public holidays mentioned in clause 15 occurs:—

- (i) Time and a third for all work done on days other than the public holiday
 - (ii) The rate fixed in clause 15 for work done on the public holiday
- Provided that the earnings of an employee in any such week shall not exceed ordinary wages rates for an ordinary week's work plus such amount of the special rate fixed in clause 15 as is greater than ordinary time.

(b) For work done during any other week.—Time and a third up to but not exceeding ordinary wages rates for an ordinary week's work.

(c) Any employee subject to this clause absent from work on any day without the permission of the employer shall only be entitled to receive for such week a *pro rata* payment based on the hours actually worked and the rate provided in clause 10 for a week of 40 hours.

(2) All employees (other than casual employees) whose services are not required on any holiday mentioned in clause 15 shall be entitled to such holiday without deduction of pay. Such employees shall not be required to make up time lost through such holiday which shall be deemed to be of 7 hours and any employees who are required to work:—

(a) In excess of 26 hours in any week in which two holidays occur } shall be paid for such excess at
(b) In excess of 33 hours in any week in which one holiday occurs } the rate of time and a half.

OVERTIME.

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

(a) Persons employed in the bar—

For all work done on any day (other than the day locally observed by ordinary shopkeepers as a late trading day) in excess of 10 hours	Time and a half	} Calculated on the rates fixed without any deductions for board and/or lodging.
For all work done outside a period of 12 hours per day from the time of their beginning to the time of their ending work	Time and a half	
For all work done in any week (within a period of 12 hours per day from the time of their beginning to the time of their ending work) in excess of the maximum number of hours fixed as a week's work	Time and a half	

(b) All other persons—

For all work done on any day (other than the day locally observed by ordinary shopkeepers as a late trading day) in excess of 10 hours	Time and a half	} Calculated on the rates fixed without any deductions for board and/or lodging.
For all work done outside a period of 13 hours per day from the time of their beginning to the time of their ending work	Time and a half	
For all work done in any week (within a period of 13 hours per day from the time of their beginning to the time of their ending work) in excess of the maximum number of hours fixed as a week's work	Time and a half	

CASUAL LABOUR.

13. Casual employees (i.e., persons employed during any week for not more than one-half the maximum number of hours fixed in this determination as a week's work) shall be paid—

	Per Hour.	
	s. d.	
Males	3 10	} With a minimum payment for 4 hours for work done on any one day.
Females	2 9	

TRAVELLING.

14. The special rate to be paid to employees who work away from their employer's place of business for time occupied in travelling between the employer's place of business and work, or between the employee's residence and work shall be 2s. per hour.

SPECIAL RATES.

15. The special rates payable to persons for work done on New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day shall be time and a half, calculated on the rates fixed without board and lodging; 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.

UNIFORMS.

16. Where any female employee is required by the employer to wear a uniform (other than a black uniform) such uniform shall be provided and laundered by the employer free of cost to the employee.

ANNUAL HOLIDAYS.

17. The annual holidays for employees covered by this Determination shall be in accordance with the provisions, as may be amended from time to time, of the *Factories and Shops (Annual Holidays) Act 1946*.

SICK LEAVE.

18. (a) Any employee who has been in the employment of the same employer for a period of not less than six months and who does not attend for duty shall lose his or her 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 or her 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 40 hours of working time in each year of service 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 above 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 120 hours of working time, which shall be the maximum amount of leave to which an employee shall be entitled in any year of service without deduction of pay.

For the purposes of this sub-clause, service prior to the 4th July, 1946, shall be disregarded.

DEFINITIONS.

19. (a) "Sweets Cook" shall include any person manufacturing cakes or pastry for meals supplied by the employer.

(b) "Substantial Meal."—A substantial meal shall consist of food comprising soup, entrée, or joint, vegetables and sweets, and on Fridays, a choice of fish.

(c) "Full Pay" shall mean the rate prescribed in the Determination for the class of work performed, without any deductions whatever.

