



# VICTORIA GOVERNMENT GAZETTE.

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TUESDAY, JULY 26.

[1949

Factories and Shops Acts.

## DETERMINATION OF THE STONECUTTERS BOARD.

NOTE.—(1) 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 20th November, 1934, has had the power to determine the lowest prices or rates which may be paid to persons employed—

- (1) in the process, trade, or business of cutting, carving, polishing, or setting marble or stone, or cutting letters therein ;  
 (2) in cemeteries—  
 (a) cleaning monuments, headstones, or kerbs ;  
 (b) painting letters or drilling holes for lead letters ;  
 (c) dismantling or re-erecting monuments, headstones, or kerbs—

has made the following Determination, namely :—

1. That, as from the beginning of the first pay period to commence in May, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

### WAGES FOR ADULTS OTHER THAN APPRENTICES.

2. The minimum rate of wage for an adult other than an apprentice shall, subject to adjustment under clause 18 of this Determination, be as follows :—

(a) Weekly Wage.

Classification.	Total Basic Wage, Including Loadings.	Margin for Skill.	War Loading.	Loading for Five Days' Sick Leave.	Tool Allowance.	Total Wage.
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Carver, building .. .. .	125 0	67 0	6 0	3 9	1 0	202 9
Carver, monumental .. .. .	125 0	57 0	6 0	3 6	1 0	192 6
Stonemason .. .. .	125 0	46 0	6 0	3 6	1 0	181 6
Surface operator .. .. .	125 0	46 0	6 0	3 6	1 0	181 6
Letter cutter .. .. .	125 0	46 0	6 0	3 6	1 0	181 6
Lathe machinist .. .. .	125 0	39 0	6 0	3 3	Nil	173 3
Planer machinist .. .. .	125 0	39 0	6 0	3 3	Nil	173 3
Carborundum machinist on moulding work .. .. .	125 0	39 0	6 0	3 3	Nil	173 3
Carborundum machinist on other than moulding work .. .. .	125 0	28 6	6 0	3 0	Nil	162 6
Carborundum sawyer .. .. .	125 0	28 6	6 0	3 0	Nil	162 6
Polisher (hand) .. .. .	125 0	28 6	6 0	3 0	Nil	162 6
Polisher (machine) .. .. .	125 0	28 6	6 0	3 0	Nil	162 6
Frame saw machinist .. .. .	125 0	28 6	6 0	3 0	Nil	162 6
Man using hand pneumatic tool of 6 lb. or over or exceeding 1½-in. piston and which is not a drill or grinder .. .. .	125 0	173 6	6 0	5 9	1 0	311 3
Person cleaning monuments, headstones, or kerbs .. .. .	125 0	21 6	6 0	3 0	Nil	155 6
Person painting letters, or drilling holes for lead letters .. .. .	125 0	39 0	6 0	3 3	Nil	173 3
Person dismantling or re-erecting monuments, headstones, or kerbs .. .. .	125 0	39 0	6 0	3 3	Nil	173 3
Labourer or assistant .. .. .	125 0	13 0	6 0	2 9	Nil	146 9

(b) Hourly Wage

Classification.	s. d.
Carver, building .. .. .	5 0 $\frac{1}{2}$
Carver, monumental .. .. .	4 9 $\frac{7}{10}$
Stonemason .. .. .	4 6 $\frac{3}{4}$
Surface operator .. .. .	4 6 $\frac{3}{4}$
Letter cutter .. .. .	4 6 $\frac{3}{4}$
Lathe machinist .. .. .	4 4
Planer machinist .. .. .	4 4
Carborundum machinist on moulding work .. .. .	4 4
Carborundum machinist on other than moulding work .. .. .	4 0 $\frac{7}{10}$
Carborundum sawyer .. .. .	4 0 $\frac{7}{10}$
Polisher (hand) .. .. .	4 0 $\frac{7}{10}$
Polisher (machine) .. .. .	4 0 $\frac{7}{10}$
Frame saw machinist .. .. .	4 0 $\frac{7}{10}$
Man using hand pneumatic tool of 6 lb. or over exceeding 1 $\frac{1}{2}$ -in. piston and which is not a drill or grinder .. .. .	7 9 $\frac{3}{4}$
Person cleaning monument, headstones, or kerbs .. .. .	3 10 $\frac{3}{4}$
Person painting letters, or drilling holes for lead letters .. .. .	4 4
Person dismantling or re-erecting monuments, headstones, or kerbs .. .. .	4 4
Labourer or assistant .. .. .	3 8

A foreman or leading hand shall be paid in addition to their respective rates as follows:—

	Per Week.
	s. d.
In charge of not more than five men .. .. .	10 0
In charge of six to ten men .. .. .	15 0
In charge of over ten men .. .. .	20 0

APPRENTICES AND THEIR RATES.

3. (a) Youths entering the trade of a stonemason shall be indentured (if between 15 and 17 years of age) for a period of 5 years; if over 17 years of age, for a period of 4 years.

(b) Youths may be taken on probation for a period not exceeding three months before being apprenticed, and the period of probation shall be treated as part of their term of apprenticeship.

(c) If any employer is unable to fulfil his obligation to an apprentice, he may, with the consent of the Wages Board, transfer the apprentice to another employer, who may take and employ him as an apprentice.

(d) Every apprentice may during the term of his apprenticeship attend at night the classes in masonry or similar subjects (chosen by the employer) provided at a Technical College or School, and the fees actually paid per term shall be refunded by the employer on production of a certificate from the instructor that the apprentice has satisfactorily attended the classes during the school term.

(e) The proportion of apprentices to be employed shall not exceed one apprentice to every three journeymen stonemasons or fraction of three stonemasons receiving not less than the rate for masons.

(f) The minimum rates of wage of an apprentice shall be the following:—

(i) Where the apprentice is indentured for five years:—

Year.	Rate per Week.
	s. d.
1st year .. .. .	37 0
2nd .. .. .	50 9
3rd .. .. .	69 3
4th .. .. .	92 3
5th .. .. .	129 3

(ii) Where the apprentice is indentured for four years:—

Year.	Rate per Week.
	s. d.
1st year .. .. .	46 0
2nd .. .. .	60 0
3rd .. .. .	87 9
4th .. .. .	129 3

JUVENILE WORKERS AND THEIR RATES.

