



VICTORIA GOVERNMENT GAZETTE.

Published by Authority.

[Registered at the General Post Office, Melbourne, for transmission by post as a newspaper.]

No. 859]

MONDAY, NOVEMBER 10.

[1952

Factories and Shops Acts.

DETERMINATION OF THE HOTEL AND RESTAURANT BOARD.

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

NOTE.—On the 6th May, 1940, the following trade was proclaimed an Apprenticeship Trade as carried on in the Metropolitan District.

Cooking in hotels, clubs, restaurants, eating houses, coffee palaces in which three or more adults are permanently employed in the kitchen.

Full particulars of the Apprenticeship Regulations for this trade may be obtained on application to the Secretary, Apprenticeship Commission, 103 Russell Street, Melbourne.

IN accordance with the provisions of the Factories and Shops Acts, the Wages Board which now has the power to determine the lowest prices or rates which may be paid to any person or persons or classes of persons—

- (a) employed in a restaurant, coffee palace, hotel, eating-house, or any premises for which an Australian wine licence or billiard table licence is in force or which are occupied as a club, but not including persons subject to the jurisdiction of any other Board heretofore appointed;
- (b) employed in the business of a caterer;
- (c) employed in connexion with the sale of aerated waters, fruit juice drinks, cordials, coffee, chocolate, cocoa, milk, or any other non-intoxicating beverage whatsoever consumed on the premises;
- (d) employed whole or part time selling confectionery, or pastry in any place in which the business of a restaurant is carried on—

has made the following Determination, namely:—

1. That on the 25th October, 1952, the last previous Determination of this Board shall be revoked and replaced by this Determination.

HOTELS AND WINE SALOONS.

2.

APPRENTICES AND IMPROVERS.

		Wages (see below for Deductions where Board or Lodging is Provided).			
		Within a radius of 25 miles of the General Post Office, Melbourne, within a radius of 5 miles of the principal Post Office at Geelong, and in the City of Mildura.		In all other parts of Victoria.	
		Males.	Females.	Males.	Females.
		Per Week of 40 hours.		Per Week of 40 hours.	
		s. d.	s. d.	s. d.	s. d.
17 years of age	.. ..	107	0	105	6
18 years of age	.. ..	135	0	133	0
19 years of age	.. ..	169	6	167	6
20 years of age	.. ..	204	0	201	6

PROPORTION (IN ANY PLACE).	
MALES OR FEMALES.	
Apprentices.	
One apprentice to every three or fraction of three workers receiving not less than the minimum wage.	
Improvers.	
Such number of improvers as shall not, together with apprentices, exceed, in the aggregate, one to every three or fraction of three adult weekly workers receiving not less than the minimum wage.	

Junior males over the age of 19 years may be employed in the bar and the maximum number shall be one to every three adults of the bar staff receiving the minimum weekly rate prescribed by clause 2 hereof.

HOTELS AND WINE SALOONS—continued.

OTHER EMPLOYEES.

						Wages (see below for Deductions where Board or Lodging is Provided).			
						Within a radius of 25 miles of the General Post Office, Melbourne, within a radius of 5 miles of the principal Post Office at Geelong, and in the City of Mildura.		In all other parts of Victoria.	
						Males.	Females.	Males.	Females.
						Per Week of 40 Hours.	Per Week of 40 Hours.	Per Week of 40 Hours.	Per Week of 40 Hours.
PART I.						s. d.	s. d.	s. d.	s. d.
Barman .. .. .	..	..	..	..	..	254 0	..	251 0	..
Cellarman .. .. .	..	..	..	..	..	266 0	..	263 0	..
Assistant Cellarman .. .. .	..	..	..	..	..	254 0	..	251 0	..
Barmaids .. .. .	..	..	..	..	..	..	254 0	..	251 0
PART II.									
First cook where number of persons employed in kitchen is—									
Eight or more .. .. .	..	..	..	..	..	294 0	238 0	291 0	236 3
Five, six, or seven .. .. .	..	..	..	..	..	284 0	228 0	281 0	226 3
Three or four .. .. .	..	..	..	..	..	266 0	210 0	263 0	208 3
Other first cooks, or cook employed alone .. .. .	..	..	..	..	..	260 0	204 0	257 0	202 3
Second cook where number of persons employed in kitchen is—									
Eight or more .. .. .	..	..	..	..	..	276 6	220 6	273 6	218 9
Five, six, or seven .. .. .	..	..	..	..	..	266 6	210 6	263 6	208 9
Other second cooks .. .. .	..	..	..	..	..	254 0	202 0	251 0	200 3
Night or relieving cook where number of persons employed in kitchen is—									
Eight or more .. .. .	..	..	..	..	..	276 6	220 6	273 6	218 9
Five, six, or seven .. .. .	..	..	..	..	..	266 6	210 6	263 6	208 9
Other night or relieving cooks .. .. .	..	..	..	..	..	254 0	198 0	251 0	196 3
Larder cook .. .. .	..	..	..	..	..	257 0	201 0	254 0	199 3
Pastrycook .. .. .	..	..	..	..	..	260 0	204 0	257 0	202 3
Stove, grill, fish, third or breakfast cook .. .. .	..	..	..	..	..	254 0	198 0	251 0	196 3
Vegetable or assistant cook .. .. .	..	..	..	..	..	251 0	195 0	248 0	193 3
Oysterman .. .. .	..	..	..	..	..	244 0	..	241 0	..
Pantryman or kitchenman .. .. .	..	..	..	..	..	244 0	..	241 0	..
Storeman .. .. .	..	..	..	..	..	251 0	..	248 0	..
Head waiter .. .. .	..	..	..	..	..	254 0	..	251 0	..
Other waiters (Drink and/or food) .. .. .	..	..	..	..	..	244 0	..	241 0	..
Night porter .. .. .	..	..	..	..	..	244 0	..	241 0	..
Day porter .. .. .	..	..	..	..	..	244 0	..	241 0	..
Billiard-room attendant .. .. .	..	..	..	..	..	244 0	..	241 0	..
Commissionaire or messenger .. .. .	..	..	..	..	..	244 0	182 0	241 0	180 3
Housekeeper, stewardess, or managersess .. .. .	..	..	..	..	..	..	198 0	..	196 3
Laundress .. .. .	..	..	..	..	..	..	186 0	..	184 3
Head waitress .. .. .	..	..	..	..	..	..	188 0	..	186 3
Other waitresses .. .. .	..	..	..	..	..	..	182 0	..	180 3
Pantrymaid or kitchenmaid .. .. .	..	..	..	..	..	..	182 0	..	180 3
Housemaid .. .. .	..	..	..	..	..	..	182 0	..	180 3
Persons not otherwise provided for .. .. .	..	..	..	..	..	244 0	182 0	241 0	180 3
Midday waitress or midday kitchenmaid or pantrymaid (employed only between 11.40 a.m. and 3 p.m.) .. .. .	..	..	..	..	..	..	Per week of 20 hours 101 6	..	Per week of 20 hours 100 6

