



# VICTORIA GOVERNMENT GAZETTE.

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[1951

Factories and Shops Acts.

## DETERMINATION OF THE TANNERS BOARD.

NOTES.—(a) This Determination applies to the whole of the State of Victoria.

(b) On 21st April, 1925, the Board was deprived of the power to determine the lowest prices or rates which may be paid to any persons employed in the trade of a tanner of all kinds of furred skins, or a dresser or a dyer of such skins, and such power was conferred on the Tanners (Furred Skins) Board.

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 trade of a tanner, currier, leather dresser or dyer of all kinds of skins other than a tanner of sheep skins," has made the following Determination, namely:—

1. That as from the beginning of the first pay period to commence in May, 1951, the last previous Determination of this Board shall be revoked and replaced by this Determination.

### JUNIOR LABOUR.

2. All employees under the age of 21 years, except as hereinafter provided, shall be paid the following rates:—

|                             | Wages Per Week of 40 Hours.           |              |              |              |
|-----------------------------|---------------------------------------|--------------|--------------|--------------|
|                             | Within 20 Miles of G.P.O., Melbourne. |              | Elsewhere.   |              |
|                             | Wet.                                  | Dry.         | Wet.         | Dry.         |
|                             | <i>s. d.</i>                          | <i>s. d.</i> | <i>s. d.</i> | <i>s. d.</i> |
| Under 16 years of age .. .. | 78 0                                  | 75 3         | 78 0         | 75 3         |
| 16 to 17 years of age .. .. | 97 9                                  | 94 0         | 97 9         | 94 0         |
| 17 to 18 years of age .. .. | 117 6                                 | 112 9        | 117 6        | 112 9        |
| 18 to 19 years of age .. .. | 137 3                                 | 131 6        | 137 3        | 131 6        |
| 19 to 20 years of age .. .. | 156 0                                 | 150 6        | 156 0        | 150 6        |
| 20 to 21 years of age .. .. | 176 9                                 | 169 3        | 176 9        | 169 3        |

The aggregate proportion of juniors (other than those employed as strainers or strippers) to adults shall not exceed two juniors to five adults or any fraction of five.

There shall be no limitation of the number of juniors who may be employed as strainers.

No juniors under 19 years of age shall be employed rolling, striking, or setting out crop leather and/or on hide leathers in tan pits or lime jobbing on hide leathers, and/or lifting from drums or paddles, hide or side leathers.

### Other Employees.

|  | Per Week of 40 Hours.                 |                |
|--|---------------------------------------|----------------|
|  | Within 20 Miles of G.P.O., Melbourne. | Elsewhere.     |
|  | <i>£ s. d.</i>                        | <i>£ s. d.</i> |
| (1) Currier .. ..  | 11 8 0                                | 11 8 0         |
| (2) Person classing or sorting green hides or sides or skins after being unhaired .. ..  | 11 5 0                                | 11 5 0         |
| (3) Hand flesher .. ..   | 11 1 0                                | 11 1 0         |
| (4) Hand fleshing after machining .. ..  | 10 17 0                               | 10 17 0        |
| (5) Machine flesher (including checking and heading machine) .. ..   | 10 17 0                               | 10 17 0        |
| (6) Unhairer, scudder, stoner, puncher, person trimming green hides on tables after being fleshed, person working unhaired and scudding machines .. .. | 10 12 0                               | 10 12 0        |

