



VICTORIA GOVERNMENT GAZETTE.

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[1949

Factories and Shops Acts.

DETERMINATION OF THE OPTICIANS BOARD.

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

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

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

2. (a) EMPLOYEES ENGAGED IN CONNEXION WITH THE MANUFACTURE AND/OR FINAL ASSEMBLY OF SPECTACLE FRAMES.

<i>Female and Unapprenticed Junior Labour.</i>					<i>Other Employees.</i>			
(i) Subject to the exception hereinafter provided, the minimum rates of wage for adult and junior females and for unapprenticed male juniors shall be as follows:—								
	Wages per Week.					Wages per Week.		
	Percentage of Needs Basic Wage.	Constant Loading.	Additional Amount.	Total Wage Payable.		Weekly Rate.	War* Loading.	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>
<i>I.—Adult Females.</i>								
Under three months' experience ..	65	3 0	6 0	4 8 6	Foreman i.e., man in charge of two or more employees .. Optical mechanic or employee engaged in the final assembling and/or adjusting and/or inspecting of spectacle frames .. Press operator (heavy) .. Press operator (light) .. Process worker (as defined)	191 6	3 0	194 6
All others ..	75	3 0	7 0	5 1 6		172 6	3 0	175 6
<i>II.—Junior Females.</i>								
17 years of age and under ..	40	1 0	3 6	2 13 6	149 0	3 0	152 0	
18 years of age ..	47½	1 3	4 0	3 3 0	147 0	3 0	150 0	
19 years of age ..	55	1 6	4 6	3 13 0	147 0	3 0	150 0	
20 years of age ..	62½	2 0	5 0	4 3 0	147 0	3 0	150 0	
<i>III.—Junior Males.</i>								
Under 16 years of age ..	25	0 6	2 0	1 13 0				
16 years of age ..	35	0 9	3 0	2 6 6				
17 years of age ..	47½	1 0	4 0	3 3 0				
18 years of age ..	60	1 0	5 0	3 19 0				
19 years of age ..	75	2 0	6 0	4 19 6				
20 years of age ..	90	2 0	7 0	5 19 0				
<p>The total wage shall be calculated to the nearest sixpence, any broken part of sixpence in the result not exceeding threepence to be disregarded.</p> <p>(ii) The minimum rate payable to a junior female of any age or a junior male of eighteen years or more each with less than six months' experience under this Determination shall, until he or she has had six months' experience, be 10 per cent. less than the amount represented by the percentage of the needs basic wage hereby prescribed for a junior employee of his or her age and in addition thereto the constant loading prescribed for such an employee.</p> <p><i>Note.</i>—The Board has determined that no apprentice shall be taken to this section.</p>								

EMPLOYEES ENGAGED ON ANY OTHER WORK COVERED BY THE DETERMINATION.

(b)

Apprentices.			Improvers.			Other Employees.			
—	Per-centage of Journey-man's Total Wage.	Total Wage Payable.	—	Per-centage of Journey-man's Total Wage.	Total Wage Payable.	Wages Per Week.			
						Weekly Rate.	War* Loading.	Total Weekly Wage.	
		Per Week. s. d.			Per Week. s. d.	s. d.	s. d.	s. d.	
Five Year Terms:—			1st year ..	25	44 0	Foreman, i.e., man in charge of two or more employees Optical tradesman Optical workers and repairers			
1st year ..	25	44 0	2nd year ..	35	61 6		191 6	3 0	194 6
2nd year ..	35	61 6	3rd year ..	45	79 0		178 6	3 0	181 6
3rd year ..	45	79 0	4th year ..	65	114 0				
4th year ..	65	114 0	5th year ..	80	140 6		172 6	3 0	175 6
5th year ..	80	140 6							
Four Year Terms:—			PROPORTION (in any factory, shop, or place).						
1st year ..	30	52 6	One improver to every three journeymen receiving not less than 17s. 6d. per week.						
2nd year ..	45	79 0							
3rd year ..	65	114 0							
4th year ..	80	140 6							
PROPORTION (in any factory, shop, or place).									
One apprentice to every two or fraction of two workers receiving not less than 17s. 6d. per week.									
An indenture of apprenticeship prescribed was approved on 15th December, 1914.									
The total wages of apprentices and improvers shall be calculated to the nearest sixpence, any broken part of sixpence in the result not exceeding threepence to be disregarded.									