NOTE.—A copy of this Determination shall be displayed at or near the entrance of every establishment where the Determination of this Wages Board applies.

Under the provisions of Section 7 of the Factories and Shops Act 1936 (No. 4461) every employer of any employee in any hotel is required to keep a time-book in the prescribed form wherein each employee shall enter daily a record of the hours worked.

BOARD AND LODGING.

3. (a) Where board and residence is made available to employees the employer shall have the right to deduct from the pay of any employee residing on the premises an amount of 47s. per week.

(b) In the case of employees who do not reside on the employer's premises a deduction at the rate of 1s. 9d. for each meal supplied during the employee's spread of working hours may be deducted by the employer.

(c) Junior employees 18 years of age and over shall be subject to a deduction of 30s. per week for board.

TERMS OF ENGAGEMENT.

4. All employees (other than casual employees), shall be engaged by the week, and shall be paid weekly. Two days' notice shall be given by the employer or employee to terminate employment, or in lieu of such notice two days' wages shall be paid by the employer or forfeited by the employee, except in the case of misconduct by an employer. If an employer dismisses an employee without notice for any cause other than misconduct, he shall pay the employee two days' wages in lieu of notice. Provided that no employee shall be dismissed without notice for sickness, accident or other reasonable cause, if he informs his employer by 9 a.m. on any day, of his inability to take up his duty on that day, and also before that hour informs his employer of his whereabouts, and the reason for his absence. When notice of termination of service has been given, employees shall be paid within 24 hours from the expiry of such notice.

CASUAL WORK.

5. (a) "Casual employee" in this industry shall mean and be deemed to be any employee engaged for a less period than a working week of 40 hours on the class of employment for which the casual is employed. Casual work shall be paid for at the rate of 50 per cent. in advance of one-fortieth of the weekly rate prescribed in clause 2 hereof in respect of the position for which the worker is casually employed with a minimum of ten shillings for males and females in Part 1 and ten shillings for males and seven shillings for females in Part 2 for each engagement.

(b) All fares in excess of 3d. reasonably incurred in travelling to the place of work for the purpose of doing the work or in travelling from such place after doing the work in due course shall be paid by the employer.

(c) "Engagement" for the purposes of this clause shall be deemed to mean the period or periods for which the employer notifies the employee that he or she is so required to attend on any one day.

HOURS OF WORK.

6. (a) The hours of work of all employees engaged on weekly hiring in Part 1 shall be 40 per week to be worked within a spread of 9 hours per day from starting time, inclusive of meal breaks. Each employee shall be entitled to a full day off each week between Monday to Saturday inclusive in addition to Sunday.

(b) The hours of work of all employees engaged on weekly hiring in Part 2 shall be 40 per week to be worked within a spread of 12 hours per day from starting time inclusive of meal breaks. Each employee shall be entitled to a full day off each week.

(c) Two weeks' notice of such rostered day off shall be given but the day may be changed by mutual consent at any time or by absence through sickness or other circumstances over which the employer has no control.

(d) An employee shall not be required to take his rostered day-off on a holiday prescribed by this Determination.

(e) An employee in Part 1 who is required to work between the hours of 6.30 p.m. and 10 p.m. on any day Monday to Friday inclusive shall be paid an extra rate of 1s. 6d. per day.

DEFINITIONS.

7. "Barman" or "barmaid" shall mean any person usually employed for more than two hours in any one day or night in the sale of liquor over the public bar; the saloon, private or parlour bar; the lounge bar; the bar used to service a beer garden; and the bottle department of any hotel or wine saloon.

"Cellarman" shall mean in an hotel any person employed in charge of, responsible for, and/or substantially engaged in looking after the contents of a cellar.

"Assistant Cellarman" shall mean in an hotel any employee who is substantially engaged as an assistant to the cellarman in looking after the contents of a cellar.

"Spread of Hours" means the period of time elapsing from the time an employee commences duty to the time he ceases duty.

TRAVELLING FACILITIES.

8. Where an employee is detained at work until it is too late to travel by the last train, tram, vessel or other regular conveyance to his or her usual place of residence, the employer shall either provide proper conveyance or private accommodation for the night free of charge.

MIXED FUNCTIONS.

9. (a) Where an employee is put to work at a classification higher in respect of remuneration than that under which such employee was engaged or was deemed to have been working such employee shall be paid for the whole of the time during which such employee is employed at such work at the rate of remuneration prescribed for such higher classification. Provided that such employee shall be paid at the rate prescribed for such higher classification for the whole of the day if such work is performed continuously for over half of the day and for the whole of the week if such work is performed continuously for over half of the week.