|  | Per Week of 40 Hours.                 |            |
|--|---------------------------------------|------------|
|  | Within 20 Miles of G.P.O., Melbourne. | Elsewhere. |
|  | £ s. d.                               | £ s. d.    |
| (7) Lime jobber .. .. .  | 10 10 0                               | 10 10 0    |
| (8) Drumhand, paddle and/or vat hand, tanpitman, hydraulic presser .. .. .   | 10 10 0                               | 10 10 0    |
| (9) Bark bagger .. .. .  | 10 4 0                                | 10 4 0     |
| (10) Crop cutter after tanning .. .. .   | 10 12 0                               | 10 12 0    |
| (11) Extract worker in tannery .. .. .   | 10 6 0                                | 10 6 0     |
| (12) Barkgrinder in tannery, person boiling down fleshing or rendering down tallow, handling hides, bark or tanning extract .. .. .  | 10 1 0                                | 10 1 0     |
| (13) Man operating bark tan liquor plant .. .. .   | 10 10 0                               | 10 10 0    |
| (14) Splitting machinist—  |                                       |            |
| Operator of big machine  |                                       |            |
| (Wet) .. .. .  | 11 6 0                                | 11 6 0     |
| (Dry) .. .. .  | 11 1 0                                | 11 1 0     |
| Operator of other machines   |                                       |            |
| (Wet) .. .. .  | 11 4 0                                | 11 4 0     |
| (Dry) .. .. .  | 10 19 0                               | 10 19 0    |
| (15) Man behind splitting machine  |                                       |            |
| (Wet) .. .. .  | 10 9 0                                | 10 9 0     |
| (Dry) .. .. .  | 10 4 0                                | 10 4 0     |
| (16) Machine shaver —  |                                       |            |
| New machine—double width   |                                       |            |
| (Wet) .. .. .  | 10 18 0                               | 10 18 0    |
| (Dry) .. .. .  | 10 13 0                               | 10 13 0    |
| Old machine—single width   |                                       |            |
| (Wet) .. .. .  | 10 19 0                               | 10 19 0    |
| (Dry) .. .. .  | 10 14 0                               | 10 14 0    |
| (17) Jigger and grainer of bookbinding or furniture leather or japanned or enamelled or morocco leather or person engaged at japanning or enamelling leather or at ovens used for japanning or enamelling leather and operator of spraying machine .. .. . | 10 11 6                               | 10 11 6    |
| (18) Roller of sole leather .. .. .  | 10 13 0                               | 10 13 0    |
| (19) Striker and setter out of sole leather .. .. .  | 10 10 6                               | 10 10 6    |
| (20) Shedman who applies dressing to sole leather  |                                       |            |
| (Wet) .. .. .  | 10 8 0                                | 10 8 0     |
| (Dry) .. .. .  | 10 3 0                                | 10 3 0     |
| (21) Whitening machinist and buffing machinist and/or shearing machinist (including sheep and lamb skins with the wool on) .. .. .   | 10 15 6                               | 10 15 6    |
| (22) Fluffing machinist .. .. .  | 10 8 0                                | 10 8 0     |
| (23) Fluffing machinist on suede wheel .. .. .   | 10 12 0                               | 10 12 0    |
| (24) Leather dresser—  |                                       |            |
| (a) Table hand on chrome leathers .. .. .  | 10 7 0                                | 10 7 0     |
| (b) Table hand on bark tanned hides or sides .. .. .   | 10 10 0                               | 10 10 0    |
| (25) Person (not otherwise provided for) finishing chamois or fancy leather including ironing by hand .. .. .  | 10 6 0                                | 10 6 0     |
| (26) Machinist (not otherwise provided for) working any machines used for preparing fancy or other leathers .. .. .  | 10 5 0                                | 10 5 0     |
| (27) Table hand setting out harness leathers .. .. .   | 10 13 0                               | 10 13 0    |
| (28) Knee staker .. .. .   | 10 10 0                               | 10 10 0    |
| (29) Shedman (other than those who apply dressing to sole leather), man unloading hides, bark, and other materials used in tanneries .. .. .   | 10 2 0                                | 10 2 0     |
| (30) Straining or toggling (over the age of 18 years) .. .. .  | 10 6 0                                | 10 6 0     |
| (31) Stripping (over the age of 18 years) .. .. .  | 10 3 0                                | 10 3 0     |
| (32) Employee unhairing either on beam or by sweeping .. .. .  | 10 12 0                               | 10 12 0    |
| (33) Person classing and sorting hides, sides or skins or splits of leather after tanning .. .. .  | 9 19 0                                | 9 19 0     |
| (34) Employee operating measuring machine .. .. .  | 10 3 0                                | 10 3 0     |
| (35) Employee operating setting out machine  |                                       |            |
| (Wet) .. .. .  | 10 12 0                               | 10 12 0    |
| (Dry) .. .. .  | 10 7 0                                | 10 7 0     |
| (36) Employee operating graining machine .. .. .   | 10 5 0                                | 10 5 0     |
| (37) Employee operating ironing machine .. .. .  | 10 5 0                                | 10 5 0     |
| (38) Employee operating embossing machine .. .. .  | 10 5 0                                | 10 5 0     |
| (39) Employee operating squeezing machine .. .. .  | 10 10 0                               | 10 10 0    |
| (40) Employee operating bark grinding machine .. .. .  | 10 4 0                                | 10 4 0     |
| (41) Assistant on any of the machines (34) to (39) .. .. .   | 10 3 0                                | 10 3 0     |
| (42) Operator or assistant on any machine used in the industry not otherwise provided for .. .. .  | 10 3 0                                | 10 3 0     |
| (43) Glazer .. .. .  | 10 8 0                                | 10 8 0     |
| (44) Glazer on kid and/or marsupial leathers .. .. .   | 10 12 6                               | 10 12 6    |
| (45) Staker, combing machine operator .. .. .  | 10 8 0                                | 10 8 0     |
| (46) Person lime jobbing on mechanical reels .. .. .   | 10 10 0                               | 10 10 0    |
| (47) Hair washer .. .. .   | 10 6 0                                | 10 6 0     |
| (48) Men handling hair .. .. .   | 10 1 0                                | 10 1 0     |
| (49) Yardman .. .. .   | 10 5 0                                | 10 5 0     |
| (50) All others .. .. .  | 9 8 0                                 | 9 8 0      |

To meet emergencies, any employer may engage a casual employee for a day or more on paying extra wages calculated at the rate of 12½ per cent. higher than those prescribed for similar work.

**SPECIAL RATES.**

Employees engaged in handling hides or skins in chilling stores and chambers in which the temperatures are artificially reduced shall be paid 1½d. per hour extra for the time so employed.

**PAYMENT BY RESULTS.**

3. Subject to the following provisions, piecework or any other system of payment by results may be adopted by an employer so long as such rates permit employees of average capacity to earn at least 10 per cent. in addition to the total wages to which they are entitled under clause 2 hereof.

(a) The piecework rates now operating shall not be varied except in manner hereinafter provided.

(b) Piecework rates may be fixed or varied by factory boards consisting of two representatives of any employer, one of his employees and one representative of the Federation. If any such board is unable to agree on any rate or rates proposed by the employer the matter in dispute shall be referred to the Chairman of the Wages Board whose decision shall be final.

(c) If the employees of any factory or the Federation fail to appoint representation to any such board or fail to attend a meeting of such board called by the employer on a date not less than seven days after the service of notice on the State Secretary of the Federation, the employer may adopt such piecework rates which he deems reasonable without the authority of a board.

#### CONTRACT OF EMPLOYMENT.

4. (a) Except as to pieceworkers and casual workers and subject to the undermentioned provisos employment shall be by the week. Each employee shall be entitled to a week's notice of dismissal given on any day, or a week's pay in lieu of notice unless such dismissal is for wilful failure to attend for duty, malingering, misconduct or neglect of duty.

(b) An employee leaving his employment without giving a week's notice (unless his employer dispenses with such notice) shall forfeit a week's pay.

(c) Employees shall be paid for the holidays set out in clause 8 hereof as if worked.

(d) Provided however, that in the event of a stoppage through breakdown of machinery or any other cause for which the employer cannot be held responsible, the employer may on any day notify any employee that his services shall not be required on the following day or days and the employee's employment shall be temporarily terminated accordingly, and he shall not be entitled to be paid for the time not worked.