4. (a) The minimum rates of wage of a juvenile worker shall be the following:—

Age.	Rate per Week.
	s. d.
Under 16 years .. .. .	32 9
Over 16 years and under 17 years .. .. .	45 3
.. 17 .. .. . 18 .. .. .	57 6
.. 18 .. .. . 19 .. .. .	74 0
.. 19 .. .. . 20 .. .. .	90 3
.. 20 .. .. . 21 .. .. .	115 0

(b) The proportion of juvenile workers to be employed shall be one juvenile to every four persons or fraction of four persons receiving not less than the rates for adult males other than apprentices.

#### TERMS OF ENGAGEMENT.

5. (a) Engagement shall be by the hour and shall only be terminated by an hour's notice by either employer or employee, or by the payment or forfeiture of an amount of money equivalent to an hour's wages as the case may be.

(b) Provided that this shall not abrogate the right of an employer to summarily dismiss an employee for malingering, neglect of duty, or misconduct in which case wages shall be paid to the time of dismissal only.

#### HOURS.

6. (a) The hours of duty for all employees shall be 40 per week to be worked in five days of eight hours per day between the hours of 7.45 a.m. to 5.15 p.m. Monday to Friday inclusive (with one hour off for meals).

(b) Where machinists, polishers, or sawyers are required to work shift-work, the hours of duty shall be between 7 a.m. and 11 p.m., provided such hours are worked in two shifts with two sets of men. The first shift shall be from 7 a.m. to 3 p.m. at ordinary rates and the second shift from 3 p.m. to 11 p.m., during which the first three hours shall be paid at ordinary rates and the last five hours at time and a quarter.

(c) All time worked between 11 p.m. and 7 a.m. shall be paid for at double time.

#### OVERTIME.

7. All time worked outside the hours mentioned in sub-clause (a) of clause 6 of this Determination and not in accordance with sub-clauses (b) and (c) thereof, shall be overtime, and shall be paid for at the rate of time and a half.

#### COUNTRY WORK.

8. (a) Every employee on country work on buildings which necessitates his being away from home at night shall be paid 3s. 6d. per day extra, and all fares and travelling time both ways shall also be paid for.

(b) In monumental work the time in travelling shall be paid for at ordinary rates between the usual starting and finishing times from Melbourne, and all fares and reasonable expenses actually incurred shall be paid.

#### FARES.

9. All fares actually and reasonably incurred from and to established masonry works as centres or from and to the Melbourne Town Hall as a centre for building work, shall be paid by the employer.

#### PUBLIC HOLIDAYS.

10. The following public holidays shall be granted without deduction of pay:—New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Cup Day, Christmas Day, Boxing Day. Provided that employees must work the working day immediately preceding and immediately following the abovementioned days to obtain the benefit of this clause.

#### SUNDAY AND HOLIDAY WORK.

11. All time worked on Sundays and on the public holidays mentioned in clause 10 hereof, shall be paid for at the rate of double time.

#### WET WEATHER.

12. If the employer or his representative and the employee or employees performing setting work agree that wet weather makes it impossible to continue such work, alternative work shall be provided by the employer, failing which the employee or employees on the job shall be paid for the time so lost.

#### TOOLS.

13. (a) The employer shall provide all claw bits and tools for granite and for basaltic stones except mash hammers, squares, pitching tools, and straight-edges up to 4 feet in length. If these tools are not provided, the employer shall pay 1d. per hour additional to the wage rate herein prescribed.

(b) Employers shall sharpen in a proper manner all necessary tools, and provide for the return of same to the masons at intervals of not more than two days. On completion of engagement all tools shall be sharpened or an allowance made in lieu thereof.

(c) The employer shall provide for all pneumatic surfacing machines, jet sprays, or other suitable device for wetting stone.

#### BANKER'S SPACE.

14. (a) The space between bankers (not stone to stone) on which masons are working cutting freestone, shall not be less than 4 feet, and on all hardstones not less than 6 feet.

(b) No banker shall be nearer than 15 feet to the cutters of a planing machine or to frame saw or nearer than 25 feet to a surfacing machine unless adequate protection by screens is provided.

#### HOT WATER AND ACCOMMODATION.

15. The employer shall provide hot water and suitable sanitary accommodation. On all works suitable working shelter sheds shall be provided.

At their permanently established works the employers shall provide—to accommodate the average number of employees calculated for the twelve months ending on the 30th day of September, in each year—a shed or room equipped with table and forms for meals, hanging space and hooks for clothes, and washbasin or basins, and a rubbish receptacle, and shall sweep the shed or room provided that the employees shall keep the building fittings and contents tidy and in good order and condition.

This sub-clause not to become operative until labour and materials are available.

#### ANNUAL LEAVE.

16. (a) Subject to the provisions of sub-clauses (c) and (d) hereof a period of fourteen consecutive days exclusive of any public holidays occurring during the period shall be allowed as leave annually to all employees after twelve months' continuous service (less the period of annual leave) with an employer. Unless otherwise mutually agreed upon between an employer and the employee concerned, in which case the leave shall be given and taken within three months of its becoming due, such leave shall be given and taken in conjunction with the Christmas and New Year holidays.

(b) If, after 40 hours' continuous service, excluding overtime, in any qualifying twelve-monthly period, an employee leaves his employment or his employment is terminated by the employer, the employee shall be paid one twenty-fifth of a week's wage in respect of each completed 40 hours of continuous service in respect of which leave has not been granted hereunder.

(c) Where an employee absents himself from work during any qualifying period of service for any reason other than a reason set out in sub-clause (d) hereof, the amount of leave or payment in lieu to which he would otherwise be entitled under sub-clauses (a) or (b) hereof shall be reduced by one-fiftieth for each week or part thereof during which any such absence occurs.

Provided, however, that no absence shall be deemed to interrupt the continuity of service unless, within fourteen days of such absence, the employer shall have given notice in writing to the employee that the absence is to be treated as having interrupted such continuity of service.