(d) Storeman shall mean an employee continuously engaged in storing, checking, tallying, or handling stores.

(e) Linen maid or seamstress shall mean a female employee who makes and/or repairs linen, uniforms, or furnishings for use in the club concerned.

UNION OFFICIALS RIGHT OF ENTRY.

20. Any official of the Federated Liquor and Allied Trades Employees Trades Union of Australasia authorized in writing by the Secretary for Labour shall have the right to enter any establishments or premises covered by this Determination in order to inspect time-sheets and to interview employees on any matter connected with their employment. Such accredited official before entering such establishment or premises shall produce the authority in writing mentioned on a demand by an employer or his representative for such production.

TERMINATION OF EMPLOYMENT.

21. Employees (other than Casual Employees) shall, except in a case of misconduct by either employer or employee, give or receive two days' notice of termination of employment, or in lieu of such two days' notice one third of the weekly rate fixed for the class of work performed by the employee shall be paid by the employer or forfeited by the employee, but such notice shall not be required from an employee who terminates employment because of his or her illness or injury.

RESTAURANTS, COFFEE PALACES, EATING-HOUSES, AND ALL OTHER PLACES EXCEPT HOTELS AND CLUBS.

22. (a) APPRENTICES OR IMPROVERS.						
Wages per week of 40 hours.						
	Males.			Females.		
	Ordinary Wage.	War Loading.	Total Wage.	Ordinary Wage.	War Loading.	Total Wage.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Under 16 years of age	30 6	1 0	31 6	30 0	1 0	31 0
16 years of age ..	41 0	1 6	42 6	30 6	1 0	31 6
17 ..	45 6	1 6	47 0	35 0	1 3	36 3
18 ..	53 0	2 0	55 0	39 0	1 6	40 6
19 ..	65 0	2 3	67 3	42 6	1 6	44 0
20 ..	84 6	3 0	87 6	48 0	1 9	49 9

PROPORTION (IN ANY PLACE).

MALES OR FEMALES.

Apprentices.

One apprentice to every three or fraction of three workers receiving not less than the minimum wage.

Improvers.

One improver to every four or fraction of four workers receiving not less than the minimum wage.

(b)

ADULTS.

Barmen, Cellarmen, Assistant Cellarmen, and Barmaids.

	Wages.			
	Within a radius of 25 miles of the General Post Office, Melbourne, within a radius of 5 miles of the principal Post Office at Geelong, and in the City of Mildura.		In all other parts of Victoria.	
	Males.	Females.	Males.	Females.
	Per Week of 40 Hours.	Per Week of 40 Hours.	Per Week of 40 Hours.	Per Week of 40 Hours.
	s. d.	s. d.	s. d.	s. d.
Barman, cellarman, or assistant cellarman (employed in or in connexion with wine saloons) shall be paid the rates and be subject to the conditions provided for such employees in the Hotels Section of this Determination
Barmaids (employed in or in connexion with wine saloons) shall be subject to the conditions provided by Clauses 3 to 9 inclusive in the Hotels Section of this Determination	88 3	..	85 3
Deductions from barmaids' rates when the employee is supplied by the employer with board or lodgings as follows—		Deductions per week.		
Board of three meals on each day	13 5	..	12 3
Board of three meals on each day other than on the employee's weekly day off	11 6	..	11 6
Lodging	4 9	..	4 9

OTHER EMPLOYEES.

