



VICTORIA GOVERNMENT GAZETTE.

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No. 629]

FRIDAY, AUGUST 5.

[1949

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 9 (DRAPERS AND MEN'S CLOTHING).

NOTE.—1. On the 9th March, 1921, this Board was appointed in lieu of the Drapers Board and the Men's Clothing Board.

2. 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 persons employed in the business of a seller of—

- (a) any article of men's or boys' clothing (whether made to order or otherwise), mercery, or wearing apparel, including underclothing, hats, and caps;
(b) goods usually sold by drapers or haberdashers, including mantles, costumes, millinery, gloves, stockings, and underclothing," has made the following Determination, namely:—

1. That, as on and from the 18th 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.			* Wages per Week of 40 Hours.		
Age.	Females Employed in Dress, Manchester, Drapery Furnishings, Prints, Silks, or Men's Clothing Departments, and All Males.	Other Females.	—	Within the Metropolitan District.	Outside the Metropolitan District wherever this Determination applies.
	s. d.	s. d.	Males.	s. d.	s. d.
Under 15 years of age	41 0	34 0	Manager (other than department manager), i.e., a person entrusted with the control or superintendence of a shop, notwithstanding he may be under the orders of a superior who does not devote his whole time to the management of the said shop	182 6	182 6
At 15 " " "	41 0	34 0	Department manager, i.e., a person in control of three or more salesmen or saleswomen 21 years of age or over, notwithstanding he may be under the orders of a superior who does not devote his whole time to the management of such department	172 6	172 6
" 16 " " "	49 6	41 0	Person in charge of an order tailoring establishment	176 6	176 6
" 17 " " "	63 6	50 0			
" 18 " " "	80 0	62 0			
" 19 " " "	99 0	71 6			
" 20 " " "	124 0	83 6			

* The above rates include a war loading of 4s. per week in the case of adult males and proportionate amounts for females and all Juniors.

Apprentices or Improvers.	Other Employees.	
	* Wages per Week of 40 Hours.	
PROPORTION (in any Shop or Place).	Within the Metropolitan District.	Outside the Metropolitan District wherever this Determination applies.
APPRENTICES.	<i>Males.</i>	
<i>Males.</i>	<i>s. d.</i>	<i>s. d.</i>
One male apprentice to every three or fraction of three male workers receiving not less than 157s. per week of 40 hours.	Pattern-men, assemblers, or salesmen .. 162 0	157 0
	Canvassers, who are in any way connected with the sale of goods .. 165 0	165 0
	Collectors who, in addition to their duties of collecting, are in any way connected with the sale of goods .. 165 0	165 0
	Foreman packer or storeman, i.e., a person in control of four or more packers or storemen, notwithstanding he may be under the orders of a superior who does not devote his whole time to the management of such department .. 161 6	161 6
<i>Females.</i>	Packers or storemen .. 157 0	157 0
One female apprentice to every three or fraction of three female workers receiving not less than 102s. per week of 40 hours.	Porters .. 149 0	149 0
	All others .. 162 0	157 0
An indenture of apprenticeship prescribed by the Board was approved on 25th January, 1924.	<i>Females.</i>	
IMPROVERS.	Managers (other than department managers), i.e., a person entrusted with the control or superintendence of a shop stocking frocks, dress or Manchester goods, drapery furnishing, prints, silks, men's clothing, or female wearing apparel, notwithstanding she may be under the orders of a superior who does not devote his whole time to the management of the said shop .. 176 6	
<i>Males.</i>	Department or section managers—	
One male improver to every male person receiving not less than 157s. per week of 40 hours.	(a) in control of three or more salesmen or saleswomen 21 years of age or over, in dress, Manchester, drapery furnishing, prints, silks, or men's clothing, departments, or section thereof, notwithstanding she may be under the orders of a superior who does not devote his whole time to the management of such department or section thereof .. 168 0	
	(b) In control of three or more saleswomen 21 years of age or over in any other department, or section thereof notwithstanding she may be under the orders of a superior who does not devote his whole time to the management of such department or section thereof .. 124 6	
Two female improvers to one female person .. } receiving not	Saleswomen selling goods usually sold in dress, Manchester, drapery furnishing, prints, silk, or men's clothing departments .. 162 0	
Four female improvers to two female persons, and thereafter— } less than 102s.	Other saleswomen or pattern women, or assemblers .. 106 6	
One female improver to each additional female person } 40 hours.	Packers .. 147 6	
Provided that one female improver in lieu of one male improver or one male improver in lieu of one female improver may be employed.	Canvassers who are in any way connected with the sale of goods .. 106 6	
	Porters .. 147 6	
	All others .. 106 6	

* The above rates include a war loading of 4s. per week in the case of adult males and proportionate amounts for females and all juniors.