- (d) For the purposes of this clause, service shall be deemed to be continuous notwithstanding an employee's absence from work for any of the following reasons:—
  - (i) Injury received during the course of employment and for which an employee received workers' compensation up to a maximum of two months;
  - (ii) Any reason satisfactory to the employer;
  - (iii) Where called up for military service for up to three months in any qualifying period;
  - (iv) Absence through illness up to a maximum of fourteen days.
- (e) Each employee, before going on leave, shall be paid in advance the wages which would ordinarily accrue to him during the currency of the leave.
- (f) Service for the purpose of this clause shall commence from 1st January, 1949, or from subsequent date of engagement.
- (g) Notwithstanding anything elsewhere contained in this Determination, an employer giving leave at the Christmas-New Year period may at his option either—
  - (i) stand off without pay during the period of leave any employee who has not then qualified for the full period; or
  - (ii) stand off for the period of leave any employee who has not then qualified for fourteen consecutive days' leave and pay him *pro rata* for the leave for which he has qualified on the basis of one-twentyfifth of a week's wages in respect of each 40 hours of continuous service (exclusive of overtime) during his current qualifying twelve-monthly period.
- (h) For the purposes of this clause year shall commence on the 1st January in each year.

DEFINITIONS.

- 17. (a) "Stonemason." The dressing and/or setting of all kinds of masonry is regarded as masons work, but if no mason be immediately available a competent tradesman may set plain sills, steps, templates, window or door heads.
- (b) "Carvers" are those who carve any kind of stonework which does not come within the definition of stonemasonry in sub-clause (a) hereof, for the decoration of buildings or other stonework, from a model or freehand design.
- (c) "Lettercutters" are those who mark out, cut, or finish letters in any kind of stone.
- (d) "Polishers" are those who do all gritting, facing, or polishing necessary on trachyte, granite, marble, terazzo, or other similar stones or compositions.
- (e) "Foreman or leading hand" is a man placed in charge of at least three adult workers under this Determination and who supervises the execution and output of work.
- (f) "Assistant" means a labourer engaged and/or employed in the monumental industry.
- (g) "Juvenile worker" means a person under 21 years of age engaged in the stonecutting industry but not as a stonemason.
- (h) "Monumental." The term monumental shall mean pertaining to public memorials or monuments erected in cemeteries or churches.
- (i) "Frame saw machinists" are men who fix the blades and superintend the correct cutting of the stone.
- (j) "Carborundum machinists" are men who operate high-speed carborundum machines. "Carborundum machinist on moulding work" shall mean the machinist on a carborundum machine where the carborundum machine used is cut to a shape and is not a square wheel.
- (k) "Lathe machinists" are men operating any power-driven lathe or turning machine except when polishing.
- (l) "Planer machinists" are men engaged operating any planer machine for the dressing of stone work.

PERIODICAL ADJUSTMENT OF WAGES.

18. The wages rates set out in clause 2 hereof 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 adjusted as prescribed in clause 19. The rates for apprentices and juvenile workers shall be adjusted in proportion at the same time as the rates prescribed in clause 2.

Basic Wage.

Place.	Needs Basic Wage (Adjustable).	Loading (Constant).	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Throughout the State	5 19 0	6 0	6 5 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

- 19. (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 August, 1949, the amounts of the Basic Wage shall be as prescribed in clause 18.
- (c) During each future successive period of three months beginning with the first pay period to commence in an August, a November, a February, or a May, 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 reach .5 or more, the basic wage shall be taken to the next higher shilling.
- (d) The hourly equivalents of the weekly rates shall be calculated by dividing such rates by 40, the result to be to the nearest 1/10th of a penny.
- (e) The "loading for five days' sick leave" is calculated as one-fiftysecond of the respective totals of the preceding columns in clause 2 hereof, and is adjusted at the same time as the total basic wage prescribed in the second column calculated to the nearest threepence half or less than half of threepence to be disregarded.

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

J. W. RYAN, Secretary.

Melbourne, 7th June, 1949.



# VICTORIA GOVERNMENT GAZETTE.

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No. 606]

TUESDAY, JULY 26.

[1949

Factories and Shops Acts.

## DETERMINATION OF THE PLASTER OF PARIS BOARD.

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

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

- (a) making plaster of paris;  
(b) excavating or preparing the raw materials for plaster of paris";

has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 25th June, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

<i>Improvers.</i>				<i>Other Employees.</i>			
WAGES PER WEEK OF 40 HOURS.				WAGES PER WEEK OF 40 HOURS.			
	Adjustable Rate.	Emergency Loading (Non-adjustable).	Total Weekly Wage.		Adjustable Rate.	Emergency Loading (Non-adjustable).	Total Weekly Wage.
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>		<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
Under 17 years of age .. ..	60 0	2 9	62 9	(a) MILL EMPLOYEES.			
17 years of age .. ..	78 6	3 9	82 3	Calciner .. ..	172 6	6 0	178 6
18 " " .. ..	97 0	4 6	101 6	Mechanical shovel attendant ..	162 6	6 0	168 6
19 " " .. ..	115 6	5 6	121 0	Washers, driers, firemen, wheelers and stackers ..	148 6	6 0	154 6
20 " " .. ..	128 3	6 0	134 3	Bagger .. ..	158 0	6 0	164 0
				(b) GYPSUM WORKERS.			
				Manager in charge of gypsum pit	192 6	..	192 6
				Gypsum raisers .. ..	138 6	..	138 6

PROPORTION (IN ANY PLACE).  
One improver to every five or fraction of five workers receiving not less than 15*s.* 6*d.* per week.

### PROHIBITION OF EMPLOYMENT.

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

### HOURS.

4. (a) *Weekly Hours.*—The ordinary number of working hours per week shall be 40.

(b) *Daily Hours.*—(i) Shift workers. A shift shall consist of eight continuous hours, inclusive of a meal break of 40 minutes which shall be counted as time worked, and during which break the employee must remain on the job.

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

### TIMES OF BEGINNING AND ENDING WORK.

5. The time of beginning and ending work for employees, other than those employed on shift work, shall be—

Time of Beginning.	Time of Ending.
6 a.m. .. ..	.. .. 5 p.m. on Monday to Friday inclusive.

### OVERTIME.

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

(b) *Other Employees.*—

- (i) All work done outside the hours specified as the times of beginning and ending work } shall be paid for at the rate of time and a half for the first two hours in any one day, and thereafter double time.
- (ii) Any work done within the hours specified as the times of beginning and ending work, in excess of eight (8) hours on Mondays to Fridays inclusive. }

## MIXED FUNCTIONS.

7. An employee engaged for more than two hours on any day or shift on duties carrying a higher rate than his ordinary classification shall be paid the higher rate for such day or shift.

An employee who is required temporarily to perform work for which a lower rate is fixed than that for his ordinary classification shall not suffer any reduction whilst so employed. Provided that any work of less than one week's duration shall be deemed to be temporary.