	† Wages.			
	Within a radius of 25 miles of the General Post Office, Melbourne.		In all other parts of Victoria.	
	Males.	Females.	Males.	Females.
	Per week of 40 hours.	Per week of 40 hours.	Per week of 40 hours.	Per week of 40 hours.
	s. d.	s. d.	s. d.	s. d.
First cook where the number of persons employed in the kitchen is—				
Eight or more	146 6	94 0	146 6	94 0
Five, six, or seven	131 0	80 6	131 0	80 6
Three or four	122 9	78 0	122 9	78 0
Other first cooks or cook employed alone	120 6	78 0	118 3	78 0
Second cook where the number of persons employed in the kitchen is—				
Eight or more	126 6	80 6	126 6	80 6
Five, six, or seven	116 6	72 9	116 6	72 9
Other second cooks	116 6	70 6	115 0	70 6
Night or relieving cook	116 9	70 6	114 9	70 6
Larder, stove, grill, fish, or breakfast cook	118 0	70 6	116 0	70 6
Pastrycook shall be paid the rates fixed by the Pastrycooks Board				
Sweets cook	118 0	71 3	116 3	71 3
Third cook	116 6	68 6	114 9	68 6
Vegetable or assistant cook	115 6	68 6	114 3	68 6
Oysterman	116 0	..	116 0	..
Pantryman or kitchenman	113 0	..	111 0	..
Storeman or storewoman	118 0	69 0	118 0	69 0
Head waiter	116 9	..	116 9	..
Other waiters	113 0	..	111 0	..
Night porter	113 0	..	111 0	..
Day porter	113 0	..	111 0	..
Billiard-room attendant	113 0	..	111 0	..
Commissionaire or messenger	113 0	..	111 0	..
Housekeeper or stewardess .. .. .	..	78 0	..	78 0
Laundress .. .. .	..	68 6	..	68 6
Head waitress or supervisor .. .. .	..	68 6	..	68 6
Other waitresses .. .. .	..	65 0	..	65 0
Pantrymaid or kitchenmaid .. .. .	..	65 0	..	65 0
Fruit juice, flavour, or soda fountain hand .. .. .	..	68 0	..	68 0
Counterhand (other than a soda fountain hand as defined) .. .. .	..	65 0	..	65 0
Housemaid .. .. .	..	65 0	..	65 0
Linen maid or seamstress .. .. .	..	70 6	..	70 6

RESTAURANTS, COFFEE PALACES, EATING-HOUSES, AND ALL OTHER PLACES EXCEPT HOTELS AND CLUBS—continued.

OTHER EMPLOYEES—continued.

	† WAGES.			
	Within a radius of 25 miles of the General Post Office, Melbourne.		In all other parts of Victoria.	
	Males.	Females.	Males.	Females.
	Per Week of 40 Hours.	Per Week of 40 Hours.	Per Week of 40 Hours.	Per Week of 40 Hours.
Persons not otherwise provided for	s. d. 113 0	s. d. 65 0 Per week of 19 Hours. Provided that a minimum payment of 15s. shall be paid each week irrespective of the number of hours worked.	s. d. 111 0	s. d. 65 0 Per week of 19 Hours. Provided that a minimum payment of 15s. shall be paid each week irrespective of the number of hours worked.
Midday waitresses or midday kitchenmaid or pantry-maid (employed only between 11.40 a.m. and 3 p.m.)		44 0		44 0

NOTE.—WAR LOADINGS: For convenience War Loadings as follows:—

Males	4s. 0d. per week
Midday waitresses, midday kitchenmaids or pantrymaids	1s. 6d. "
Other females	2s. 6d. "

have been included in wages for employees classified under heading of other employees, but war loadings are not to be taken into account when computing the penal rates payable for overtime or for work done on public holidays stated in clause 29.

NOTE.—A copy of this Determination shall be displayed at or near the entrance of every establishment where the Determination of this Wages Board applies.

Under the provisions of Section 7 of the Factories and Shops Act 1936 (No. 4461) every employer of any employee in any restaurant is required to keep a time-book in the prescribed form wherein each employee shall enter daily a correct record of the hours worked. Any employer or employee who commits a breach of this section is liable to a penalty not exceeding £2.