DETERMINATION TO BE AVAILABLE FOR INSPECTION.

3. An employer shall cause to be kept in a conspicuous place, a copy of this Determination, on each floor of a building where work covered by this Determination is being performed. Such copy of the Determination shall readily be available for inspection at any time.

FLOOR SUPERVISORS, FLOOR WALKERS AND/OR SUPERINTENDENTS.

4. Floor supervisors, floor walkers and/or superintendents shall be paid 5 per centum over and above the rate fixed for persons 21 years or over, provided that any person acting as floor supervisor, floor walker and/or superintendent for less than 20 hours in any one week shall not be entitled to the additional 5 per centum.

TIMES OF BEGINNING AND ENDING WORK.

	Time of Beginning.	Time of Ending.
5. On the usual half-holiday	9.5 a.m.	noon.
On the other working days of the week	9.5 a.m.	5.30 p.m.

OVERTIME.*

6. The following rates shall be paid for all work done:—
- (a) By persons (including apprentices and improvers) employed as salesmen or saleswomen—
 - (1) Before 9 a.m. Five times the ordinary rate.
 - (2) Outside the times of ending work Double time.
 - (3) Within the times of beginning and ending work in excess of 40 hours Double time.
 - (b) By all other persons (1) Outside the times of beginning and ending work Double time.
 - (2) Within the times of beginning and ending work in excess of 40 hours Double time.

* 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.

Section 105, however, makes it an offence for an employer to detain an employee later than half an hour on a half-holiday. Note.—Section 174 of the Factories and Shops Acts provide that where any person is employed to perform two or more classes of work to which a rate fixed by a Wages Board is applicable then such person shall be paid in respect of the time occupied in each class of work at the rate fixed by the Board for such work.

MEAL MONEY.

7. Any employee required to work after the usual finishing hour of work or before the usual commencing hour of work beyond one hour shall be paid not less than 2s. 6d. meal money in addition to the overtime rates as prescribed for in this Determination.

TIME RATE.

8. 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 for each hour worked beyond the 20 hours aforesaid shall be paid the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

Provided that no person shall be employed for less than four consecutive hours on any one working day between the hours of 9 a.m. and 6 p.m. on Monday to Friday or for less than 2 hours 55 minutes on Saturday.

Provided further that an employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided further that any such time lost shall be counted as time worked in computing annual holidays and sick leave under this Determination.

MEAL INTERVALS.

9. All employees shall be allowed the following meal intervals with permission to leave the shop for the whole of such intervals viz. :—

- From Monday to Friday, one hour for lunch between noon and 3 p.m.

REST PERIOD.

10. All employees shall be allowed two rest intervals on each day (Monday to Friday inclusive) as follows :—(a) The first of 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.

TERMINATION OF EMPLOYMENT.

11. 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 one week's wages paid or forfeited, as the case may be, in lieu thereof.

NOTICE OF INTENTION TO RATION.

12. Where an employer owing to slackness of trade desires to ration his employees, he shall give at least one clear working day's notice to each employee of his intention to ration such employee.

ANNUAL HOLIDAY.

13. 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.

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.

SPECIAL RATES FOR SUNDAYS AND HOLIDAYS.

15. The special rates for all work done on Sundays or the undermentioned Public Holidays shall be—

- Sunday Double time.
 New Years Day, Australia Day, Good Friday, Easter Monday, Labour Day, King's Birthday, Melbourne Cup Day (Metropolitan District only), Christmas Day, Boxing Day, 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 Double time.

Easter Saturday—

- (a) In the area enclosed by and including Flinders-street, Spencer-street, Lonsdale-street, and Spring-street in the City of Melbourne Five times the ordinary rate.
 (b) In all other places where this Determination applies Double time.

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.

BICYCLE ALLOWANCE.

16. Where a bicycle is provided by an employee and is required to be used in connexion with his employer's business, an allowance of 1s. 6d. per week in addition to the ordinary wage shall be paid to such employee.

REFERENCE.

17. 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 and qualifications. This provision shall only apply in the case of an employee who has been employed continuously for three months or more.

TIME AND WAGES RECORDS.

18. An employer shall keep time and wages records showing the name of each employee, the hours worked each week by, and the wages and overtime paid to each employee.

PAYMENT OF WAGES.

19. All wages due shall be paid not later than Thursday in each week, and must be paid during working hours.

PERIODICAL ADJUSTMENT OF WAGES.