## MEAL MONEY.

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

## TIME WAGES.

9. With the exception of persons, other than gypsum pit managers, employed in gypsum pits (see clause 10), any person who is employed on time wages for less than the number of hours of an ordinary week's work shall for each hour worked up to one half the number of hours fixed for an ordinary week's work be paid at ordinary wages rates with an addition of thirty-three and one-third per centum, and for each hour worked beyond the one-half aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

## PRO RATA PAYMENT.

10. Persons, other than gypsum pit managers, who are employed in gypsum pits and who work less than 40 hours in any week, shall be paid not less than the ordinary wages rate calculated *pro rata* according to the number of hours worked.

## SPECIAL RATES.

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

## PAYMENT FOR HOLIDAYS.

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

## SICK LEAVE.

13. (a) An employee, provided that he produces satisfactory evidence to the employer, shall be entitled to be absent without deduction of pay on account of personal ill health or accident, as follows:—

(i) during the first year of service with an employer—					
for three or more but less than six months' service	..	..	..	..	eight hours
for six or more, but less than nine months' service	..	..	..	..	sixteen hours
for nine or more, but less than twelve months' service	..	..	..	..	twenty four hours
(ii) during the second and each subsequent year of service .. .. .					
					forty hours

(b) Notwithstanding anything contained in 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 may be entitled in any year of service without deduction of pay.

For the purpose of this sub-clause, service prior to the 1st July, 1946, shall be disregarded.

## ANNUAL HOLIDAY.

14. The annual holiday shall be as prescribed by the provisions of the *Factories and Sheds (Annual Holidays) Act 1946*, No. 5111, and any amendments which may be made thereto from time to time.

## PAYMENT OF WAGES.

15. Except in the case of persons employed outside a radius of 20 miles from the Flinders-street Railway Station—

- (a) All payment of wages shall be made on a day not later than Friday in each week.
- (b) Payment of wages shall commence within a quarter of an hour after the usual time of ceasing work on pay day. If the pay is not then available employees shall be paid at the rate of time and a half after that quarter of an hour, with a minimum of a quarter of an hour for the time lost as a result of such delay in payment.

## PAYMENT WHEN REQUESTED TO ATTEND FOR ENGAGEMENT.

16. Any employee, other than one employed in a gypsum pit, who has presented himself for work, as requested by the employer or his responsible representative, shall—

- (a) If not engaged, be paid a sum equal to the rate for two hours' work.
- (b) If engaged, be deemed to have commenced work at the hour he presented himself for engagement.

## TRANSPORT AT NIGHT.

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

## FACILITIES FOR MAKING TEA.

18. The employer shall provide an urn or other heating apparatus for employees, other than those employed in gypsum pits, to heat water for making tea at meal times.

## TERMINATION OF EMPLOYMENT.

19. Except where the conduct of an employee justifies instant dismissal, one week's notice of termination of employment shall be given by either employer or employee or one week's pay shall be paid or forfeited in lieu thereof.

## CONTAINERS FOR EMPLOYEES' CLOTHING.

20. Adequate provision of containers for employees to hang their clothes in shall be made by all employers, and the containers provided shall be of such construction as to reasonably protect the clothing from dust.

## PROVISION OF RUBBER GUM BOOTS.

21. All employers shall provide a pair of rubber gum boots for employees, other than those employed in gypsum pits, who are required to clean out settling pits or to work in other wet places.

## PERIODICAL ADJUSTMENT OF WAGES.

22. The wages rates set out in clause 2 hereof 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 adjusted by the same amount and at the same time as such basic wage as prescribed in clause 23 of this Part.

*Basic Wage.*

Place.	Needs Basic Wage. (Adjustable)	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Throughout the State .. .. .	5 19 0	6 0	6 5 0	Melbourne

## ADJUSTMENT OF BASIC WAGE.

23. (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 August, 1949, the amounts of the Basic Wage shall be as prescribed in clause 22.

(c) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, 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 reach .5 or more the basic wage shall be taken to the next higher shilling.

The wages rates of improvers shall at the same time be adjusted proportionately to the adjustment of the Needs Basic Wage, such adjustments to be to the nearest 3d., half or less than half of a 3d. to be disregarded.

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

J. W. RYAN, Secretary.

Melbourne, 10th June, 1949.







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Factories and Shops Acts.

## DETERMINATION OF THE SHOPS BOARD No. 17 (TOBACCONISTS).

NOTE.—This Determination applies to the following parts of Victoria, viz :—The Metropolitan District as defined in the Factories and Shops Acts and the Orders in Council thereunder; the Cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the Town of Newtown and Chilwell; and the Boroughs of Eaglehawk and Sebastopol.

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

1. That as from the beginning of the first pay period to commence on or after the 8th July, 1949, 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 40 Hours.		Per Week of 40 Hours.		WAGES.	Per Week of 40 Hours.	
	Males.	Females.	Males.	Females.			
	s. d.	s. d.	s. d.	s. d.			
15 years of age or under .. .. .	41 0	38 0	Departmental Manager, i.e., the principal employee in charge of a tobacco Department in any store, notwithstanding he or she may be under the orders of another person who does not devote his or her whole time to the management of such Department ..	177 0	149 6		
16 years of age .. .. .	51 6	47 6	First assistant, 25 years of age, where two or more persons over the age of 19 years are employed .. .. .	172 0	144 6		
17 years of age .. .. .	75 0	64 0	*All others	162 0	133 6		
18 years of age .. .. .	91 6	76 6					
19 years of age .. .. .	111 0	94 6					
20 years of age .. .. .	131 6	115 6					

Provided that any apprentice or improver without previous experience entering the trade at 17, 18, 19, or 20 years of age may be paid for his first and second year's service 20 per cent. less than the rates fixed above.

PROPORTION (IN ANY PLACE).

*Apprentices.*

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

*Improvers.*

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

\* Provided that any employee in charge of a kiosk, or stall, notwithstanding he or she may be under the orders of another person who does not devote his or her whole time to the management of such kiosk, or stall, shall be paid the rates herein provided with an addition of 10 per cent.

3.	TIME OF BEGINNING AND ENDING WORK.
Time of Beginning.	Time of Ending.
8.30 a.m. .. .. .	5.30 p.m. on Monday to Friday inclusive.
8.30 a.m. .. .. .	noon on Saturday

4.	OVERTIME.
Within the hours fixed in clause 3 in excess of 40 hours in any week .. .. .	} Time and a half.
Outside the hours fixed in clause 3 .. .. .	