* The War Loading shall not be taken into account in the calculation of overtime and holiday rates.

APPRENTICES.

Period of Apprenticeship.

3. (a) If the apprentice, when indentured, is under the age of seventeen years—5 years. If seventeen years—4 years. No person 18 years or over shall be taken as an apprentice.

Probationary Period.

(b) Minors may be taken on probation for three months, and if apprenticed such three months shall count as part of their period of apprenticeship.

Overtime.

(c) No apprentice under the age of 18 years shall work overtime.

HOURS OF WORK.

4. The number of hours to constitute an ordinary week's work shall be 40, to be worked in five days, Monday to Friday inclusive, of 8 hours each day between 8 a.m. and 5.30 p.m.

Provided that in retail shops the spread of hours shall be between the following times:—

Saturdays ..	..	..	..	..	..	..	..	..	8 a.m. to noon.
Other days ..	..	..	..	..	..	..	..	..	8 a.m. to 5.30 p.m.

OVERTIME.

5. The following rates shall be paid:—

- (a) All work done outside the ordinary working hours fixed in clause 4, at the rate of time and a half up to 3 hours per day and double time thereafter.
- (b) All work done within the hours fixed in clause 4 in excess of 8 hours per day Monday to Friday inclusive and 4 hours on Saturday in a six day shop, at the rate of time and a half.
- (c) The spread of hours may be altered by agreement between the employer and the representative of the Union.
- (d) All work done during meal hours exceeding half an hour shall be paid for at the rate of time and a half until the employee is relieved for a meal.

CONTRACT OF EMPLOYMENT.

6. (a) Except as hereinafter provided employment shall be by the week. Any employee not specifically engaged as a casual employee shall be deemed to be employed by the week.

(b) Employment shall be terminated by a week's notice on either side given at any time during the week or by the payment or forfeiture of a week's wages as the case may be. A contract for weekly employment may be terminated by the employer, without liability to pay for more than time actually worked, for misconduct on the job or for incompetence.

(c) If the contract of employment is for weekly hiring and the employee is discharged other than for reasons mentioned in sub-clause (b) hereof before completing two months' employment, the employee shall be entitled to one week's notice and his pay shall be adjusted to the hourly rate which shall be 10 per cent. more than the weekly rate as from the time of his engagement.

(d) 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.

PAYMENT FOR HOLIDAYS.

7. Employees shall be entitled to the following holidays without deduction of pay :—Australia Day, Good Friday, Easter Saturday, Easter Monday, Labour Day, Anzac Day, King's Birthday, Melbourne Cup Day (within the Metropolitan District as defined in the Factories and Shops Acts), Christmas Day, Boxing Day, and New Year's Day; but if any other day be by Act of Parliament or Proclamation substituted for any of the above named holidays, this provision shall apply only to the day so substituted. When a holiday falls on a non-working day the next following working day shall be granted in lieu thereof.

ANNUAL HOLIDAY.

8. 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.

SICK LEAVE.

9. An employee on weekly hiring who is absent from his work on account of personal illness or on account of injury by accident arising out of and in the course of his employment, shall be entitled to 40 hours' working time paid sick leave per year.

SPECIAL RATES.

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

TEA MONEY.

11. When an employee works more than two hours' overtime in any one day he shall be paid 2s. 6d. meal money.

RECOGNITION OF SHOP STEWARDS.

12. An employee appointed shop steward in the shop or department in which he is employed shall, upon notification thereof to his employer, be recognized as the accredited representative of the Amalgamated Engineering Union and he shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees whom he represents.

RIGHT OF ENTRY OF UNION OFFICIALS.

13. (a) For the purpose of interviewing employees on legitimate union business a paid official of the Union shall have the right to enter employers' premises during the mid-day meal break on the following conditions :—

- (i) that he produces his authority to the gatekeeper or such other person as may be appointed by the employer;
- (ii) that he interviews employees only at places where they are taking their meal;
- (iii) that not more than one representative be on the premises at any one time;
- (iv) that no one representative visit the premises more than once in each week;
- (v) that if any employer alleges that a representative is unduly interfering with his work or is creating dissatisfaction amongst his employees, or is offensive in his methods, or is committing a breach of any of the previous conditions such employer may refuse the right of entry, but the representative shall have the right to bring such refusal before the Chief Inspector of Factories.