20. The wages 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 21.

Provided that the wages of employees receiving less than the amount of the total basic wage 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.	
Victoria	5 19 0	6 0	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.

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

J. W. RYAN, Secretary.

Melbourne, 18th July, 1949.



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[1949

Factories and Shops Act 1928 (No. 3677).

DETERMINATION OF THE SHOPS BOARD No. 22 (MOTOR REQUISITES).

NOTES.—(a) This Determination applies to the following parts of Victoria, namely:—The Metropolitan District and the Geelong District as defined in the *Factories and Shops Act 1928 (No. 3677)* and the Orders in Council thereunder extending such Metropolitan District; the cities of Ballarat, Bendigo, and Warrnambool, and the boroughs of Eaglehawk and Sebastopol.

(b) On the 9th December, 1930, the Shops Board No. 18 (Miscellaneous Shops) was deprived of the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the trade of a seller by retail of petrol, benzine, or other motor spirit, motor oils, or motor car or motor cycle accessories, and such power was conferred exclusively on the Shops Board No. 22 (Motor Requisites).

IN accordance with the provisions of the *Factories and Shops Act 1928 (No. 3677)* the Wages Board appointed to determine the lowest prices or rates which may be paid to any person or persons or classes of persons employed in the trade of a seller by retail of petrol, benzine, or other motor spirit, motor oils, or motor car or motor cycle accessories, has made the following Determination, namely:—

1. That as on and from the 19th July, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

APPRENTICES OR IMPROVERS.

WAGES PER WEEK OF 40 HOURS.	PROPORTION (in any Shop).
<i>Male or Female.</i>	
<i>s. d.</i>	
15 years of age or under 35 0	<i>Apprentices.</i> One apprentice to every three or fraction of three persons receiving not less than the minimum wage.
16 " " " 47 6	
17 " " " 65 0	
18 " " " 82 6	<i>Improvers.</i> Two improvers to every worker receiving not less than the minimum wage.
19 " " " 106 6	
20 " " " 130 0	

ALL OTHER EMPLOYERS.

	Wages per Week of 40 Hours.	
	Males.	Females.
	<i>s. d.</i>	<i>s. d.</i>
Manager of a shop, branch shop, or department (i.e., the principal employee in any shop, branch shop, or department, notwithstanding he may be under the orders of another person who does not devote his whole time to the supervision of such shop, branch shop, or department)	162 0	162 0
Employee solely engaged in the sale of lubricating oil, petrol, benzine, or other motor spirit	142 0	127 0
Other salesman or saleswoman	162 0	162 0

NOTICE TO WORK OVERTIME.

3. No employee shall be obliged to work overtime unless he has received at least 24 hours' notice of same.

OVERTIME.

4. (a) Any person who works for any time in excess of 40 hours in any week shall be paid for such extra time at the rate of time and a half.

(b) When an employee is required to work more than one hour's overtime after the usual time of ceasing work for the day, he shall be paid 2s. 6d. meal money in addition to the prescribed overtime rate; but such payment need not be made to an employee living within one mile of his place of employment who can reasonably return home for a meal.

SPECIAL RATES.

5. Double time shall be the special rate payable for all work done on Sundays, New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, King's Birthday, Christmas Day, Boxing Day, and within the Metropolitan District as defined in the Factories and Shops Acts, after 1 p.m. on Melbourne Cup and Melbourne Show Days.

If any other day be by Act of Parliament or Proclamation substituted for any of the above-mentioned holidays, the special rate shall be payable only for work done on the day so substituted.

TERMINATION OF EMPLOYMENT.

6. Seven days' notice of termination of employment shall be given by either employer or employee.

ANNUAL HOLIDAY.

7. 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.

SICK PAY.

8. (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.

MEAL INTERVAL.

9. A meal interval not exceeding one hour shall be allowed between the hours of noon and 2 p.m. (Monday to Friday inclusive).

REST PERIOD.

10. A rest period of 10 minutes each morning and afternoon (Monday to Friday inclusive) shall be granted to each employee, such time to be counted as time worked.

STANDING DOWN EMPLOYEE.

11. An employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided further that any such time lost shall be counted as time worked in computing annual holidays and sick leave under this Determination.

PERIODICAL ADJUSTMENT OF WAGES.

12. The wages 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 13.

Provided that the wages of employees receiving less than the amount of the total basic wage, 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.
Within the area to which this Determination applies	£ s. d. 5 19 0	s. d. 6 0	£ s. d. 6 5 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

13. (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 12.

(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, 19th July, 1949.