(b) A higher paid employee, shall, when necessary, temporarily relieve a lower paid employee without loss of pay.

TIME BOOK.

10. The time book or other record shall be in the form prescribed under Section 7 of the *Factories and Shops Act* No. 4461, and shall be accessible to the Secretary of the Union at reasonable times.

PAYMENT OF WAGES.

11. All wages, including overtime, shall be paid by Thursday in each week or such other day as may be mutually agreed upon by an employer and his employees. Employees whose weekly holiday falls on pay day shall be paid their wages if they so desire prior to going off duty on the day prior to their day off. Employees who are paid their wages at any time other than during their working time, shall, if kept waiting more than fifteen minutes, be paid at overtime rates for all such waiting time.

EMPLOYEES ASSISTING IN BAR.

12. In any hotel where there are more than two persons regularly employed in the sale of liquor over the bar a male employee assisting in such sale for any period shall be paid the rate of wages prescribed for a barman.

HOLIDAYS.

13. Employees shall be entitled to the following public holidays without loss of pay as regards employees on weekly hiring:—New Year's Day, Australia Day, Good Friday, Easter Monday, Queen's Birthday, Labour Day, Union Picnic Day, Anzac Day, Christmas Day and Boxing Day, or such other day as is generally observed in the locality as a substitute for any of the said days respectively.

ANNUAL HOLIDAYS.

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.

OVERTIME, HOLIDAY AND PENALTY RATES.

15. *Overtime*.—All time worked in excess of 8 hours per day Monday to Friday inclusive or 40 hours per week or outside the spread of hours prescribed by clause 6 of this Determination shall be paid for at the rate of time and a half.

Saturday.—All time worked on a Saturday shall be paid for at the rate of time and a half.

Sunday.—All time worked on a Sunday by employees in Part 1 shall be paid for at the rate of double time and all time worked on a Sunday by employees in Part 2 shall be paid for at the rate of time and a half.

Holiday.—All time worked on a holiday shall be paid for at the rate of double time.

Employee's Day-off.—An employee required to work on his or her rostered day off shall be paid at the rate of double ordinary time.

Compulsory Overtime.—An employer may require an employee to work reasonable overtime at overtime rates and such employee shall work overtime in accordance with such requirements.

SICK LEAVE.

16. (a) Any employee, other than a casual, who has been in the service of the same employer continuously, shall be allowed one week's sick leave on full pay annually. Such sick leave shall be inoperative for the first three months of employment. On completion of three months and up to six months of employment, three days' sick leave on full pay shall be allowed. After six months' service the full period of one week on full pay shall be operative; provided that not more than one week shall be allowed for each year of service.

(b) Provided further that any claim made for sick leave shall be supported by evidence satisfactory to the employer that the employee is unable to work because of personal ill-health; but in the event of a continuous period of six days' sick leave being required a medical certificate shall be furnished, the cost of such certificate to be borne by the employer.

(c) Any employer taking over a business shall be responsible for all sick leave covered by the period of employment of each employee who was employed by an immediate predecessor in the business.

(d) Sick leave shall accumulate for a period of three years.

BREAKAGES.

17. An employer shall not charge a sum against nor deduct any sum from the wages of an employee in respect of breakages of crockery or other utensils except in the case of wilful misconduct.

UNION OFFICIALS.

18. The Secretary and accredited officers of the Federated Liquor and Allied Trades Employees' Union of Australasia shall have the right to enter the premises of an employer at a convenient time for the purposes of interviewing members of the Union.

ACCOMMODATION AND MISCELLANEOUS PROVISIONS.

19. An employer shall provide a dressing-room adequately lighted and ventilated with suitable floor covering and floor space to be sufficiently roomy to accommodate all employees likely to use it at the one time; sufficient seating accommodation and lounge or settee and steel or vermin-proof lockers; adjacent thereto wash basins with hot and cold water and toilets for staff use. The provisions of this clause shall not apply to wine saloons.

(Note.—Any employer who is unable to provide the facilities herein stated may make application to the Chief Inspector of Factories for exemption from this clause of the Determination.)

FIRST-AID KIT.

20. A first-aid kit shall be provided and maintained by the employer for use on the premises.

UNIFORMS.

21. (i) Where special uniforms, including white coats and/or other uniform types of dress are required to be worn, they shall be supplied and laundered at the employer's expense and shall be and remain the property of the employer.

(ii) Ordinary white aprons, cuffs, collars, caps or facings usually worn by female employees shall either be laundered at the employer's expense or at the option of the employer, the employee shall be paid 3s. per week in addition to her weekly wage.

NOTE.—Attention is drawn to the employment of females as barmaids in hotels pursuant to National Security (Employment of Women) Regulations.

The Women's Employment Board on 8th September, 1942, on the application of the United Licensed Victuallers Association (Victorian Branch) approved and laid down the conditions in respect to the employment of females not under 35 years of age as barmaids in hotels.

Extracts of the decisions of the Board are given herein :—

That females may be employed on the said work.

That the hours during which females may be employed on such work shall be 10 a.m. to 6 p.m. six days per week but in no event shall the total hours per week exceed 40.

That there shall be no period of probation.

That this decision shall bind the applicant and the Federated Liquor and Allied Trades Employees' Union and its members.

That the period of employment of extra females in bars (excluding those at present employed and registered with the State Government) shall be for the duration of the war.

That these employees shall be paid the same rate of wage as men, and this condition shall apply to present registered barmaids as it would be impracticable to differentiate.