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 20 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 thereafter the ordinary wage rate up to but not exceeding ordinary wages rates for an ordinary week's work.

NOTE.—Section 117 (2) Act 3677 provides that:—Any person may, if notice in writing has previously been sent to the chief inspector, be employed in any shop or at any work in connexion with a shop for any time not exceeding three hours in any one day beyond the ordinary working hours, provided that the total number of days in any one year on which in any shop or at any work in connexion with a shop any such person is so employed shall not exceed twenty-five.

**TERMINATION OF EMPLOYMENT.**

6. Except in a case where an employee or an employer has been guilty of misconduct, or where an employee has been engaged temporarily for a period not exceeding six weeks in duration, seven days' notice of termination of employment shall be given by either party or a week's wages paid or forfeited, as the case may be, in lieu thereof.

**SPECIAL RATES.**

7. Double time shall be the rate for all work done on Sundays, Good Friday, and Christmas Day, and time and a half the rate for all work done on New Year's Day, Australia Day, Easter Monday, Labour Day, King's Birthday, or Boxing Day, but if any other day be by Act of Parliament or Proclamation substituted for any of the abovenamed holidays, the special rates shall only be payable for work done on the day so substituted.

**MEAL INTERVAL.**

8. All employees shall be allowed the following meal interval, with permission to leave the shop for the whole of such interval, viz. :—From Monday to Friday, one hour for lunch, between the hours of 11.45 a.m. and 2.15 p.m.

**MEAL MONEY.**

9. Any employee who is required to work overtime in excess of one hour on any day shall receive an allowance of 2s. 6d. as meal money in addition to the rate provided in clause 4.

**ANNUAL HOLIDAY.**

10. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1946* (No. 5111), and any amendments which may be made thereto from time to time.

(In his or her own interests each employer of labour should obtain a copy of the above Act which may be purchased from the Government Printer, Melbourne, at a cost of 9d. plus postage.)

**SICK LEAVE.**

11. (a) Any employee who, having had at least three months' service with the same employer, is absent from duty as a result of personal ill health or accident shall be entitled to sick pay as follows:—

(i) during the first year—3½ hours' ordinary pay for each complete month of service;

(ii) during any subsequent year of service—40 hours' ordinary pay.

Provided that in either case such employee produces or forwards within 48 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.

(b) 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 the equivalent of 120 hours' ordinary pay, which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay.

**PAYMENT OF WAGES, ETC.**

12. Payment of all wages, overtime special rates, and allowances due shall be made during working hours not later than Thursday each week.

**REST PERIODS.**

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

**REFERENCE.**

14. An employee, on severing his or her connexion with an employer, shall be entitled to and shall receive from such employer a reference in writing, stating his or her period of service or qualifications. This provision shall only apply in the case of an employee who has been employed continuously for three months or more.

**POSTING DETERMINATION.**

15. A copy of this Determination shall be posted in a conspicuous place at or near the entrance to the shop, kiosk, stall, or department.

**PERIODICAL ADJUSTMENT OF WAGES.**

16. The wages rates for adults set out in clause 2 are based upon the following basic wage rates, and, pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically adjusted by the same amount and at the same time as such basic wage as prescribed by clause 17. Provided that the wages of apprentices or improvers shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 6d., half or less than half of 6d. to be disregarded. Provided further that no increase or decrease shall exceed the amount of the variation made in respect of an adult male.

*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.	
Within the area to which this Determination applies ..	5 19 0	6 0	6 5 0	Melbourne

**ADJUSTMENT OF BASIC WAGE.**

17. (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 August, 1949, the amounts of the Basic Wage shall be as prescribed in clause 16.

(c) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, 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 reach .5 or more the basic wage shall be taken to the next higher shilling.

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

J. W. RYAN, Secretary.

Melbourne, 23rd June, 1949.



# VICTORIA GOVERNMENT GAZETTE.

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No. 608]

TUESDAY, JULY 26.

[1949

Factories and Shops Acts.

## DETERMINATION OF THE SHOPS BOARD No. 14 (FURNITURE DEALERS).

NOTE.—This Determination applies to the following parts of Victoria, namely:—The Metropolitan District as defined in the Factories and Shops Acts and the Orders in Council thereunder; the cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; the town of Newtown and Chilwell; and the boroughs of Eaglehawk and Sebastopol.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board appointed to “determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the business of a seller of furniture or floor coverings,” has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence on or after the 6th July, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