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[1949

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 on and from the 19th July, 1949, the last previous Determination of this Board shall be revoked and replaced by this Determination.

2.

Apprentices or Improvers.				Other Employees.			
				Per Week of 40 Hours.			
WAGES.				Males.		Females.	
				s.	d.	s.	d.
15 years of age or under	..	..	..	41	0	38	0
16 years of age	..	..	..	51	6	47	6
17 years of age	..	..	..	75	0	64	0
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).							
<i>Apprentices.</i>							
One apprentice to three or fraction of three workers receiving not less than the minimum wage.							
<i>Improvers.</i>							
One improver to every two or fraction of two workers receiving not less than the minimum wage.							
				WAGES.			
				Males.		Females.	
				s.	d.	s.	d.
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
First assistant, 25 years of age, where two or more persons over the age of 19 years are employed				172	0	144	6
*All others				162	0	133	6
* 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.		Time of Ending.	
8.30 a.m.	5.30 p.m. on Monday to Friday inclusive.
8.30 a.m.	noon on Saturday

OVERTIME.

4. 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 }

TIME WAGES.

5. Any person employed on time wages for less than the number of hours fixed for an ordinary week's work, shall for each hour worked up to 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.

Provided that an employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided further that any such time lost shall be counted as time worked in computing annual holidays and sick leave under this Determination.

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—3¼ 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.

TIME AND WAGES RECORD.

16. The employer shall keep a wages record showing the name of each employee, the number of hours worked each week, and the wages and overtime paid for such week. Such record shall be open for inspection by a paid accredited representative of the Shop Assistants and Warehouse Employees' Federation of Australia or of the Retail Tobacco Sellers' Association of Victoria.

PERIODICAL ADJUSTMENT OF WAGES.

17. 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 18. 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.

18. (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 17.

(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 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, 19th July, 1949.



VICTORIA GOVERNMENT GAZETTE.

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FRIDAY, AUGUST 5.

[1949

Factories and Shops Acts.

DETERMINATION OF THE SHOPS BOARD No. 1 (BOOT 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 wheresoever employed in the business of a seller of boots, shoes, or slippers, being a business usually or frequently carried on in a shop," has made the following Determination, namely:—

1. That as on and from the 19th 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.				Wages per Week of 40 Hours.			
		Males.	Females.			Within the Metropolitan District; the Cities of Geelong and Geelong West; and the Town of Newtown and Chilwell.	All other parts of Victoria where this Determination applies.
		<i>s. d.</i>	<i>s. d.</i>	MALES.		<i>s. d.</i>	<i>s. d.</i>
Under 16 years		37 0	31 0	Manager of a shop or head salesman, i.e., the principal employee in any shop, branch shop, or boot and/or shoe department in any establishment in which are sold goods other than those sold by boot dealers, notwithstanding he may be under the orders of another person who does not devote his whole time to the supervision of such shop, branch shop, or department—			
16 years		57 6	42 0	(a) Working singly	166 0	163 0	
17		78 0	51 0	(b) In charge of 1, 2, 3, or 4 persons	171 6	168 6	
18		99 0	60 0	(c) In charge of 5 or more persons	182 6	179 6	
19		119 6	69 6	Salemen	162 0	159 0	
20		138 0	79 0	Persons employed in the parcels or country order office, or as packers, porters, or storemen ..	162 0	159 0	

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 or her first year's service 12½ per cent. and for his or her second year's service 10 per cent. less than the rates fixed above.

PROPORTION (IN ANY SHOP OR PLACE).

APPRENTICES.

Males.

One male apprentice to every three or fraction of three male persons receiving not less than 159s. per week of 40 hours.

Females.

One female apprentice to every three or fraction of three female persons receiving not less than 102s. per week of 40 hours.

An indenture of apprenticeship prescribed by the Board was approved on 28th March, 1923.

IMPROVERS.

Males.

Two male improvers to one	} male persons receiving not less than 159s. per week of 40 hours.
Four two	
Five three	
Six four	
Seven five	
Eight six	
Nine seven	
Ten eight	

and thereafter one additional male improver to every two or fraction of two additional.

