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[1949

Factories and Shops Acts.

DETERMINATION OF A WAGES BOARD ADJUSTED PURSUANT TO SECTION 21 OF THE FACTORIES AND SHOPS ACT 1934 (No. 4275).

I, Raymond Henry Beers, Secretary for Labour, in pursuance of the powers conferred by the Factories and Shops Acts, hereby make and issue the following adjusted Determination of the Wages Board referred to hereunder showing adjusted rates and prices to operate from the beginning of the first pay period to commence in November, 1949.

Dated at Melbourne, this
21st day of November, 1949.

RAY. H. BEERS,
Secretary for Labour.

NICKELWARE BOARD.

Clauses 2, 3 and 4 of the Determination published in *Government Gazette* No. 68 of the 7th February, 1949, shall be replaced by the following clauses:—

2. WAGES.

Adults.	Per Week of 40 Hours.
	s. d.
Stamper who puts in die and makes force	177 6
Repairer	177 6
Maker-up	177 6
Spinner, 1st class	171 0
Spinner (other)	158 0
Die setter	156 0
Drop hammer stamper (other than one who puts in die and makes force)	154 0
Press operator (heavy)	154 0
Press operator (light)	152 0
Pickler	153 0
Hand blanker	152 0
Other employees with not less than three months' experience in the metal trades industry	139 0
All others	133 0

Leading Hands.

Leading hands in charge of not less than three and not more than ten employees, 9s. per week extra; more than ten and not more than twenty employees 18s. per week extra; more than twenty employees, 27s. per week extra.

APPRENTICESHIP.

3. (a) An employer may employ any minor as an apprentice in any work covered by the Determination provided that no minor shall be employed in the trade or occupation of a spinner—1st class otherwise than under a contract of apprenticeship as hereinafter provided.

Period of Apprenticeship.

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

Contract of Apprenticeship.

(c) Every contract of apprenticeship hereinafter made shall contain—

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

Cancellation or Suspension of Indentures.

(d) Subject to the approval of the Wages Board but not otherwise, an indenture of apprenticeship may be suspended or cancelled—

- (i) by mutual consent;
- (ii) if through lack of orders or financial difficulties an employer is unable to find suitable employment for an apprentice and a transfer to another employer cannot be arranged;
- (iii) if in the opinion of the Wages Board circumstances exist which render such suspension or cancellation necessary or desirable.

Any covenant in an indenture inconsistent with the provisions of this clause shall be null and void and of no force or effect while this Determination remains in force and applies to the parties to the indenture.

Proportion.

(e) An employer shall not employ apprentices in excess of the proportion hereinafter prescribed:—

- (i) In the trade of a spinner—1st class.—One apprentice for every three or fraction of three tradesmen;
- (ii) In all other cases.—Three apprentices and two improvers or two apprentices and three improvers to every three or fraction of three workers receiving not less than 133s. per week.

For the purpose of ascertaining the number of apprentices, the number of tradesmen shall be deemed to be the average number working during the immediately preceding six months, and, in ascertaining such proportion an employer actually working in any workshop shall be deemed to be a tradesman.

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

Adult Apprentices.

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

Probationary Period.

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

Wages.

(h) The minimum weekly rates of wage for apprentices shall be the under-mentioned percentages of the contemporaneous needs basic wage, and in addition thereto the constant and war loadings specified, and in all contracts of apprenticeship hereafter made the employer shall covenant to pay wages of not less than such rates.

(i) *Wages per Week of 40 hours.*

	Percentage of Needs Basic Wage.	Constant Loading.	War Loading.	Total Wage Payable.
	Per Week.	Per Week.	Per Week.	£ s. d.
Four and five-year terms—		<i>s. d.</i>	<i>s. d.</i>	
1st year	25	0 0	0 9	1 11 6
2nd year	33	1 0	1 0	2 3 0
3rd year	50	1 6	1 6	3 5 0
4th year	83	2 0	2 3	5 7 0
5th year	100	2 0	3 0	6 15 0
	plus 6s.			
Four-year terms—Apprentice commencing after the age of 17 years—				
1st year	29	0 0	0 9	1 16 6
2nd year	50	1 0	1 6	3 4 6
3rd year	83	2 0	2 3	5 7 0
4th year	100	2 0	3 0	6 15 0
	plus 6s.			