That in order to prevent any replacement of existing bar personnel, whether male or female, by the prospective new female employees, there shall be established a Committee comprising an equal number of representatives of employers and employees. The decision of this Committee as to whether an employer may be permitted to engage new female labour shall be final, so far as this Order is made.

All female personnel to be engaged, whether permanently or for casual work, shall before commencing employment become members of the Federated Liquor and Allied Trades Employees' Union.

CASUAL BAR ATTENDANTS ON RACECOURSES, RECREATION GROUNDS, SPORTS GROUNDS, SHOWGROUNDS, PICNIC GROUNDS AND ANY OTHER GROUNDS WHERE LIQUOR IS PERMITTED TO BE SOLD UNDER THE LICENSING LAWS OF THE STATE.

WAGE RATES.

Saturdays and Week Days.

22. (a) Casual barmen employed on racecourses, showgrounds, football grounds, cricket grounds, sports grounds, picnic grounds, recreation grounds and all social functions shall be paid at the rate of 9s. per hour with a minimum payment as for four hours' work on any one day.

(b) Full day men shall be paid at the rate of 60s. per day for 8 hours work or less, exclusive of the meal hour. If lunch is not provided 2s. 6d. shall be paid in lieu thereof.

Public Holidays and Sundays.

(c) Casual barmen employed on racecourses, showgrounds, football grounds, cricket grounds, sports grounds, picnic grounds, recreation grounds and all social functions shall be paid at the rate of 12s. per hour with a minimum payment as for four hours.

(d) Full day men shall be paid at the rate of 80s. per day of 8 hours' work or less, exclusive of the meal hour. If lunch is not provided 2s. 6d. shall be paid in lieu thereof.

PUBLIC HOLIDAYS.

23. Holidays for the purpose of this section of the Determination shall mean and be deemed to be New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Queen's Birthday, Labour Day, Anzac Day, Christmas Day, Boxing Day, Melbourne Cup Day, or such other day as is generally observed in the locality as a substitute for any of the said days respectively.

MEN IN CHARGE.

24. Men in charge of bar shall be paid 5s. per day extra.

POSTPONEMENT.

25. Where a man who is engaged to attend a function and so attends and the function is postponed he shall be paid one half of the minimum rate provided for a casual barman in clause 22 (a) hereof. Provided that no employee shall attend at the place of employment if public notice of the postponement has been given either by the Press or Radio or both, not less than two hours prior to the advertised starting time of the function.

SHOP DAYS.

26. Persons employed on a shop day, that is persons preparing for a function on the day before such function or cleaning up on the day after such function shall be paid at the rate of 7s. 6d. per hour on Saturdays or week days and 10s. per hour on Sundays and Public Holidays as prescribed in Clause 23 hereof. Lunch shall be provided by the employer.

FARES.

27. All fares from and to the principal post office at the centre of engagement shall be paid by the employer.

PERMANENT EMPLOYEES.

28. No man in permanent employment shall be engaged on casual work unless casual labour is unavailable.

PAYMENT OF WAGES.

29. Wages shall be paid at the end of each engagement and within fifteen minutes of the employee presenting himself for payment. An employee kept waiting for more than fifteen minutes after presenting himself shall be paid at ordinary rates for the additional time he is kept waiting.

TRAVELLING TIME.

30. Casual employees engaged to work outside a radius of ten miles from the principal post office in the locality where they are to be employed shall be paid 60s. per day of 8 hours exclusive of meal hours. Meals, fares and accommodation where necessary shall be provided by the employer. Travelling time before 9 a.m. on the forward journey shall be paid for at the rate of ordinary time, that is 5s. per hour and travelling time after 6 p.m. shall be paid for at the same rate. Where an employee travels on a day other than the day on which a function occurs he shall be paid at ordinary rates for all such travelling time.

EXHIBITION OF DETERMINATION.

31. This Determination shall be exhibited by each employer on his premises in a place accessible to all employees.

PICKING UP GLASSES.

32. Men picking up glasses shall be paid 30s. per day for Saturdays and week days and 40s. per day for holidays and Sundays.

Youths 18 years of age and over picking up glasses shall be paid 22s. 6d. per day for Saturdays and week days and 30s. per day for holidays and Sundays.

GRATINGS.

33. Where a booth is erected without flooring, on a recreation ground, race-course, showground, or picnic ground, gratings shall be provided by the employer, and shall be placed on the ground where the men are working.

UNIFORMS.

34. Where special uniforms including white coats or other types of dress are required to be worn they shall be supplied and laundered at the employer's expense and shall be and remain the property of the employer.

RIGHT OF ENTRY OF UNION OFFICIALS.

35. The Secretary or an accredited officer of the Federated Liquor and Allied Trades Employees' Union of Australasia shall have the right to enter the employer's premises at a convenient time for the purpose of interviewing members of the Union.

TIME AND WAGES BOOK OR SHEET.

35a. Each employer shall keep a time and wages book or sheet showing the number of hours worked each day by each employee and the rate of payment made to such employee. Such book or sheet shall be open for inspection by an accredited official of the Union at all reasonable times.

CLUBS.

36. APPRENTICES OR IMPROVERS.				
WAGES PER WEEK OF 40 HOURS.				
	Males.		Females.	
	Percentage of Basic Wage.	Wages Per Week.	Percentage of Female Basic Wage.	Wages Per Week.
		s. d.		s. d.
16 years of age or under	45	101 0	48	80 6
17 years of age ..	52	116 6	56	94 0
18 years of age ..	59	132 0	59	99 0
19 years of age ..	70	157 0	63	106 0
20 years of age ..	90	201 6	70	117 6
MALES OR FEMALES. <i>Apprentices.</i> One apprentice to every three or fraction of three workers receiving not less than the minimum wage. <i>Improvers.</i> One improver to every four or fraction of four workers receiving not less than the minimum wage.				