### 2. WAGES PER WEEK OF 40 HOURS.

Apprentices and Improvers.	Other Employees.																																
<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"></th> <th style="text-align: center;">s.</th> <th style="text-align: center;">d.</th> </tr> </thead> <tbody> <tr> <td>Under 15 years of age .. .. .</td> <td style="text-align: center;">41</td> <td style="text-align: center;">0</td> </tr> <tr> <td>15 years of age .. .. .</td> <td style="text-align: center;">45</td> <td style="text-align: center;">6</td> </tr> <tr> <td>16 years of age .. .. .</td> <td style="text-align: center;">60</td> <td style="text-align: center;">0</td> </tr> <tr> <td>17 years of age .. .. .</td> <td style="text-align: center;">72</td> <td style="text-align: center;">0</td> </tr> <tr> <td>18 years of age .. .. .</td> <td style="text-align: center;">97</td> <td style="text-align: center;">0</td> </tr> <tr> <td>19 years of age .. .. .</td> <td style="text-align: center;">121</td> <td style="text-align: center;">0</td> </tr> <tr> <td>20 years of age .. .. .</td> <td style="text-align: center;">136</td> <td style="text-align: center;">0</td> </tr> </tbody> </table>		s.	d.	Under 15 years of age .. .. .	41	0	15 years of age .. .. .	45	6	16 years of age .. .. .	60	0	17 years of age .. .. .	72	0	18 years of age .. .. .	97	0	19 years of age .. .. .	121	0	20 years of age .. .. .	136	0	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"></th> <th style="text-align: center;">Within the Metropolitan District.</th> <th style="text-align: center;">Outside the Metropolitan District wherever this Determination applies.</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">—</td> <td></td> <td></td> </tr> </tbody> </table>		Within the Metropolitan District.	Outside the Metropolitan District wherever this Determination applies.	—				
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<p>PROPORTION (within any shop).</p> <p style="text-align: center;">APPRENTICES.</p> <p>One apprentice to every three or fraction of three workers receiving not less than 158s. per week.</p> <p style="text-align: center;">IMPROVERS.</p> <p>One improver to every two or fraction of two workers receiving not less than 158s. per week.</p>	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"></th> <th style="text-align: center;">s.</th> <th style="text-align: center;">d.</th> <th style="text-align: center;">s.</th> <th style="text-align: center;">d.</th> </tr> </thead> <tbody> <tr> <td>Person in charge of a shop (including a branch shop) .. .. .</td> <td style="text-align: center;">173</td> <td style="text-align: center;">0</td> <td style="text-align: center;">168</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Canvassers, travellers, window dressers, ticket writers, collectors (who, in addition to their duties of canvassing, travelling, or collecting, are in any way connected with the sale of goods), salesmen, or saleswomen .. .. .</td> <td style="text-align: center;">162</td> <td style="text-align: center;">0</td> <td style="text-align: center;">158</td> <td style="text-align: center;">0</td> </tr> <tr> <td>Storeman or packer (i.e. an adult either working singly or supervising other storemen or packers, who is in charge of a store or floor where goods are received or despatched) .. .. .</td> <td style="text-align: center;">156</td> <td style="text-align: center;">6</td> <td style="text-align: center;">151</td> <td style="text-align: center;">6</td> </tr> <tr> <td>Other storemen or packers .. .. .</td> <td style="text-align: center;">152</td> <td style="text-align: center;">0</td> <td style="text-align: center;">147</td> <td style="text-align: center;">0</td> </tr> <tr> <td>All others .. .. .</td> <td style="text-align: center;">145</td> <td style="text-align: center;">0</td> <td style="text-align: center;">140</td> <td style="text-align: center;">0</td> </tr> </tbody> </table>		s.	d.	s.	d.	Person in charge of a shop (including a branch shop) .. .. .	173	0	168	0	Canvassers, travellers, window dressers, ticket writers, collectors (who, in addition to their duties of canvassing, travelling, or collecting, are in any way connected with the sale of goods), salesmen, or saleswomen .. .. .	162	0	158	0	Storeman or packer (i.e. an adult either working singly or supervising other storemen or packers, who is in charge of a store or floor where goods are received or despatched) .. .. .	156	6	151	6	Other storemen or packers .. .. .	152	0	147	0	All others .. .. .	145	0	140	0		
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### TIME WAGES.

3. 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 one half the number of hours fixed for an ordinary week's work 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 thereafter the ordinary wage rate up to but not exceeding ordinary wages rates for an ordinary week's work.

4. TIMES OF BEGINNING AND ENDING WORK.

—	Time of Beginning.	Time of Ending.
Saturday .. .. .	8 a.m.	noon
On the other working days of the week .. .. .	8 a.m.	5.30 p.m.

MEAL INTERVAL.

5. Each employee shall be entitled to have one hour for a meal interval which must be taken between the hours of noon and 2.15 p.m. In no case shall an employee be required to work more than five hours without an interval for a meal.

OVERTIME.

6. Outside the hours fixed in clause 4 . . . . . }  
 Within the hours fixed in clause 4 in excess of the number of hours as fixed for an ordinary week's work . . . . . } Time and a half.

SPECIAL RATE FOR PUBLIC HOLIDAYS.

7. Treble time shall be paid within the Metropolitan District and double time elsewhere for all work done on Easter Saturday, and time and a half for all work done on New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Christmas Day, Boxing Day, and on Cup Day (Metropolitan District only), and after 12.30 p.m. on Show Day (in such localities mentioned in the Sixth Schedule to the *Public Service Act 1946*, as are within the area to which this Determination applies). 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.

SUNDAYS.

8. Treble time shall be paid for all work done on Sundays.

TERMINATION OF EMPLOYMENT.

9. Except in a case where an employee has been guilty of a misdemeanour, seven days' notice of termination of employment shall be given by either employer or employee, or one week's wages paid or forfeited, as the case may be, in lieu thereof.

TEA MONEY.

10. Any employee who is required to work overtime in excess of two hours on any day shall receive an allowance of 2s. as tea money in addition to the rates provided in clause 6.

RATIONING OF EMPLOYEES.

11. Where it is claimed by the employer that the exigencies of trade necessitate the rationing of employees, then such employer shall give at least seven days' notice of such rationing to the employee concerned.

ANNUAL HOLIDAY.

12. The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1946*, No. 5111, and any amendments which may be made thereto from time to time.

NOTE.—In his or her own interests each employer of labour should obtain a copy of the above Act which may be purchased from the Government Printer, Melbourne, at a cost of 9d., plus postage.

PROVISION OF BICYCLE OR OTHER MECHANICAL CONVEYANCE.

13. Where an employer directs an employee to provide himself with a bicycle or some other mechanical means of transport in order to carry out his duties, such an employee shall be entitled to an allowance (in addition to any other amount to which he may be entitled under this Determination) as follows:—

- For provision of a bicycle . . . . . 2s. 6d. per week.
- For provision of a motor cycle . . . . . 10s. per week.
- For provision of a motor car . . . . . at the rate of 4d. per mile up to a maximum allowance of £3 per week.

SICK LEAVE.

14. (a) Any employee who, having had at least three months' service with the same employer, is absent from duty as a result of personal ill health or accident shall be entitled to sick pay as follows:—

- (i) during the first year—3½ hours' ordinary pay for each complete month of service;
- (ii) during any subsequent year of service—40 hours' ordinary pay.

Provided that in either case such employee produces or forwards within 48 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.

(b) 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 the equivalent of 120 hours' ordinary pay, which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay.

PAYMENT OF FARES.

15. Where an employee is temporarily transferred from one branch of an employer's business to another, and such transfer necessitates the employee paying a higher fare in proceeding to and from his home, such excess amount shall be paid by the employer.

PAYMENT OF RENT.

16. A shopkeeper shall not charge any employee who is required to reside on the premises in connexion with the shop in which the business of such shopkeeper is carried on a greater sum as rent for such premises than 10s. per week.

REFERENCE.

17. An employee on severing his connexion with an employer shall be entitled to and shall receive a reference stating length of employment, character, and qualifications whilst in such employment.

## REST PERIODS.

18. All employees shall be allowed two rest periods of not less than five minutes each on each day, the first between the time of commencing work and the mid-day meal interval, and the second between the mid-day meal interval and the ending of work.