#### SICK LEAVE.

4A. (a) An employee absent through illness or accident shall not be entitled in any one year (whether in the employ of one employer or several, except as hereinafter provided) to leave in excess of 40 hours of working time. For this purpose a year shall commence on the first day of March.

(b) An employee before becoming entitled to sick pay shall if required to do so by the employer produce a doctor's certificate or other sufficient evidence of sickness.

(c) An employee shall not be entitled to sick leave unless he has been in the service of the employer concerned for at least two months (8 weeks) immediately prior to such absence.

(d) Sick leave shall accumulate from year to year so that any balance of the period specified in sub-clause (a) of this clause which has in any year not been allowed to an employee by an employer as paid sick leave, may be claimed by an employee and subject to the conditions hereinbefore prescribed shall be allowed by that employer in a subsequent year without diminution of any sick leave prescribed in respect of that year. Provided that sick leave which accumulates pursuant to this sub-clause shall be available to the employee for a period of two years but no longer from the end of the year in which it accrues.

4B. (1) Notwithstanding anything elsewhere contained in this Determination the following provisions shall apply in the case of an employer who is subjected through no fault of his own to restriction or rationing in the use of electric energy or coal gas:—

(a) If by reason of such restriction or rationing he is unable usefully to employ an employee for the whole or part of any day or shift he may deduct from the wages of that employee payment for any part of the day or shift such employee cannot be usefully employed provided that—

(i) If an employer requires the employee to attend for work but is not able to employ him usefully the employee shall be entitled to be paid for two hours work;

(ii) where an employee commences work he shall be entitled to be paid for four hours work;

(iii) an employee stood down shall be regarded as having continuity of service and employment for the purposes of annual leave, holidays and sick leave.

(b) He may require any employee to perform his ordinary hours of work (or any such ordinary hours of work) at any time or any day on the basis of 40 hours per week. The following rates of pay shall apply for such work—

(i) for work performed on Mondays to Fridays from 7 a.m. to 5.30 p.m. and on Saturdays from 7 a.m. to noon—ordinary time;

(ii) for work performed between noon and 5.30 p.m. on Saturdays—ordinary rates plus 25 per cent.;

(iii) for work performed between 5.30 p.m. on Saturdays and midnight on Sundays—time and a half;

(iv) for work performed at all other times—ordinary rates plus 12½ per cent.

Provided that when an employee is required to commence work between the hours of 5.30 p.m. and 7 a.m. the amount he shall receive shall not be less than an amount of five shillings more than the amount he would receive if paid at ordinary day rates.

(c) He may alter the time at which meal breaks are usually taken, and/or the duration of them, in order to avoid or mitigate the effects of such restriction or rationing, without being liable to pay penalty rates for work done during the normal meal breaks; provided that the commencing time of any meal break is not made more than one hour earlier or later than usual and that a meal break of at least twenty minutes is allowed.

(d) Any employee called upon to work a shift outside the daily spread of hours shall have a crib time of twenty minutes without deduction of pay to be taken at a time suitable to the process upon which he is engaged and such shift worker shall not be compelled to work for more than five hours without a crib time being allowed.

Provided also that the employer shall whenever it is practicable consult with the representative of the Union before acting under these paragraphs.

(e) He may, by agreement with an employee, allow to such employee the whole or any part of the annual leave prescribed by this Determination, without being liable to give such employee the notice normally required for that purpose.

(f) Nothing contained in this clause shall operate so as to reduce the shift premiums payable to employees who were fresh shift workers as prescribed in clause 7 (f) of this Determination at the date of the imposition of restrictions or rationing as aforesaid and who continues to work on such shift.

(g) Any period when an employee is stood down pursuant to emergency arrangements shall not be considered a period of absence from duty for the purpose of any Determination provision providing for payment of holidays or sick leave.

(h) All work in excess of 8 hours per day on any day or shift or in excess of 40 hours per week as the case may be, shall be overtime and its payment shall be governed by the terms of the Determination in respect to overtime.

(2) Notwithstanding anything elsewhere contained in this Determination, the provisions of this clause shall also apply (*mutatis mutandis*) in the case of an employer who uses auxiliary power plant for the purposes of providing employment for his employees whilst such restriction or rationing is in force and who—

(a) is unable usefully to employ an employee for the whole of any day or shift by reason of a breakdown in plant through no fault of his own; or

(b) because of the inability of the auxiliary power plant to meet the normal demands of power—

(i) finds it necessary to require any employee to perform his ordinary hours of work (or any of such ordinary hours of work) outside the hours normally worked by such employee; or

(ii) to alter the time at which meal breaks are usually taken and/or the duration of them.

(3) In the case of an employer who is unable to resume his normal operations after the lifting of restrictions and/or rationing of electric energy or coal gas because of the effect of the recent coal strike on his operations, these provisions are extended for a period not exceeding—

(a) should notification of the lifting of restrictions or rationing be received between midnight on Friday and noon on Thursday of any week—to 7 a.m. on the following Saturday;

(b) should notification of the lifting of restrictions or rationing be received between noon on Thursday and midnight on Saturday in any week—to 7 a.m. on the Saturday in the following week.

**HOURS.**

5. (a) The ordinary hours of employment shall be 40 per week, such hours to be worked between 7.30 a.m. and 4.45 p.m. on Monday to Friday inclusive (with 45 minutes' break for meals between the hours of noon and 1 p.m.).

(b) Subject to clause 7 not more than 8 hours (except if paid for at overtime rates) shall be worked in any one day in each week.

**REST PERIOD.**

6. A rest period of five minutes both morning and afternoon shall be given to all employees between the hours of 9.30 a.m. and 11 a.m. and 2.30 p.m. and 4 p.m. respectively. During such periods employees may not leave their department. Such time to be fixed by the employer concerned.