CLUBS—continued.

OTHER EMPLOYEES.

	† WAGES.			
	Within a radius of 25 miles of the General Post Office, Melbourne, the Cities of Bendigo, Ballarat, Geelong, and Warrnambool, and the City of Mildura.		In all other parts of Victoria.	
	Males.	Females.	Males.	Females.
	Per Week of 40 Hours.	Per Week of 40 Hours.	Per Week of 40 Hours.	Per Week of 40 Hours.
	s. d.	s. d.	s. d.	s. d.
Steward	254 0	..	251 0	..
First cook where the number of persons employed in the kitchen is—				
Eight or more	294 0	233 0	291 0	231 3
Five, six, or seven	284 0	222 0	281 0	221 3
Three or four	266 0	205 0	263 0	203 3
Other first cooks or cook employed alone	260 0	199 0	257 0	197 3
Second, or night or relieving cook, when the number of persons employed in the kitchen is—				
Eight or more	276 6	215 6	273 6	213 9
Five, six, or seven	266 6	205 6	263 6	203 9
Less than five	254 0	197 0	251 0	195 3
Larder cook	257 0	196 0	254 0	194 3
Pastrycook shall be paid the rates fixed by the Pastrycooks Board				
Sweets cook	256 0	194 0	253 0	192 3
Third, stove, grill, fish, or breakfast cook	254 0	193 0	251 0	191 3
Vegetable or assistant cook	251 0	190 0	248 0	188 3
Oysterman	244 0	..	241 0	..
Pantryman or kitchenman	244 0	..	241 0	..
Storeman	251 0	..	248 0	..
Head waiter	254 0	..	251 0	..
Other waiters	244 0	..	241 0	..
Night porter	244 0	..	241 0	..
Day porter	244 0	..	241 0	..
Billiard-room attendant	244 0	..	241 0	..
Commissionaire or messenger	244 0	..	241 0	..
Housekeeper, stewardess, or manageress .. .. .	..	193 0	..	191 3
Laundress .. .. .	..	181 0	..	179 3
Head waitress or supervisor .. .. .	..	183 0	..	181 3
Other waitresses .. .. .	..	177 0	..	175 3
Pantrymaid or kitchenmaid .. .. .	..	177 0	..	175 3
Counterhand .. .. .	..	177 0	..	175 3
Housemaid .. .. .	..	177 0	..	175 3
Linen maid or seamstress .. .. .	..	181 6	..	179 9
Persons not otherwise provided for	244 0	177 0	241 0	175 3
		Per week of 20 hours.		Per week of 20 hours.
		Provided that a minimum payment of 55s. shall be paid each week irrespective of the number of hours worked.		Provided that a minimum payment of 55s. shall be paid each week irrespective of the number of hours worked.
Midday waitress or midday kitchenmaid or pantrymaid (employed only between 11.40 a.m. and 3 p.m.) .. .. .	..	103 9	..	102 9

NOTE.—A copy of this Determination shall be displayed at or near the entrance of every establishment where the Determination of this Wages Board applies.

† SUBJECT TO:—(a) A maximum deduction as for two meals a day being made where an employee commences work at 9 a.m. or later and finishes at 4 p.m. or earlier on the same day or where he or she commences for the day between 1 p.m. and 4 p.m.; and (b) a maximum deduction as for one meal a day being made where an employee commences work at or after 4 p.m., the minimum wage shall (except in the case of an apprentice, an improver, a midday waitress, a midday kitchenmaid or pantrymaid, or a casual employee) be, where the employer—

(i) provides meals which are consumed by the employee—

(a) for each substantial meal 1s. 8d. per meal less.

(b) for each meal other than a substantial meal, 1s. per meal less.

(ii) boards and lodges the employee, 45s. per week less.

Notwithstanding any condition in this clause no deduction for meals shall be made for a public holiday when the employee is not required to work on such public holiday.

HOURS OF WORK.

37. The hours of work shall be 40 per week to be worked within a spread of 12 hours per day, including meal intervals and not more than two other breaks, which, in the aggregate, shall not exceed 3 hours each day.

TERMS OF EMPLOYMENT.

38. (a) Employees (other than casual employees, midday waitresses and midday kitchenmaids or pantrymaids) shall be engaged by the week and paid by the week.

(b) Employees (other than casual employees, midday waitresses and midday kitchenmaids or pantrymaids) ready, willing, and available to perform such work as the employer shall from time to time require on the days and during the hours usually worked by the class of employee affected, shall have no deduction made from the weekly wages prescribed except for time lost through sickness (vide clause 47, Sick Leave) or absence from work without permission of the employer.

(c) The provisions of sub-clauses (a) and (b) hereof shall not apply if there is a stoppage of work for which the employer cannot reasonably be held responsible through any strike, breakdown of machinery, or other cause, proof of which shall be on the employer.

CLUBS—continued.

OVERTIME.

39. Time and a half calculated on the rates fixed without any deductions for board and/or lodging shall be paid for all time worked in excess of 40 hours per week or in excess of 10 hours per day and/or outside a spread of 12 hours each day.

CASUAL LABOUR.

40. Casual employees (i.e., persons employed during any week for not more than one-half the maximum number of hours fixed in this Determination as a week's work) shall be paid at the rate of time and a third on the days Monday to Friday inclusive and time and a half on Saturdays and Sundays, with a minimum payment of three hours for work done on any one day: Provided that any employee who is employed within a club located on a football ground or a cricket ground shall be paid the rate prescribed by clause 57 (b) of the Restaurant Section.

SATURDAYS AND SUNDAYS.

41. The special rate to be paid to employees, other than casuals, for work done on Saturday up to 12 noon shall be time and a quarter and thereafter time and a half, and all work done on a Sunday shall be time and a half.