†SUBJECT TO—(a) A maximum deduction as for two meals a day being made where an employee commences work at 9 a.m. or later and finishes at 4 p.m. or earlier on the same day, or he or she commences work for the day between 1 p.m. and 4 p.m.; and (b) A maximum deduction as for one meal a day being made where an employee commences work for the day at or after 4 p.m., the minimum wage shall (except in the cases of barmaids or of employees working for an employer who carries on the business of a Restaurant, Dining Room, Eating House, or Cafeteria in connexion with a Departmental Store or Emporium, and of an apprentice, an improver, a midday waitress, a midday kitchenmaid or pantrymaid, or a casual employee, working in other places) be, where the employer—

- (i) boards the employee and provides three meals per day, one of which shall be a substantial meal, 13s. 6d. per week less;
- (ii) boards the employee and provides three meals per day, where substantial meals are not provided, 9s. per week less;
- (iii) provides only two meals per day for an employee who is employed between 6 a.m. and 3 p.m. or between 11.30 a.m. and 11.45 p.m., 9s. per week less; or
- (iv) boards and lodges the employee, 18s. 8d. per week less.

Notwithstanding any condition in this clause no deduction for meals shall be made for a public holiday when the employee is not required to work on such public holiday.

In computing the amount to be deducted for meals where an employee works for less than six days a week or who is provided with less meals than those provided for in sub-clauses (i), (ii), and (iii) hereof the amount to be allowed as a deduction for each meal shall be one-seventeenth of the amount herein provided for a weekly deduction.

TERMS OF EMPLOYMENT.

23. Employees (other than casual employees, midday waitresses, and midday kitchenmaids or pantrymaids), who in any week work for less than 40 hours shall for such week be paid as follows:—

- (1) (a) For work done during a week in which any of the public holidays mentioned in clause 29 occurs:—
 - (i) Time and a third for all work done on days other than the public holiday
 - (ii) The rate fixed in clause 29 for work done on the public holiday
 Provided that the earnings of an employee in any such week shall not exceed ordinary wages rates for an ordinary week's work plus such amount of the special rate fixed in clause 29 as is greater than ordinary time.
- (b) For work done during any other week:—Time and a third up to but not exceeding ordinary wages rates for an ordinary week's work.
- (c) Any employee subject to this clause absent from work on any day without the permission of the employer shall only be entitled to receive for such week a *pro rata* payment based on the hours actually worked and the rate provided in clause 22 for a week of 40 hours.

(2) All employees (other than casual employees) whose services are not required on any holiday mentioned in clause 29 shall be entitled to such holiday without deduction of pay. Such employees shall not be required to make up time lost through such holiday which shall be deemed to be of 7 hours, and any employees who are required to work:—

- (a) In excess of 26 hours in any week in which two holidays occur } Shall be paid for such excess at
- (b) In excess of 33 hours in any week in which one holiday occurs } the rate of time and a half.

OVERTIME.

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

- (a) Persons employed in wine saloons—
 - For all work done on any day (other than the day locally observed by ordinary shopkeepers as a late trading day) in excess of 10 hours Time and a half
 - For all work done outside a period of 11 hours per day from the time of their beginning to the time of their ending work Time and a half
 - For all work done in any week (within a period of 11 hours per day from the time of their beginning to the time of their ending work) in excess of the maximum number of hours fixed as a week's work Time and a half
- (b) All other persons—
 - For all work done on any day (other than the day locally observed by ordinary shopkeepers as a late trading day) in excess of 10 hours Time and a half
 - For all work done outside a period of 13 hours per day from the time of their beginning to the time of their ending work Time and a half
 - For all work done in any week (within a period of 13 hours per day from the time of their beginning to the time of their ending work) in excess of the maximum number of hours fixed as a week's work Time and a half

Calculated on the rates fixed without any deductions for board and/or lodging.

Calculated on the rates fixed without any deductions for board and/or lodging.

FEMALES EMPLOYED ON BROKEN NIGHT SHIFT.

25. Any female required to resume work at 10 p.m. or later after having been stood down earlier in such day (except for a meal interval not exceeding 40 minutes) shall be paid for all work done between 8 p.m. and midnight at the rate of 2s. per hour.