**OVERTIME.**

7. (a) All time worked on any day before or after the regular working hours or in excess of 8 hours on any one day, or in excess of 40 hours in any one week, shall be paid for at the rate of time and a half for the first three hours and double time thereafter.

(b) In computing overtime each day's work shall stand alone.

(c) Any employees required to work overtime for more than two hours in any one day without being notified the day before that they will be so required to work, shall either be supplied with a meal by the employer or paid 3s.

(d) If any employee pursuant to notice under sub-clause (c) hereof has provided a meal and is not required to work overtime he or she shall be paid 3s. for the meal so provided.

(e) For work done outside ordinary hours piecework rates shall be increased by 50 per cent. for the first three hours of each period worked and 100 per cent. thereafter.

(f) In cases where a fresh shift of men is brought on to work outside ordinary hours the following rates shall be paid:—

(i) For work performed before 4.45 p.m.—Ordinary rates.

(ii) For the first six hours after 4.45 p.m. in the case of a shift commenced before 4.45 p.m.—Time and a quarter.

(iii) For the first six hours in the case of a shift which commences at 4.45 p.m. or thereafter.—Time and a quarter.

(iv) After six hours in the case of employees under sub-paragraphs (ii) or (iii) hereof.—Double time.

(g) Any employee called upon to work during a meal hour shall be paid time and a half, and such time and a half shall continue until he has had a meal break.

**HOLIDAYS.**

8. (a) All employees shall be entitled to the holidays hereinafter mentioned or any day observed in lieu thereof without deduction of pay:—New Year's Day, Australia Day, Labour Day, Good Friday, Easter Monday, Anzac Day, King's Birthday, Christmas Day, Boxing Day, and Picnic Day if held on a Saturday not preceding a Monday prescribed as a holiday. In addition to Holidays prescribed herein, employees shall also be entitled to a holiday on the 9th May, 1951, and on the 13th November, 1951, as proclaimed by the respective Commonwealth and Victorian State Governments for the Commonwealth Jubilee Year, 1951, and the said days shall be deemed to be included amongst the holidays above-mentioned for all purposes of the Determination.

(b) In Melbourne, Melbourne Cup Day shall be observed as a holiday in lieu of King's Birthday.

(c) Piece-workers shall be paid for such holidays even though not worked at the ordinary rates payable to employees not on piecework doing the same class of work. The rate shall be one-fifth of the appropriate weekly wage.

(d) Where an employee is absent from his or her employment on the working day before or after a holiday without reasonable excuse or without the employer's consent such employee shall not be entitled to payment for such holiday. The amount to be deducted shall be one-fifth of the appropriate weekly wage.

(e) If the engagement of any employee is terminated by his employer within fourteen days preceding any of the prescribed holidays the holiday or holidays occurring during such period shall be paid for unless the employee has started work with another employer with the right of payment for the holiday or holidays.

(f) That subject to the exceptions and reservations hereinafter provided an employee shall be entitled to absent himself from his employment on any of the prescribed holidays hereinafter mentioned or on any day observed in lieu thereof without loss of pay for such holiday or holidays.

(g) An employer requiring an employee to work on any of the prescribed holidays hereinafter mentioned or on any day observed in lieu thereof shall give to such employee fourteen days' clear notice prior to such prescribed holiday or holidays of such requirement to work.

(h) An employee who is required to work on any of the prescribed holidays and to whom notification as provided in sub-clause (g) has not been given shall be paid Double Time Rates or Rate of Double Time in addition to such ordinary rate as such employee would have received had he not so worked.

(i) An employee who is required to work on any prescribed holidays and who fails to attend for such duty shall not be entitled to payment for such holiday or holidays as the case may be providing such failure to attend for work is not due to illness or accident as construed and applied by the provisions of clause 4A. hereof.

**ANNUAL LEAVE.***Period of Leave.*

9. (a) Except as hereinafter provided a period of fourteen consecutive days' leave with payment of ordinary wages as prescribed shall be allowed annually to an employee by his employer after a period of twelve months' continuous service with such employer.

*Public Holidays Excluded.*

(b) (i) Such period of annual leave shall not include holidays as prescribed in clause 8.

(ii) The annual leave prescribed by this clause shall be exclusive of any of the public holidays prescribed by this Determination and if any such holiday falls within an employee's period of annual leave there shall be added to that period one day for each such holiday falling as aforesaid.

(iii) Where an employee without reasonable excuse proof whereof shall lie upon him is absent from his employment on the working day or part of the working day prior to the commencement of his annual leave or fails to resume work at his ordinary starting time on the working day immediately following the last day of the period of his annual leave, the employee shall not be entitled to payment for the public holidays which fall within his period of annual leave.

*Notice of Leave to be Given.*

(c) At least seven days' notice shall be given to an employee as to when he is to commence his leave, and if such notice be withdrawn by an employer, the employee if he postpones his leave, shall be compensated by the employer for any reasonable out of pocket loss occasioned thereby.

*Time When Leave to be Granted.*

(d) Annual leave shall be given at a time fixed by the employer within a period not exceeding three months from the date when the right to annual leave accrued and after not less than one week's notice to the employee.

*Leave to be Given and Taken.*

(e) The annual leave provided for by this clause shall be allowed and shall be taken and except as provided in sub-clause (h) hereof payment shall not be made or accepted in lieu of annual leave.

*Payment of Wages.*

(f) Each employee before going on leave shall be paid two weeks' wages at ordinary rates for the occupation in which the employee was ordinarily employed immediately prior to the commencement of his leave. Payment in case of employees employed on piecework or bonus work or any other system of payment by results shall be at time rates.

*Leave in Advance.*

(g) (i) An employer may grant annual leave to an employee before the right thereto has accrued due, but where leave is taken in such a case, a further period of annual leave shall not commence to accrue until the expiration of the twelve months in respect of which annual leave had been taken before it accrued.