ROSTERED DAY OFF.

42. (a) An employee required to work on his or her rostered day off shall be paid at the rate of time and a half.
(b) An employee shall not be required to take his or her rostered day off on a holiday prescribed in clause 43.

SPECIAL RATES.

43. Employees, other than casual employees, required to work on New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, Queen's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day, or any other day which may be by Act of Parliament or Proclamation substituted for any of the above-named holidays shall be paid a minimum of seven hours at ordinary rates plus ordinary rates for the actual time worked up to seven hours and double time for all time worked in excess of seven hours.

HOLIDAYS.

44. Employees, other than casual employees, not required to work, shall be entitled to be absent on the holidays prescribed, in clause 43 without deduction of pay, provided that the employee does not absent himself or herself from work without the employer's permission or reasonable cause on the working day preceding or succeeding any such holiday.

For the purposes of this clause a holiday shall be deemed to be of 7 hours.

UNIFORMS.

45. Where any female employee is required by the employer to wear a uniform (other than a black uniform) such uniform shall be provided and laundered by the employer free of cost to the employee, or, if mutually agreed that the employee shall launder such uniform, the employer shall allow the employee 3s. per week for each uniform so laundered.

ANNUAL HOLIDAYS.

46. 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 LEAVE.

47. (a) Any employee who has been in the employment of the same employer for a period of not less than six months and who does not attend for duty shall lose his or her pay for the actual time lost unless such employee produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill-health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the ground of personal ill-health or accident for more than 40 hours of working time in each year of service or a proportionately less time during any shorter period of employment.

(b) Notwithstanding the provisions of sub-clause (a) hereof, if the full period of sick leave as prescribed above is not taken in any year, such portion as is not taken shall be cumulative from year to year up to a period not exceeding 120 hours of working time, which shall be the maximum amount of leave to which an employee shall be entitled in any year of service without deduction of pay.

For the purposes of this sub-clause, service prior to the 4th July, 1946, shall be disregarded.

DEFINITIONS.

48. (a) "Sweets Cook" shall include any person manufacturing cakes or pastry for meals supplied by the employer.
(b) "Substantial Meal."—A substantial meal shall consist of food comprising soup, entrée, or joint, vegetables and sweets, and on Fridays, a choice of fish.
(c) "Full Pay" shall mean the rate prescribed in the Determination for the class of work performed, without any deductions whatever.
(d) Storeman shall mean an employee continuously engaged in storing, checking, tallying, or handling stores.
(e) Linen maid or seamstress shall mean a female employee who makes and/or repairs linen, uniforms, or furnishings for use in the club concerned.

RIGHT OF ENTRY.

49. Any official of the Federated Liquor and Allied Trades Employees Union of Australasia or the Victorian Chamber of Catering Industries authorized in writing by the Secretary for Labour shall have the right to enter any establishments or premises covered by this Determination in order to inspect time sheets and to interview employees on any matter connected with their employment. Such accredited official before entering such establishment or premises shall produce the authority in writing mentioned on a demand by an employer or his representative for such production.

TERMINATION OF EMPLOYMENT.

50. Employees (other than Casual Employees) shall, except in a case of misconduct by either employer or employee, give or receive two days' notice of termination of employment, or in lieu of such two days' notice one third of the weekly rate fixed for the class of work performed by the employee shall be paid by the employer or forfeited by the employee, but such notice shall not be required from an employee who terminates employment because of his or her illness or injury.

TRAVELLING FACILITIES.

51. Where an employee is detained at work until it is too late to travel by the last train, tram, vessel or other regular conveyance to his or her usual place of residence, the employer shall either provide proper conveyance or private accommodation for the night free of charge.

RESTAURANTS, COFFEE PALACES, EATING-HOUSES, AND ALL OTHER PLACES EXCEPT HOTELS, WINE SALOONS CLUBS, AND CASUAL BAR ATTENDANTS ON RACECOURSES, RECREATION GROUNDS, SPORTS GROUNDS, SHOWGROUNDS, PICNIC GROUNDS AND ANY OTHER GROUNDS WHERE LIQUOR IS PERMITTED TO BE SOLD UNDER THE LICENSING LAWS OF THE STATE.

52. (a)

APPRENTICES OR IMPROVERS.

WAGES PER WEEK OF 40 HOURS.					PROPORTION (IN ANY PLACE).
	Males.		Females.		
	Percentage of Basic Wage.	Wages Per Week.	Percentage of Female Basic Wage.	Wages Per Week.	
		s. d.		s. d.	
16 years of age or under	45	101 0	48	80 6	MALES OR FEMALES. <i>Apprentices.</i> One apprentice to every three or fraction of three workers receiving not less than the minimum wage.
17 years of age ..	52	116 6	56	94 0	
18 years of age ..	59	132 0	59	99 0	
19 years of age ..	70	157 0	63	106 0	
20 years of age ..	90	201 6	70	117 6	<i>Improvers.</i> One improver to every four or fraction of four workers receiving not less than the minimum wage.

(b)

OTHER EMPLOYEES.