Provided that where certain employees are working under a system of shift work which precludes a representative from interviewing them during the mid-day meal break, the representative shall have the right to enter the employer's premises for the purpose of interviewing such employees at such time and under such conditions as to notice as may be mutually arranged by the representative and the employer, or, failing agreement at such times and under such conditions as the Chief Inspector of Factories may decide.

(b) For the purpose of investigating complaints concerning the application of this Determination, a duly accredited union representative shall be afforded reasonable facilities for entering an employer's workshop or plant during working hours, subject to the following conditions :—

- (i) that he discloses to the employer or his representative the complaint which he desires to investigate;
- (ii) that he makes his investigations in the presence of the employer or his representative (if the employer so desires);
- (iii) that he does not interfere with work proceeding in the workshop or plant;
- (iv) that he conducts himself properly.

(c) A union representative shall be a duly accredited representative of an organization concerned if he be the holder for the time being of a certificate signed by the general secretary of that organization, and bearing the seal of that organization, in the following form or in a form not materially differing therefrom :—

(Name of Organization.)

This is to certify that is a duly accredited representative of the above named organization.

General Secretary,

Date.

(SEAL)

Specimen signature of holder.

Strictly not transferable.

FIRST AID OUTFIT.

14. In each workshop, and at other places where employees are regularly employed, the employer shall provide and continuously maintain, at a place or places reasonably accessible to all employees, an efficient first aid outfit.

PAYMENT OF WAGES.

15. Wages shall be paid in the employer's time.

DEFINITIONS.

16. "Process worker" means an employee engaged on—

- (i) repetition work on any automatic, semi-automatic or single-purpose machine or any machine fitted with jigs, gauges, or other tools rendering operations mechanical (and in connexion with which he is not responsible for the setting up of the machine, nor for the dimensions of the products other than by checking with gauges, which gauges shall be either unadjustable or, if adjustable, shall not be set by the operator); or
- (ii) in the assembling and/or buffing of parts of mechanical appliances or other articles so made, in which no fitting or adjustment requiring skill is required; or
- (iii) in specialized processes—not requiring use of hand tools except hammers, pliers, screw-drivers, spanners and files, and such tools as are necessary for deburring or removing rags or edging.

“Optical Worker” means an employee engaged on—

- (i) lens grinding, incorporating blocking up blanks, all other grinding and polishing operations, cleaning of lenses, marking axes of fused bifocal compounds; truing of tools and routine maintenance of machinery in workshops; fitting lenses to rimless mounts, shell and/or metal frames, also repairing of frames.
- (ii) Pitch polishing to test plate standard including use of test plate, cementing, cleaning; and/or
- (iii) Blocking, grinding and machine polishing; and/or
- (iv) Hand finishing of work other than work as defined in definition of “Optical Tradesman”.

“Optical Tradesman” means an employee engaged on—

- (i) grinding angles on prisms using an auto collimator or similar checking instrument;
- (ii) hand finishing of highly accurate work including localizing and figuring;
- (iii) making of test plates.

PERIODICAL ADJUSTMENT OF WAGES.

17. The wages rates for employees 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 as prescribed by clause 18. Provided that (i) the wages of adult females, junior females and junior males in clause 2 (a) shall be adjusted to accord with the percentages of the contemporaneous needs basic wage and in addition thereto the constant loadings specified, (ii) the wages of apprentices and improvers in clause 2 (b) shall be adjusted to accord with the percentages of the journeyman's total wage.

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	6 2 0	6 0	6 8 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 November, 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 a November, a February, a May, or an August, 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.

MARGINS.

19. In addition to the basic wage provided in clause 17, and war loadings specified in clause 2, the margins set out in this clause shall be the minimum rate payable to employees therein named.

Classification.	Margin Per Week.
<i>Employees engaged in connexion with the manufacture and/or final assembly of Spectacle frames.</i>	
Foreman in charge of two or more employees	63 6
Optical mechanic or employee engaged in the final assembling and/or adjusting and/or inspecting of spectacle frames	44 6
Press operator (heavy)	21 0
Press operator (light)	19 0
Process Worker (as defined)	19 0
<i>Employees engaged on any other work covered by the Determination.</i>	
Foreman in charge of two or more employees	63 6
Optical tradesman	50 6
Optical Workers and repairers	44 6

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

J. V. WILLOX, Secretary.

Melbourne, 21st July, 1949.