(ii) Where leave has been granted to an employee pursuant to sub-clause (g) (i) hereof before the right thereto has accrued due and the employee subsequently leaves or is discharged from the service of the employer before completing the twelve months' continuous service in respect of which the leave was granted, the employer may for each one complete month of the qualifying period of twelve months not served by the employee, deduct from whatever remuneration is payable upon the termination of the employment one-twelfth of the amount of wage paid on account of the annual leave, which amount shall not include any sums paid for any of the holidays prescribed in clause 8 of this Determination. Provided that in cases where such leave is granted at the request of the employee, the employer may when making payment under sub-clause (f) hereof, withhold from the employee a sum equal to one-twelfth for each complete month of the qualifying period not served by the employee at the time of going on such leave and retain such sum until the expiration of such qualifying period.

*Proportionate Payment.*

(h) Proportionate payment shall be made in respect of each completed month of continuous service in any qualifying twelve-monthly period when an employee lawfully leaves his employment or his employment is terminated by his employer through no fault of the employee.

*Calculation of Continuous Service.*

(i) (a) Continuity of service shall be deemed to be continuous notwithstanding—

- (i) any interruption or termination of the employment by the employer if such interruption or termination has been made with the intention of avoiding obligations hereunder in respect of annual leave;
- (ii) any absence from work of not more than fourteen days in the twelve months on account of sickness or accident (proof whereof shall be on the employee);
- (iii) any absence on account of leave granted imposed or agreed to by the employer;
- (iv) any absence due to reasonable cause (including absences on account of sickness or accident of more than fourteen days) (proof whereof shall be on the employee).

Provided that in cases of personal sickness or accident or absence with reasonable cause the employee to become entitled to the benefit of this sub-clause shall if practicable inform the employer in writing within 24 hours after the commencement of such absence of his inability to attend for duty and as far as practicable the nature of the illness injury or cause, and the estimated duration of his absence.

(b) In calculating a period of twelve months' continuous service—

- (i) (1) any annual leave taken therein;
- (2) any absences of the kind mentioned in (i) and (ii) of paragraph (a) above shall be counted as part of such period;
- (ii) in respect of absences of the kind mentioned in (iii) and (iv) of paragraph (a) above, the employee shall serve such additional period as part of his qualification for annual leave as will equal the period of such absences;
- (iii) any absence from work by reason of any cause not being a cause specified in this sub-clause shall not be deemed to break the continuity of service for the purposes of this clause unless the employer during the absence or within fourteen days of the termination of the absence notifies the employee in writing that such absence will be regarded as having broken the continuity of service.

*Calculation of Month.*

(j) For the purpose of this clause a month shall be reckoned as commencing with the beginning of the first day of the employment or period of employment in question and as ending at the beginning of the day which in the latest month in question has the same date number as that which the commencing day had in its month and if there be no such day in such subsequent month shall be reckoned as ending at the end of such subsequent month.

*Successor or Assignee or Transferee.*

(k) Where the employer is a successor or assignee or transferee of a business if an employee was in the employment of the employer's predecessor at the time when he became such successor or assignee or transferee the employee in respect of the period during which he was in the service of the predecessor shall for the purpose of this clause be deemed to be in the service of the employer.

*Annual Close Down.*

(l) Where an employer closes down his plant, or a section or sections thereof, for the purpose of allowing annual leave to all or the bulk of the employees in the plant, or section or sections the following provisions shall apply:—

- (i) He may by giving to the employees concerned not less than one month's notice of his intention so to do, stand off for the duration of the close down all employees in the plant or section or sections concerned, and allow to those who are not then qualified for two full weeks' leave paid leave on a proportionate basis of one-sixth of a week's leave for each completed month of continuous service.
- (ii) An employee who has then qualified for two full weeks' leave, and has also completed a further month or more of continuous service shall be allowed his leave, and shall also be paid one-sixth of a week's wages in respect of each completed month of continuous service performed since the close of his last twelve-monthly qualifying period.
- (iii) The next twelve-monthly qualifying period for each employee affected by such close down shall commence from the day on which the plant, or section or sections concerned, is reopened for work.
- (iv) If in the first year of his service with an employer an employee is allowed proportionate annual leave under paragraph (i) hereof, and subsequently within such year lawfully leaves his employment or his employment is terminated by the employer through no fault of the employee, he shall be entitled to the benefit of sub-clause (k) of this clause, subject to adjustment for any proportionate leave which he may have been allowed as aforesaid.

*PAYMENT FOR WORK ON SUNDAYS AND HOLIDAYS.*

10. (a) All work performed on Sundays and holidays shall be paid for at the rate of not less than double time.

(b) An employee called upon to work on a Sunday shall be entitled to a minimum of two hours' pay and on public holidays to a minimum of four hours' pay.

## MIXED FUNCTIONS.

11. Where an employee is engaged on any day on mixed functions or on work carrying a higher rate of pay than his ordinary classification he shall be paid at the higher rate for the time so worked on such higher classification. If the aggregate hours worked by an employee on such higher classification exceed sixteen in the week he shall be paid at the higher rate for the week.

Provided further that an employee employed at any two or more of the operations of buffing, fluffing, or fluffing on the suede wheel not entitled to the higher rate for any week shall for each day on which he is called on to do any two or more of such operations be paid the higher rate of pay.

## PAYMENT OF WAGES.

12. (a) Wages shall be paid not later than Thursday of each week in the employer's time or within five minutes of knock off time. Time waiting for payment after such five minutes shall be paid for at overtime rates.

(b) Any employee who has worked only a portion of a week and who is dismissed by his employer or has left his employment after the giving of a week's notice by complying with clause 4 of this Determination shall be paid on ceasing work for all time worked during that week, less any deductions that the employer may be lawfully entitled to make.