	† Wages.			
	Within a radius of 25 miles of the General Post Office, Melbourne.		In all other parts of Victoria.	
	Males.	Females.	Males.	Females.
	Per week of 40 hours.	Per week of 40 hours.	Per week of 40 hours.	Per week of 40 hours.
	s. d.	s. d.	s. d.	s. d.
First cook where the number of persons employed in the kitchen is—				
Eight or more	291 0	233 0	288 0	231 3
Five, six, or seven	281 0	222 0	278 0	221 3
Three or four	263 0	205 0	260 0	203 3
Other first cooks or cook employed alone ..	257 0	199 0	254 0	197 3
Second cook where the number of persons employed in the kitchen is—				
Eight or more	273 6	215 6	270 6	213 9
Five, six, or seven	263 6	205 6	260 6	203 9
Other second cooks	251 0	197 0	248 0	195 3
Night or relieving cook	251 0	193 0	248 0	191 3
Larder cook	254 0	196 0	251 0	194 3
Pastrycook shall be paid the rates fixed by the Pastrycooks Board				
Sweets cook	253 0	194 0	250 0	192 3
Third, stove, grill, fish, or breakfast cook ..	251 0	193 0	248 0	191 3
Vegetable or assistant cook	248 0	190 0	245 0	188 3
Oysterman	241 0	..	238 0	..
Pantryman or kitchenman	241 0	..	238 0	..
Storeman or storewoman	248 0	181 0	245 0	179 3
Head waiter	251 0	..	248 0	..
Other waiters	241 0	..	238 0	..
Night porter	241 0	..	238 0	..
Day porter	241 0	..	238 0	..
Billiard-room attendant	241 0	..	238 0	..
Commissionaire or messenger	241 0	..	238 0	..
Housekeeper or stewardess .. .. .	..	193 0	..	191 3
Laundress .. .. .	..	181 0	..	179 3
Head waitress or supervisor .. .. .	..	183 0	..	181 3
Other waitresses .. .. .	..	177 0	..	175 3
Pantrymaid or kitchenmaid .. .. .	..	177 0	..	175 3
Fruit juice, flavour, or soda fountain hand ..	..	180 0	..	177 9
Counterhand (other than a soda fountain hand as defined) .. .. .	..	177 0	..	175 3
Housemaid .. .. .	..	177 0	..	175 3
Linen maid or seamstress .. .. .	..	181 6	..	179 9
Persons not otherwise provided for	241 0	177 0	238 0	175 3
		Per week of 20 Hours.		Per week of 20 Hours.
		Provided that a minimum payment of 55s. shall be paid each week irrespective of the number of hours worked.		Provided that a minimum payment of 55s. shall be paid each week irrespective of the number of hours worked.
Midday waitress or midday kitchenmaid or pantry-maid (employed only between 11.40 a.m. and 3 p.m.) .. .. .	..	103 9	..	102 9

NOTE.—A copy of this Determination shall be displayed at or near the entrance of every establishment where the Determination of this Wages Board applies.

Under the provisions of Section 7 of the Factories and Shops Act 1936 (No. 4461) every employer of any employee in any restaurant is required to keep a time-book in the prescribed form wherein each employee shall enter daily a correct record of the hours worked. Any employer or employee who commits a breach of this section is liable to a penalty not exceeding £2.

†**SUBJECT TO**—(a) A maximum deduction as for two meals a day being made where an employee commences work at 9 a.m. or later and finishes at 4 p.m. or earlier on the same day, or he or she commences work for the day between 1 p.m. and 4 p.m.; and (b) A maximum deduction as for one meal a day being made where an employee commences work for the day at or after 4 p.m., the minimum wage shall (except in the cases of barmaids or of employees working for an employer who carries on the business of a Restaurant, Dining Room, Eating House, or Cafeteria in connexion with a Departmental Store or Emporium, and of an apprentice, an improver, a midday waitress, a midday kitchenmaid or pantrymaid, or a casual employee, working in other places) be, where the employer—

(i) provides meals which are consumed by the employee—

(a) for each substantial meal, 1s. 8d. per meal less.

(b) for each meal other than a substantial meal, 1s. per meal less.

(ii) boards and lodges the employee, 45s. per week less.

Notwithstanding any condition in this clause no deduction for meals shall be made for a public holiday when the employee is not required to work on such public holiday.

HOURS OF WORK.

53. The hours of work shall be 40 per week to be worked within a spread of 12 hours per day, including meal intervals and not more than two other breaks, which, in the aggregate, shall not exceed three hours each day.

TERMS OF EMPLOYMENT.

54. (a) Employees (other than casual employees, midday waitresses and midday kitchenmaids or pantrymaids) shall be engaged by the week and paid by the week.

(b) Employees (other than casual employees, midday waitresses and midday kitchenmaids or pantrymaids) ready, willing and available to perform such work as the employer shall from time to time require on the days and during the hours usually worked by the class of employee affected, shall have no deduction made from the weekly wages prescribed except for time lost through sickness (*vide* clause 65, Sick Leave) or absence from work without permission of the employer.

(c) The provisions of sub-clauses (a) and (b) hereof shall not apply if there is a stoppage of work for which the employer cannot reasonably be held responsible through any strike, breakdown of machinery, or other cause, proof of which shall be on the employer.

OVERTIME.

55. Time and a half calculated on the rates fixed without any deductions for board and/or lodging shall be paid for all time worked in excess of 40 hours per week or in excess of 10 hours per day and/or outside a spread of 12 hours each day.

FEMALES EMPLOYED AFTER MIDNIGHT.

56. Females (other than casuals) required to do any work between midnight and 3 a.m. shall be paid for such work at the rate of double time.

CASUAL LABOUR.

57. Casual employees (i.e., persons employed during any week for not more than one-half the maximum number of hours fixed in this Determination as a week's work) shall be paid—

(a) All casual workers other than those employed by caterers—time and a third on the days Monday to Friday inclusive, and time and a half on Saturdays and Sundays, with a minimum payment of three hours for work done on any one day.

(b) Casual workers employed in the business of a caterer—

Persons employed on racecourses, show grounds, picnic grounds, or recreation grounds—

Males:—

Cooks 10s. per hour

All others 9s. per hour

Females:—

Cooks 8s. per hour

All others 5s. 11d. per hour

} With a minimum of 4 hours' pay for work done on any one day.