FEMALES EMPLOYED AFTER MIDNIGHT.

26. Females (other than casuals) required to do any work between midnight and 5 a.m. shall be paid for such work at the rate of double time.

CASUAL LABOUR.

27. Casual employees (i.e., persons employed during any week for not more than one-half the maximum number of hours fixed in this Determination as a week's work) shall be paid—

(a) All casual workers other than those employed by caterers—

		For the first 5 hours' work done on any one day.	Thereafter.	
		Per Hour. s. d.	Per Hour. s. d.	
Males	.. ..	3 3	2 5	With a minimum of 3 hours' pay for work done on any one day. With a minimum of 3 hours' pay for work done on any one day.
Females	.. ..	2 5	1 10	

(b) Casual workers employed in the business of a caterer—

Persons employed on racecourses—

Barmen 5s. 2d. per hour	} With a minimum of 4 hours' pay for work done on any one day.
All others—					
Males	.. ..	.. ..	.. ..	.. 4s. 4d. per hour
Females	.. ..	.. ..	.. ..	.. 2s. 9d. per hour
Persons employed on show grounds, picnic grounds, or recreation grounds—					
Males	.. ..	.. ..	.. ..	.. 4s. 4d. per hour
Females 2s. 9d. per hour	

Persons employed on a shop day (i.e., persons employed preparing for a function on the day before such function or cleaning up on the day after such function)—

(i) For a function held on a racecourse, showground, picnic ground, or a recreation ground—

Males	.. ..	.. ..	.. ..	.. ..	.. 29s. 10d. per day of 8 hours.
Females	.. ..	.. ..	.. ..	.. ..	.. 20s. 1d. per day of 8 hours.

(ii) For a function other than a function provided for in sub-clause (i)—

Males	.. ..	.. ..	.. ..	.. ..	.. 3s. 4d. per hour with a minimum payment for 5 hours on any day.
Females	.. ..	.. ..	.. ..	.. ..	.. 2s. 5d. per hour with a minimum payment for 5 hours on any day.

Where the employer does not provide a midday meal for a casual worker employed on a shop day such worker shall be paid 1s. per day extra.

All others—

		For the first 5 hours' work done on any one day.	Thereafter.	
		Per Hour. 3s. 3d. 2s. 5d.	Per Hour. 2s. 7d. 1s. 11d.	
Males	} With a minimum for each day as follows :— For employees who work at any function which takes place between 12.30 p.m. and 3 p.m. or between 5.30 p.m. and 8 p.m. on any day— Males 9s. 0d. Females 7s. 1d. For any other employee 4 hours' pay
Females	

(c) Notwithstanding any provision in sub-clauses (a) and (b) hereof the minimum payment for employees who work only during a theatre interval, viz., between 8.45 p.m. and 10.15 p.m. for a period not exceeding one hour shall be 3s. for each day.

TRAVELLING.

28. The special rate to be paid to employees who work away from their employer's place of business for time occupied in travelling between the employer's place of business and work, or between the employee's residence and work, shall be 2s. per hour.

SPECIAL RATES.

29. The special rate to be paid to casual workers employed in the business of a caterer for work done on Sunday, Good Friday, or Christmas Day shall be double time, and the special rate to be paid to all other employees for work done on New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day shall be time and a half, calculated on the rates fixed without board and lodging; 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.

UNIFORMS.

30. Where any female employee is required by the employer to wear a uniform (other than a black uniform) such uniform shall be provided and laundered by the employer free of cost to the employee.

ANNUAL HOLIDAYS.

31. The annual holidays for employees covered by this Determination shall be in accordance with the provisions, as may be amended from time to time, of the *Factories and Shops (Annual Holidays) Act 1946*.

SICK LEAVE.

32. (a) Any employee who has been in the employment of the same employer for a period of not less than six months and who does not attend for duty shall lose his or her 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 or her 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 40 hours of working time in each year of service 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 above 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 120 hours of working time, which shall be the maximum amount of leave to which an employee shall be entitled in any year of service without deduction of pay.