(c) Each employer shall, if he deems it necessary, be entitled to retain in hand from each employee an amount equal to two day's wages of such employee.

(d) On the pay day, the employer shall state in writing to each employee the amount of wages to which he is entitled, the amount of deductions made therefrom, and the nett amount being paid to him.

## TOOLS OF TRADE.

13. (a) The employer shall provide all tools, leggings, gloves (rubber and other), aprons (rubber, leather, or cloth, where suitable), respirators and other tools and implements of trade necessarily required by an employee in the performance of his duties.

(b) Employees working outdoor in wet weather shall be provided by the employer with waterproof capes for use whilst so working.

(c) Rubber knee boots shall be provided by the employer on all work where necessarily required on Wet Drum work.

## DAMAGE TO CLOTHING.

14. In the event of boots or clothing being damaged or destroyed by fire or corrosive substance other than in the normal course of usage of such boots or clothing, compensation to the extent of the damage sustained (but not exceeding £5) shall be made by the employer.

## TAKING OFF COVERINGS.

15. (a) Each employer shall allow to each of his employees engaged on recognized wet work five minutes in the employer's time at termination of work each day for the purpose of taking off coverings and changing.

(b) During such period of five minutes employees above referred to may leave their actual place of work but shall not leave the factory.

## TIME AND WAGES BOOKS, CARDS, ETC.

16. (a) Each employer shall keep in each factory, workshop or place where work is carried on by him, some card or check used in connexion with a mechanical clock or a time and wages book showing the name of each employee and his or her occupation, the hours worked each day and the wages and allowances paid each week.

(b) The time occupied by an employee in filling in any time books or cards or in the making of records shall be treated as time of duty, but this does not apply to checking in or out at the beginning or end of duty.

(c) The time and wages book shall be open for inspection to not more than two officers of the Federation duly accredited in writing by the Federation covered by this Determination during the usual office hours at the employer's office or other convenient place: Provided that an inspection shall not be demanded unless the Secretary of the Federation or the district secretary or organizer of any division suspects that a breach of this Determination has been or is being committed: Provided also that only one demand for such inspection shall be made in any one fortnight at the same establishment.

(d) The official making such inspection shall be entitled to take a copy of entries in a time and wages book relating to the suspected breach of this Determination.

## RIGHT OF ENTRY OF UNION OFFICIAL.

17. Duly accredited representatives of the Federation shall have the right to enter employers' workshops for the purpose of interviewing employees on legitimate Federation business on the following conditions:—

(i) that they produce their authority to the gatekeeper or such other person as may be appointed by the employer;

(ii) that not more than two representatives in all be in any workshop at any one time;

(iii) that if any employer alleges that a representative is unduly interfering with his workshop or is creating disaffection 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.

(iv) where a Union official holding the right of entry under this clause suspects that a breach of this Determination is occurring or has occurred he shall be afforded the opportunity to enter the factory at any time during working hours and view the work in question.

## UNION BUSINESS.

18. Officers or members of the Federation or any branch thereof may leave their work to attend to the business of the Federation after at least three days' notice has been given to the employer, but without being paid while absent.

## SHOP STEWARD.

19. (a) Shop stewards or Federation representatives shall be granted every facility in carrying out their duties.

(b) Shop stewards appointed by employees in each workshop shall be allowed the necessary time during working hours to interview the employer or his representative on matters affecting employees whom they represent.

(c) Shop stewards shall be allowed the maximum of one hour per week, after pay day, to collect Federation dues during working hours, without deduction of pay. Such time shall be fixed at a time most convenient to, and at the employer's discretion.

POSTING DETERMINATION AND UNION NOTICES.

20. (a) An employer shall provide notice boards in his establishment in the workroom of each department and the Federation shall be permitted to post any notice thereon in connexion with meetings or other Union business of the Federation.  
 (b) Every employer shall post and keep posted a copy of the Determination in a place accessible to all employees.

ACCIDENT PAY.

21. When an employee meets with an accident whilst at work which accident necessitates his absence from work he shall, for the period not exceeding one week for which he does not receive any payment under the provisions of the appropriate State laws, be paid at the rate of half the payment prescribed by this Determination for the class of work on which he was engaged prior to being so absent.

ACCOMMODATION.

22. (a) Boiling water shall be supplied by the employer for tea for the employees at lunch time.  
 (b) Dining Room and Dressing accommodation and facilities for drying clothes shall be provided for by the employer, who shall be held responsible for the place being kept clean. Dressing rooms shall contain suitable provisions (hanging facilities) for the clothes of each employee.  
 (c) Suitable showers shall be available for all employees, and both hot and cold water shall be laid on and shall be readily accessible to employees.  
 (d) The employer shall provide a suitable covered bicycle-stand.

FIRST-AID OUTFIT.

23. (a) The employer shall provide and continuously maintain an efficient first-aid outfit in each factory controlled by him.  
 (b) An efficient first-aid outfit shall be that prescribed by the laws and regulations of the State in which the factory is situated, but, where there is no legislation on the subject, the first-aid outfit shall contain the following equipment:—

| Article.   | Quantities to be kept in Ambulance Chest.                               |   |
|--|---|---|
|  | Factories and Workshops in which not more than 30 persons are Employed. | Factories and Workshops in which more than 30 persons are Employed. |
| Antiseptic solution .. .. .  | 1 bottle .. .. .  | 1 bottle  |
| Bandages, cotton and gauze .. .. .   | $\frac{1}{2}$ doz. assorted sizes .. .. .                               | $\frac{1}{2}$ doz. assorted sizes                                   |
| Iodine, tincture of .. .. .  | 1 oz. .. .. .   | 2 oz.   |
| Castor oil .. .. .   | 1 oz. .. .. .   | 2 oz.   |
| Manual first aid.  |   |   |
| Petrolatum, carbolyzed .. .. .   | 1 jar .. .. .   | 1 jar   |
| Picric acid solution, made according to the following recipe or prescription :—<br>$\frac{1}{4}$ teaspoonful of powdered picric acid ;<br>3 oz. absolute alcohol ;<br>2 pints distilled water. |   |   |
| Pins, safety .. .. .   | 1 packet .. .. .  | 1 packet  |
| Sal volatile .. .. .   | 1 oz. .. .. .   | 6 oz.   |
| Scissors .. .. .   | 1 pair .. .. .  | 1 pair  |
| Tourniquet .. .. .   | 1 .. .. .   | 1   |
| Cotton, absorbent .. .. .  |   |   |
| Gauze, sterilized and plain .. .. .  |   |   |
| Lint, absorbent .. .. .  |   |   |
| Plaster, adhesive .. .. .  |   |   |
|  | An adequate assortment  | An adequate assortment  |