Improvers.	Other Employees.			
	Wages per Week of 40 Hours.			
		Within the Metropolitan District the Cities of Geelong and Geelong West; and the Town of Newtown and Chilwell.	All other parts of Victoria where this Determination applies.	
		s. d.	s. d.	
PROPORTION (IN ANY SHOP OR PLACE). IMPROVERS. Females.	FEMALES.			
Two female improvers to one	Managers of a shop or head saleswoman, i.e., the principal employee in any shop, branch shop, or boot and/or shoe department in any establishment in which are sold goods other than those sold by bootdealers, notwithstanding she may be under the orders of another person who does not devote his whole time to the supervision of such shop, branch shop, or department—			
Four " " " two		(a) Working singly	166 0	163 0
Five " " " three		(b) In charge of 1, 2, 3, or 4 persons	171 6	168 6
Six " " " four		(c) In charge of 5 or more persons	182 6	179 6
Seven " " " five		Saleswomen	106 6	102 0
Eight " " " six				
Nine " " " seven				
Ten " " " eight				
and thereafter one additional female improver to every two or fraction of two additional.				
Provided that one female improver in lieu of one male improver, or one male improver in lieu of one female improver, may be employed.				

OVERTIME.

3. (a) All time worked in excess of 40 hours in any week shall be paid for at the rate of time and a half for the first three hours and double time thereafter.
- (b) All time worked after noon on Saturday shall be paid for at the rate of double time.

TIME WAGES.

4. 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 for each hour worked beyond the 20 hours aforesaid shall be paid at the ordinary wages rate up to but not exceeding ordinary wages rates for an ordinary week's work.

Provided that no such person shall be paid for less than two hours on any one Saturday and not less than three hours on any one day other than a Saturday.

Provided further that an employer may deduct payment for any day an employee cannot be usefully employed because of any strike or through any breakdown of machinery or any stoppage of work by any other cause arising out of such strike and for which the employer cannot be held responsible. Provided further that any such time lost shall be counted as time worked in computing annual holidays and sick leave under this Determination.

SPECIAL RATES.

5. Double time shall be the rate for all work done on Sunday and time and a half shall be the rate for all work done on New Year's Day, Australia Day, Good Friday, Easter Saturday (except in the area enclosed by and including Flinders-street, Spencer-street, Lonsdale-street, and Spring-street, in the City of Melbourne, where the rate of treble time shall be paid), Easter Monday, Labour Day, King's Birthday, Melbourne Cup Day (Metropolitan District only), Christmas Day, Boxing Day and after 1 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); 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.

NOTICE OF INTENTION TO WORK OVERTIME.

6. At least four hours' notice of intention to work overtime shall be given to an employee before such employee is required to work beyond the usual time of ceasing duty.

MEAL ALLOWANCE.

7. An employee required to work any overtime in excess of one hour beyond the usual time of ceasing duty shall be paid a meal allowance of 2s. 6d. Such allowance shall be paid on the day upon which the overtime is worked and shall be in addition to any payment due for such overtime.

GARMENT ALLOWANCE.

8. Any employee who is required to wear, when at work, a washable outer-garment, dust-coat, or overall, shall be paid 2s. per week in addition to the ordinary wage, unless the garment is both provided and laundered by the employer.

BICYCLE ALLOWANCE.

9. Where a bicycle is provided by an employee and is required to be used in connexion with his employer's business, an allowance of 3s. per week in addition to the ordinary wage shall be paid to such employee.

PAYMENT OF FARES.

10. Where an employee is required by his or her employer to move temporarily from one branch or shop to another all additional fares so incurred shall be paid by the employer.

REFERENCE.

11. 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 and qualifications.

MEAL BREAK.

12. A meal break of not less than 60 minutes shall be allowed daily (Monday to Friday) to each employee between the hours of 11.45 a.m. and 2.15 p.m., provided that by mutual agreement between an employer and his employee such meal break may be reduced to not less than a break of 30 minutes.

SICK LEAVE.

13. (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.

ANNUAL HOLIDAY.

14. 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.)

REST PERIOD.

15. 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 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.

TIME AND WAGES RECORDS.

16. An employer shall keep time and wages records showing the name of each employee, the hours worked each week by and the wages and overtime paid to each employee.

TERMINATION OF EMPLOYMENT.

17. Except where the conduct of an employee justifies instant dismissal, seven days' notice of termination of employment shall be given by either employer or employee, or one week's wages shall be paid or forfeited, as the case may be, in lieu thereof. This provision shall only apply in the case of the employee who has been employed continuously for three months or more.

PAYMENT OF WAGES.

18. Wages shall be paid not later than Thursday in each week and must be paid during working hours.

PERIODICAL ADJUSTMENT OF WAGES.

19. 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 20. Provided that the wages of apprentices, improvers, and females 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.
Within the area to which this Determination applies ..	£ s. d. 5 19 0	s. d. 6 0	£ s. d. 6 5 0	Melbourne

ADJUSTMENT OF BASIC WAGE.

20. (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 19.

(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, 19th July, 1949.