## CLOTHING ALLOWANCE.

19. Where any employee is required to wear, whilst at work, a washable outer garment (such as overalls, dust coat, &c.) such outer garment shall be provided and laundered by the employer.

## PAYMENT OF WAGES.

20. Payment of wages (including overtime, allowances, fares, &c.) shall be made not later than Thursday in each week.

## PERIODICAL ADJUSTMENT OF WAGES.

21. The wages rates set out in clause 2 are based upon the following basic wage rates, and, pursuant to the provisions of Section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically adjusted by the same amount and at the same time as such basic wage as prescribed by clause 22. Provided that the wages of apprentices and improvers shall be adjusted proportionately to adjustments of the basic wage, such adjustments to be to the nearest 6d., half or less than half of 6d. to be disregarded.

*Basic Wage.*

Place.	Needs Basic Wage. (Adjustable.)	Loading (Constant).	Total Basic Wage.	Index Number Set Assigned.
	£ s. d.	s. d.	£ s. d.	
Within the area to which this Determination applies	5 19 0	6 0	6 5 0	Melbourne

## ADJUSTMENT OF BASIC WAGE.

22. (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 August, 1949, the amounts of the Basic Wage shall be as prescribed in clause 21.

(c) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, 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 reach .5 or more the basic wage shall be taken to the next higher shilling.

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

J. W. RYAN, Secretary.

Melbourne, 21st June, 1949.



**DETERMINATION OF THE COMMERCIAL CLERKS BOARD.**

**NOTE.**

Notice of appeal to the Industrial Appeals Court has been lodged against a certain part of the Determination.

Section 22 (2) Act 4874, provides that, when an appeal is made in accordance with that Act, the part of the Determination appealed against shall not come into operation until the appeal has been dealt with by the Court.

6983/49.

## OTHER EMPLOYEES.

## WAGES PER WEEK.

	Within a Radius of 25 Miles of the General Post Office, Melbourne, and within a Radius of 10 Miles of the Post Office, Geelong.		All Other Parts of Victoria.	
	Males.	Females.	Males.	Females.
	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>
Stenographers, typistes, or operators of calculating, or ledger-keeping machines .. .. .	158 6	113 6	155 6	106 0
Telephone switchboard attendants .. .. .	158 6	111 6	155 6	106 0
All other adults .. .. .	158 6	109 0	155 6	103 9

## WEEKLY HOURS (OTHER THAN SHIFT WORKERS).

3. The number of hours to constitute an ordinary week's work shall be 40.

4. TIMES OF BEGINNING AND ENDING WORK (OTHER THAN SHIFT WORKERS).

	Time of Beginning Work.	Time of Ending Work.
On the usual weekly half holiday .. .. .	8 a.m.	1 p.m.
On all other days of the week .. .. .	8 a.m.	6.15 p.m.

The provisions of this clause shall not apply to employees working in hotels, guest houses, boarding houses, restaurants, or coffee palaces, but the spread of hours for such employees shall not exceed nine (9) in any one day.

## OVERTIME (OTHER THAN SHIFT WORKERS).

5. (a) Employees working in hotels, guest houses, boarding houses, restaurants, or coffee palaces shall be paid time and a half for all work done in excess of the number of hours fixed for an ordinary week's work.

(b) Employees working in any other place:—

- (i) Within the hours fixed in clause 4 in excess of hours fixed for an ordinary week's work .. Time and a half.  
(ii) Outside the hours fixed in clause 4 .. .. . Time and a half.

For the purpose of administering the provisions contained in sub-clauses (a) and (b) hereof the minimum period for which an employee shall be paid overtime shall be one-half hour per week.

(c) An employer may require any employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with such requirement.

## SHIFT WORK.

6. In this clause—

"Afternoon Shift" means any shift finishing after 6 p.m. and at or before midnight.

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

(a) (i) Notwithstanding any other provisions of this Determination an employee may be employed upon shifts, in which case the ordinary hours for a week's work shall be 40, and shall be performed in shifts not exceeding 9 hours each in the case of a five-day week and not exceeding 8 hours each in the case of a six-day week. A Sunday may be included in either case.

(ii) A shift worker employed on an afternoon shift or on a night shift shall, for work done during the ordinary hours of any such shift, be paid ordinary rates plus an additional 10 per cent. for an afternoon shift, or an additional 12½ per cent. for a night shift.

(iii) The times of beginning and ending the shift of any employee shall not be altered without at least one week's notice to the employee concerned.

(iv) Twenty minutes shall be allowed to a shift worker for a meal during each shift between the fourth and fifth hour of such shift. Such meal break shall be counted as time worked.

## Overtime for Shift Workers.

(b) A shift worker for all time worked—

- (i) in excess of the ordinary hours prescribed; or  
(ii) on more than six shifts on any seven consecutive days; or  
(iii) on a rostered shift off;

shall be paid at the rate of time and a half, provided that time worked on any day in excess in the aggregate of ten hours of ordinary time and/or overtime, shall be paid for at the rate of double time.

(c) An employer may require any employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with such requirement.

## Sunday and Holiday Rates for Shift Workers.

(d) (i) A shift worker whose ordinary working period includes a Sunday or a holiday (as prescribed in clause 9) as an ordinary working day, shall be paid at the rate of time and a half for such ordinary time as occurs on such Sunday or holiday.

(ii) A shift worker whose ordinary working period does not include a Sunday or a holiday (as prescribed in clause 9) as an ordinary working day, shall, if required to work on any such Sunday or holiday, be paid double time for work done on either of such days.

## TERMS OF EMPLOYMENT.

7. All employees (other than casuals) willing, ready and available for work shall be paid the full weekly wage fixed herein, irrespective of the number of hours worked not exceeding 40. To terminate employment one week's notice shall be given by either employer or employee or in lieu thereof one week's wages shall be paid or forfeited, as the case may be. The provisions of this clause shall not apply in any instance where an employee is dismissed for misconduct.

Notwithstanding any provisions elsewhere contained herein, an employer may deduct payment for any day an employee cannot usefully be employed because of any strike, breakdown of machinery, or any stoppage of work by any cause for which the employer cannot reasonably be held responsible.

## CASUAL LABOUR.

8. Casual hands, i.e., persons who are employed during any week for not more than one-half of the maximum number of hours fixed in the Determination as a week's work, shall be paid at the rate of time and a half on the hourly rate calculated *pro rata* by dividing the weekly rate by the number of hours fixed for a week's work.