MEMBERS SHALL NOT BE COMPELLED TO RESIGN MEMBERSHIP.

24. An employer shall not compel an employee to resign his membership of the Federation through the fact of such member being made a foreman or being placed on the staff.

FORMALDEHYDE.

25. (a) Where formaldehyde is used so as to create obnoxious or injurious fumes there shall be sufficient ventilation to take the fumes away.  
 (b) Suitable goggle protectors shall be provided by the employer, if requested, for employees using formaldehyde or bromine down sulphide.

FACTORIES AND SHOPS ACTS.

26. Employers shall comply with the laws and regulations for the time being in force relating to factories and workshops in respect of sanitation, lavatories, factory cleanliness, heating, light and seating accommodation in so far as such laws and regulations do not conflict with any provisions of this Determination.

PROBATION PERIOD.

27. Any employee who has not previously been engaged in the industry on the following classes of work, viz., items 14, 16, 21, 22 or 23 shall receive when so engaged not less than the rate of pay prescribed for Table hand, item 24(a) for a period of probation of four calendar weeks and thereafter shall receive the full rate in accordance with the appropriate class of work he is engaged upon, provided however, that no employee placed upon probation upon any class of work hereinbefore mentioned in this clause shall receive a lesser rate than that which he was previously receiving immediately prior to his engagement on any such new class of work.

DEFINITIONS.

28. (a) "Federation" shall mean the Australian Leather and Allied Trades Employees' Federation.
- (b) "Double-time rates" or "Rate of double time" shall mean when applicable to ordinary hours of work on a week-day, holiday or Sunday, the ordinary hour rate payable as part of the weekly wage, and in addition a rate equal to such ordinary hour rate.
- (c) "Casual worker" means an employee (other than a regular employee) employed and paid by the day.
- (d) "Ordinary pay" means in the case of a time worker the ordinary remuneration he receives for the normal weekly number of hours worked by him and in the case of a piece, task, or bonus worker the ordinary rate.
- (e) "Treble time" or "rate of treble time" shall mean, when applicable to ordinary hours of work on a holiday, the ordinary hour rate payable as part of the weekly wage, and in addition a rate equal to twice such ordinary rate.
- (f) "Currier" is a person who in his work uses a whitening knife, skiver slicker, whitening slicker, or shaving knife, or buffing knife, or buffing slicker.
- (g) "Handflesher" is a person who uses in his work a knife for the purpose of fleshing green hides or cutting down hides or skins or pieces before or after being fleshed by a machine.
- (h) "Table hand" is a person engaged on any class of work done on tables, except in sole leather or as otherwise provided.
- (i) "Slab work" shall mean the pasting of pieces of split leather together for sale or use as soles, insoles, heel or toe pieces or stiffeners, or any purpose whatsoever.
- (j) "Strainers" shall mean a person engaged at straining or tacking out or toggling or carrying boards or frames used for straining or tacking out or toggling.
- (k) "Wet splitting" and/or "Wet shaving" shall mean wet splitting and/or wet shaving of hides, sides, or skins, or splits including sheep and lambskins with the wool on and also pickled pelts which are split and/or shaved immediately after removal from pits or drums or paddles without being either squeezed or left for draining for a substantial period.
- (l) "Yardman" shall mean a person who is engaged cleaning drains and sewers.
- (m) "Shedman" used in relation to tanneries shall include persons employed in hide houses of beamshed departments spreading out and hooking hides together to make packs ready for reeling into pits, trucking hides and taking them out of bundles, lumping hides from the lorries, and cleaning up.

DEPARTMENTS.

29. "Departments" of a tannery or leather-dressing establishment refer only to each of the following departments:—
- Beamshed department;
  - Tanning department (including all wet work);
  - Curriers' department (including rolling);
  - Finishing department (other than rolling).
- "Japan shop."—Japan shop means places where persons japanning or enamelling leather are engaged.

PERIODICAL ADJUSTMENT OF WAGES.

30. The wages rates set out for adults in clause 2 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 by clause 31.

BASIC WAGE.

| Place.                               | Basic Wage (Adjustable). | War Time Loading. | Industry Allowance. | Total Base Rate. | Index Number Set Assigned.    |
|--------------------------------------|--------------------------|-------------------|---------------------|------------------|-------------------------------|
|                                      | £ s. d.                  | s. d.             | s. d.               | £ s. d.          |                               |
| Within 20 miles of G.P.O., Melbourne | 8 17 0                   | 5 0               | 6 0                 | 9 8 0            | Melbourne                     |
| Elsewhere                            | 8 17 0                   | 5 0               | 6 0                 | 9 8 0            | Five Towns (weighted average) |

ADJUSTMENT OF BASIC WAGE.

31. (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, 1951, the amounts of the Basic Wage shall be as prescribed in clause 30.