For the purposes of this sub-clause, service prior to the 4th July, 1946, shall be disregarded.

DEFINITIONS.

33. (a) "Sweets cook" shall include any person manufacturing cakes or pastry for meals supplied by the employer.
- (b) "Substantial meal" shall consist of food comprising soup, entrée, or joint, vegetables and sweets, and on Fridays, a choice of fish.
- (c) Full pay shall mean the rate prescribed in the Determination for the class of work performed without any deductions whatever.
- (d) Departmental store or emporium shall mean an establishment where more than one class of business is carried on, and where under section 83 of the Factories and Shops Acts such establishment is required to close at the hours prescribed by such section.
- (e) Linen maid or seamstress shall mean a female employee who makes and/or repairs linen, uniforms, or furnishings for use in connexion with a business covered by this Determination.
- (f) Fruit juice, flavour, or soda fountain hand shall mean a female employee who as required prepares fruit juices and/or flavours.
- (g) Storeman or storewoman shall mean an employee continuously engaged in storing, checking, tallying, or handling stores.

TERMINATION OF EMPLOYMENT.

34. Employees (other than casual employees) shall except in a case of misconduct by either employer or employee, give or receive two days' notice of termination of employment, or in lieu of such two days' notice one third of the weekly rate fixed for the class of work performed by the employee shall be paid by the employer or forfeited by the employee, but such notice shall not be required from an employee who terminates employment because of his or her illness or injury.

UNION OFFICIALS RIGHT OF ENTRY.

35. Any official of the Federated Liquor and Allied Trades Employees Trades Union of Australasia authorized in writing by the Secretary for Labour shall have the right to enter any establishments or premises covered by this Determination in order to inspect time-sheets and to interview employees on any matter connected with their employment. Such accredited official before entering such establishment or premises shall produce the authority in writing mentioned on a demand by the employer or his representative for such production.

ACCOMMODATION.

36. Adequate accommodation apart from rooms to which the public have access shall be provided for dressing, and reasonable accommodation shall be provided for employees to have their meals.

PERIODICAL ADJUSTMENT OF WAGES.

37. The wages rates for adult males and barmaids set out in clause 2, and for adult males set out in clauses 10 and 22 (b) are based upon the following basic wage rates and pursuant to the provisions of section 21 of the *Factories and Shops Act 1934* shall be automatically adjusted as prescribed by clause 38. Provided that the rates of £1 16s. 6d. or more for female employees shall be increased or decreased by half the amount of such increase or decrease in the basic wage.

Provided further that the amounts of the rates of male improvers or juniors and at rates of less than £1 16s. 6d. for female employees shall be adjusted proportionately to adjustments of the basic wage calculated to the nearest 6d., any broken part of 6d. in the result not exceeding 3d. to be disregarded.

Basic Wage.

Place.	Needs Basic Wage (Adjustable).	Loading (Constant).	Total Basic Wage.	Index Number Set Assigned.
	Per week. £ s. d.	Per week. £ s. d.	Per week. £ s. d.	
Throughout the State	5 3 0	0 6 0	5 9 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

38. (a) For the purposes of this Determination the expression "Commonwealth Statistician's 'all items' 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.

(b) Until the beginning of the first pay period to commence in February, 1948, the amounts of the basic wage shall be as prescribed in clause 37.

(c) During each future successive period beginning with the first pay period to commence in a February, a May, an August, or a November the amount of the needs basic wage shall be adjusted by the following method, namely, by multiplying the last published Commonwealth Statistician's "all items" retail price index number by the factor .087 taken to one place of decimals, the resultant whole number being the amount of the basic wage expressed in shillings but should the decimal number .each .5 or more the basic wage shall be taken to the next higher shilling.

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

J. V. WILLOX, Secretary.

Melbourne, 12th November, 1947.