The total wages of apprentices shall be calculated to the nearest 6d., any broken part of 6d. in the result not exceeding 3d. to be disregarded.

An employee who is under 21 years of age on the expiration of his apprenticeship and thereafter works as a minor in the occupation to which he has been apprenticed shall be paid at not less than the adult rate prescribed for that classification.

Hours.

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

Overtime and Shift Work.

(k) No apprentice under the age of eighteen years shall be required to work overtime or shift work unless he so desires. No apprentice shall except in an emergency work or be required to work overtime or shift work at times which would prevent his attendance at technical school as required by any statute, determination, or regulation applicable to him.

Payment by Results.

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

Lost Time.

(m) The apprentice at the end of the calendar period of any year in which he has actually given service to the master upon less than the ordinary working days prescribed in this Determination, or on which he has unlawfully absented himself without the master's consent shall, for every day short of the said number of working days, and for every day of such absence, serve one day, and the calendar period of the succeeding year of his service shall not be deemed to begin until the said additional day or days shall have been served. Provided that in calculating the extra time to be so served the apprentice shall be credited with time which he has worked during the relevant year in excess of his ordinary hours.

Prohibition of Premiums.

(n) An employer shall not, either directly or indirectly, or by any pretence or device receive from any person or require or permit any person to pay or give any consideration in the nature of a premium or bonus for the taking or binding of any probationer or apprentice.

Attendance at Technical Schools.

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

Annual and Sick Leave.

(p) Apprentices shall be entitled to sick and annual leave in accordance with the provisions of clauses 15 and 16 hereof respectively.

FEMALES AND UNAPPRENTICED MALE JUNIORS.

4. (a) Subject to the exception hereinafter provided, the minimum rates of wage for adult and junior females and for unapprenticed male juniors employed in occupations other than that of a spinner—1st class, shall be as follows:—

Wages per Week of 40 Hours.

	Percentage of Needs Basic Wage.	Constant Loading.	Additional Amount.	War Loading.	Total Wage Payable.
		Per Week.	Per Week.	Per Week.	Per Week.
		s. d.	s. d.	s. d.	
<i>I.—Adult Females.</i>					
Under three months' experience ..	65	3 0	6 0	..	4 9 6
All others	75	3 0	7 0	..	5 3 0
<i>II.—Junior Females.</i>					
17 years of age and under	40	1 0	3 6	..	2 14 0
18 years of age	47½	1 3	4 0	..	3 4 0
19 years of age	55	1 6	4 6	..	3 14 0
20 years of age	62½	2 0	5 0	..	4 4 6
<i>III.—Junior Males.</i>					
Under 16 years of age	25	0 6	2 0	..	1 13 6
16 years of age	35	0 9	3 0	..	2 7 0
17 years of age	47½	1 0	4 0	..	3 4 0
18 years of age	60	1 0	5 0	..	4 0 6
19 years of age	75	2 0	6 0	..	5 1 0
20 years of age	90	2 0	7 0	..	6 0 6

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

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

(b) The minimum rate payable to a junior female of any age or a junior male of eighteen years or more each with less than six months' experience under this Determination shall, until he or she has had six months' experience, be 10 per cent. less than the amount represented by the percentage of the needs basic wage hereby prescribed for a junior employee of his or her age and in addition thereto the constant loading prescribed for such an employee:

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

Prohibited Occupations.

(c) Junior employees shall not be employed:—

- (i) if under the age of 16 years—
on oil or gas burners or fires used for heating of small articles; or
using electric arc or oxy acetylene blow pipe, or
- (ii) if under 18 years of age—
die setting on power presses.

Clauses, other than clauses 2, 3 and 4, of the said Determination shall remain in force.

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