(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 1.03 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 rates for junior labour shall be the undermentioned percentages of the total base rate, such percentages to be calculated to the nearest threepence, half or less than half of threepence to be disregarded.

| Age.                  | Wet. (Percentage of Total Base Rate.) | Dry. (Percentage of Total Base Rate.) |
|-----------------------|---------------------------------------|---------------------------------------|
| Under 16 years of age | 41½                                   | 40                                    |
| 16 to 17 years of age | 52                                    | 50                                    |
| 17 to 18 years of age | 62½                                   | 60                                    |
| 18 to 19 years of age | 73                                    | 70                                    |
| 19 to 20 years of age | 83                                    | 80                                    |
| 20 to 21 years of age | 94                                    | 90                                    |



MARGINS.

(e) In addition to the total base rate provided for in clause 30 the following margins shall be payable to employees mentioned hereunder :—

| Classification.  | Margins.     |
|--|--------------|
|  | <i>s. d.</i> |
| (1) Currier .. .. .  | 40 0         |
| (2) Person classing or sorting green hides or sides or skins after being unhaird .. .. .   | 37 0         |
| (3) Hand flesher .. .. .   | 33 0         |
| (4) Hand fleshing after machining .. .. .  | 29 0         |
| (5) Machine flesher (including checking and heading machine) .. .. .   | 29 0         |
| (6) Unhairer, scudder, stoner, puncher, person trimming green hides on tables after being fleshed, person working unhairing and scudding machines .. .. .  | 24 0         |
| (7) Lime jobber .. .. .  | 22 0         |
| (8) Drumhand, paddle and/or vat hand, tanpitman, hydraulic presser .. .. .   | 22 0         |
| (9) Bark bagger .. .. .  | 16 0         |
| (10) Crop cutter after tanning .. .. .   | 24 0         |
| (11) Extract worker in tannery .. .. .   | 18 0         |
| (12) Barkgrinder in tannery, person boiling down fleshing or rendering down tallow, handling hides, bark or tanning extract .. .. .  | 13 0         |
| (13) Man operating bark tan liquor plant .. .. .   | 22 0         |
| (14) Splitting machinist—  |              |
| Operator of big machine  |              |
| (Wet) .. .. .  | 38 0         |
| (Dry) .. .. .  | 33 0         |
| Other machines   |              |
| (Wet) .. .. .  | 36 0         |
| (Dry) .. .. .  | 31 0         |
| (15) Man behind splitting machine  |              |
| (Wet) .. .. .  | 21 0         |
| (Dry) .. .. .  | 16 0         |
| (16) Machine shaver—   |              |
| New machine—double width   |              |
| (Wet) .. .. .  | 30 0         |
| (Dry) .. .. .  | 25 0         |
| Old machine—single width   |              |
| (Wet) .. .. .  | 31 0         |
| (Dry) .. .. .  | 26 0         |
| (17) Jigger and grainer of bookbinding or furniture leather or japanned or enamelled or morocco leather or person engaged at japanning or enamelling leather or at ovens used for japanning or enamelling leather and operator of spraying machine .. .. . | 23 6         |
| (18) Roller of sole leather .. .. .  | 25 0         |
| (19) Striker and setter out of sole leather .. .. .  | 22 6         |
| (20) Shedman who applies dressing to sole leather  |              |
| (Wet) .. .. .  | 20 0         |
| (Dry) .. .. .  | 15 0         |
| (21) Whitening machinist and buffing machinist and/or shearing machinist (including sheep and lamb skins with wool on) .. .. .   | 27 6         |
| (22) Fluffing machinist .. .. .  | 20 0         |
| (23) Fluffing machinist on suede wheel .. .. .   | 24 0         |
| (24) Leather dresser   |              |
| (a) Table hand on chrome leathers .. .. .  | 19 0         |
| (b) Table hand on bark tanned hides or sides .. .. .   | 22 0         |
| (25) Person (not otherwise provided for) finishing chamois or fancy leather including ironing by hand .. .. .  | 18 0         |
| (26) Machinist (not otherwise provided for) working any machine used for preparing fancy or other leathers .. .. .   | 17 0         |
| (27) Table hand setting out harness leathers .. .. .   | 25 0         |
| (28) Knee staker .. .. .   | 22 0         |
| (29) Shedman (other than those who apply dressing to sole leather), man unloading hides, bark, and other materials used in tanneries .. .. .   | 14 0         |
| (30) Straining or toggling (over the age of 18 years) .. .. .  | 18 0         |
| (31) Stripping (over the age of 18 years) .. .. .  | 15 0         |
| (32) Employee unhairing either on beam or by sweeping .. .. .  | 24 0         |
| (33) Person classing and sorting hides, sides or skins or splits of leather after tanning .. .. .  | 31 0         |
| (34) Employee operating measuring machine .. .. .  | 15 0         |
| (35) Employee operating setting out machine  |              |
| (Wet) .. .. .  | 24 0         |
| (Dry) .. .. .  | 19 0         |
| (36) Employee operating graining machine .. .. .   | 17 0         |
| (37) Employee operating ironing machine .. .. .  | 17 0         |
| (38) Employee operating embossing machine .. .. .  | 17 0         |
| (39) Employee operating squeezing machine .. .. .  | 22 0         |
| (40) Employee operating bark grinding machine .. .. .  | 16 0         |
| (41) Assistant on any of the machines (34) to (39) .. .. .   | 15 0         |
| (42) Operator or assistant on any machine used in the industry not otherwise provided for .. .. .  | 15 0         |
| (43) Glazer .. .. .  | 20 0         |
| (44) Glazer on kid and/or marsupial leathers .. .. .   | 24 6         |
| (45) Staker, combing machine operator .. .. .  | 20 0         |
| (46) Person lime jobbing on mechanical reels .. .. .   | 22 0         |
| (47) Hair washer .. .. .   | 18 0         |
| (48) Men handling hair .. .. .   | 13 0         |
| (49) Yardman .. .. .   | 17 0         |
| (50) All others .. .. .  | Nil          |

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

J. V. WILLOX, Secretary.

Melbourne, 3rd May, 1951.

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