## SPECIAL RATES FOR SUNDAYS AND PUBLIC HOLIDAYS (OTHER THAN SHIFT WORKERS).

## 9. All work done on—

Sundays;  
 New Year's Day;  
 Australia Day;  
 Good Friday;  
 Easter Saturday (except in localities where the late trading night is observed on Saturday);  
 Easter Monday;  
 Labour Day (within a radius of 25 miles of the G.P.O., Melbourne; within the Cities of Ballarat, Bendigo, Geelong, Geelong West, and Warrnambool; within the town of Newtown and Chilwell; and within the boroughs of Eaglehawk and Sebastopol);  
 Anzac Day;  
 King's Birthday;  
 Melbourne Cup Day (within a radius of 25 miles of the G.P.O., Melbourne, except in establishments where employees other than clerks are employed and the majority of such employees do not observe Cup Day as a holiday);  
 Christmas Day; and  
 Boxing Day

or any other day substituted by Act of Parliament or Proclamation for any of the above-mentioned holidays, shall be paid for as follows:—

Clerks or cashiers employed in hotels, guest houses, boarding houses, coffee palaces, or restaurants	Time and a half.
All others	Double time.

Provided that this clause shall not apply to:—

Receiving clerks or punch or fare-checking clerks, outfit clerks, roster clerks, or other clerks in lieu of or in substitution for any such clerks in connexion with the traffic operations of tramways or employed in tramway sheds or tramway offices; or  
 Counter clerks, entering clerks, cashiers, label or despatch clerks employed in daily newspaper offices.

## ANNUAL HOLIDAY.

10. (a) The annual holiday shall be as prescribed by the provisions of the *Factories and Shops (Annual Holidays) Act 1946*, No. 5111, and any amendments which may be made thereto from time to time.

(b) In addition to the above, shift workers shall be allowed for each twelve monthly qualifying period one week's leave including non-working days.

(c) Where an employee with twelve months' continuous service is engaged for part of the twelve-monthly period as a shift worker, he shall be entitled to have the period of two weeks' annual leave prescribed by the said Act increased by one half day for each month he is continuously engaged as aforesaid.

(d) If in any twelve-monthly qualifying period a shift worker lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, the employee shall be paid, in addition to all other amounts (including any payment in lieu of annual leave as prescribed by sub-clause (a) hereof) due to him, an amount equal to one-fiftieth of his ordinary pay for the period of employment as a seven day shift worker.

## HOLIDAYS.

11. No deduction shall be made from the wages of employees granted leave for the holidays specified in clause 9.

## SICK LEAVE.

12. (a) Any employee not attending for duty, who has had not less than three months' service with the same employer, shall not lose his or her pay for the actual time lost if such employee produces or forwards within 24 hours of the commencement of such absence, evidence satisfactory to the employer, that his or her non-attendance was due to personal ill-health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the grounds of personal ill-health or accident for more than six days in each year.

(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 eighteen days which shall be the maximum amount of leave to which an employee may be entitled in any year of service without deduction of pay.

For the purpose of this sub-clause service prior to the 7th July, 1944, shall be disregarded.

## TIME AND WAGES RECORDS.

13. Each employer shall keep time and wages records showing the name of each employee, the hours worked each day, and the wages and overtime paid each week. The time and wages record shall be open for inspection to a duly-accredited official of the Federated Clerks' Union of Australia during the usual office hours at the employer's office, or other convenient place, provided that only one demand for such inspection shall be made at the same establishment in any one fortnight, and such demand shall not be made unless the Secretary of the Union suspects that a breach of this Determination has been committed.

## MEAL ALLOWANCE.

14. Any employee who is required to work beyond one hour after the usual finishing hour of work, shall be paid a meal allowance of 2s. 6d. This provision shall only apply within a radius of 25 miles of the G.P.O., Melbourne, and 10 miles of the Post Office, Geelong.

## VEHICLE ALLOWANCES.

15. (a) Where an employer requires an employee to use his own bicycle in the performance of his duties, such employee shall be paid an allowance at the rate of 3s. 6d. per week for such period as the bicycle is used.

(b) Where an employer requires an employee to use his own motor vehicle in the performance of his duties, such employee shall be paid an allowance of not less than fourpence per mile, but such allowance shall not exceed £3 per week.

(c) Where an employer provides a motor vehicle which is used by an employee in the performance of his duties, all expenses, including registration, running, and maintenance of such motor vehicle, shall be paid by the employer.

## UNIFORM ALLOWANCE.

16. Where an employer requires any employee to wear any special uniform, dress, or clothing, such employee shall be paid an allowance of 2s. 6d. per week unless such uniform, dress, or clothing is supplied and laundered by the employer.

## REST PERIOD.

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

## FLOOR COVERING.

18. Where an employee is called upon to remain stationary on a concrete or stone floor for a period exceeding half an hour, suitable floor covering shall be provided by the employer.

## PAYMENT OF WAGES.

19. Wages, overtime, and allowances shall be paid during working hours not later than Friday in each pay week.

## PERIODICAL ADJUSTMENT OF WAGES.

20. The wages set out for adult males in clause 2 are based upon the following basic wage rates, and, pursuant to the provisions of section 21 of the *Factories and Shops Act 1934*, the Board hereby determines that such rates shall be automatically adjusted as prescribed by clause 21.

## Basic Wage.

Place.	Needs Basic Wage.	Loading Constant.	Total Basic Wage.	Index Number Set Assigned.
Throughout the State .. .. .	£ s. d. 5 19 0	s. d. 6 0	£ s. d. 6 5 0	Melbourne

## ADJUSTMENT OF BASIC WAGE.

21. (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 August, 1949, the amounts of the Basic Wage shall be as prescribed in clause 20.

(c) During each future successive period beginning with the first pay period to commence in an August, a November, a February, or a May, 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 reach '5 or more, the basic wage shall be taken to the next higher shilling.

## PERIODICAL ADJUSTMENT OF RATES FOR ADULT FEMALES AND ALL JUNIORS.

22. The amounts of the wage rates for adult females and all juniors shall be adjusted proportionately to adjustments of the Needs Basic Wage—such adjustments to be made to the nearest 3d. half or less than half of 3d. to be disregarded, and to be made upon the rates prescribed in the Determination which came into force on the 8th July, 1949. Provided that no rate shall be increased or decreased by more than the increase or decrease in the basic wage.

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

J. V. WILLOX, Secretary.

Melbourne, 8th July, 1949.