Persons employed on a shop day (i.e., persons employed preparing for a function on the day before such function or cleaning up on the day after such function)—

(i) For a function held on a racecourse, showground, picnic ground, or a recreation ground—

Males 68s. per day of 8 hours.

Females 48s. per day of 8 hours.

(ii) For a function other than a function provided for in sub-clause (i)—

Males 9s. per hour with a minimum payment for 4 hours on any day.

Females 5s. 11d. per hour with a minimum payment for 4 hours on any day.

Where the employer does not provide a midday meal for a casual worker employed on a shop day such worker shall be paid 1s. 8d. per day extra.

All others— Per hour

Males 9s.

Females 5s. 11d. }

} With a minimum payment of three hours for work done on any one day.

(c) Notwithstanding any provision in sub-clauses (a) and (b) hereof the minimum payment for employees who work during a theatre interval only, viz., between 8.45 p.m. and 10.15 p.m. for a period not exceeding one hour shall be 5s. 9d. for each day.

(d) The special rate of time and a third shall be paid to casual workers employed in the business of a caterer for work done on Sunday, New Year's Day, Australia Day, Good Friday, Easter Saturday, Easter Monday, Queen's Birthday, Labour Day, Anzac Day, Christmas Day, Boxing Day, Melbourne Cup Day, or such other day as is generally observed in the locality as a substitute for any of the said days respectively.

TRAVELLING.

58. The special rate to be paid to employees who work away from their employer's place of business for time occupied in travelling between the employer's place of business and work, or between the employee's residence and work, shall be at ordinary rates.

SATURDAYS AND SUNDAYS.

59. The special rate to be paid to employees, other than casuals, for work done on Saturday up to 12 noon shall be time and a quarter and thereafter time and a half, and all work done on a Sunday shall be time and a half.

ROSTERED DAY OFF.

60. (a) An employee required to work on his or her rostered day off shall be paid at the rate of time and a half.

(b) An employee shall not be required to take his or her rostered day off on a holiday prescribed in clause 61.

SPECIAL RATES.

61. Employees, other than casual employees, required to work on New Year's Day, Australia Day, Good Friday, Easter Monday, Labour Day, Anzac Day, Queen's Birthday, Melbourne Cup Day, Christmas Day, and Boxing Day, or any other day which may be by Act of Parliament or Proclamation substituted for any of the above-named holidays, shall be paid a minimum of seven hours at ordinary rates plus ordinary rates for the actual time worked up to seven hours and double time for all time worked in excess of seven hours.

HOLIDAYS.

62. Employees, other than casual employees, not required to work, shall be entitled to be absent on the holidays prescribed in clause 61 without deduction of pay, provided that the employee does not absent himself or herself from work without the employer's permission or reasonable cause on the working day preceding or succeeding any such holiday.

For the purposes of this clause a holiday shall be deemed to be of seven hours.

UNIFORMS.

63. Where any female employee is required by the employer to wear a uniform (other than a black uniform) such uniform shall be provided and laundered by the employer free of cost to the employee.

ANNUAL HOLIDAYS.

64. 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 LEAVE.

65. (a) Any employee who has been in the employment of the same employer for a period of not less than six months and who does not attend for duty shall lose his or her pay for the actual time lost unless such employee produces or forwards within 24 hours of the commencement of such absence evidence satisfactory to the employer that his or her non-attendance was due to personal ill-health or accident necessitating such absence, but such employee shall not be entitled to payment for non-attendance on the ground of personal ill-health or accident for more than 40 hours of working time in each year of service or a proportionately less time during any shorter period of employment.

(b) Notwithstanding the provisions of sub-clause (a) hereof, if the full period of sick leave as prescribed above is not taken in any year, such portion as is not taken shall be cumulative from year to year up to a period not exceeding 120 hours of working time, which shall be the maximum amount of leave to which an employee shall be entitled in any year of service without deduction of pay.

For the purposes of this sub-clause, service prior to the 4th July, 1946, shall be disregarded.

DEFINITIONS.

66. (a) "Sweets cook" shall include any person manufacturing cakes or pastry for meals supplied by the employer.

(b) "Substantial meal" shall consist of food comprising soup, entrée, or joint, vegetables and sweets, and on Fridays, a choice of fish.

(c) Full pay shall mean the rate prescribed in the Determination for the class of work performed without any deductions whatever.

(d) Departmental store or emporium shall mean an establishment where more than one class of business is carried on, and where under section 83 of the *Factories and Shops Acts* such establishment is required to close at the hours prescribed by such section.

(e) Linen maid or seamstress shall mean a female employee who makes and/or repairs linen, uniforms, or furnishings for use in connexion with a business covered by this Determination.

(f) Fruit juice, flavour, or soda fountain hand shall mean a female employee who as required prepares fruit juices and/or flavours.

(g) Storeman or storewoman shall mean an employee continuously engaged in storing, checking, tallying, or handling stores.

TERMINATION OF EMPLOYMENT.

67. Employees (other than casual employees) shall except in a case of misconduct by either employer or employee, give or receive two days' notice of termination of employment, or in lieu of such two days' notice one third of the weekly rate fixed for the class of work performed by the employee shall be paid by the employer or forfeited by the employee, but such notice shall not be required from an employee who terminates employment because of his or her illness or injury.

TRAVELLING FACILITIES.

68. Where an employee is detained at work until it is too late to travel by the last train, tram, vessel or other regular conveyance to his or her usual place of residence, the employer shall either provide proper conveyance or private accommodation for the night free of charge.

RIGHT OF ENTRY.

69. Any official of the Federated Liquor and Allied Trades Employees Union of Australasia or the Victorian Chamber of Catering Industries authorized in writing by the Secretary for Labour shall have the right to enter any establishments or premises covered by this Determination in order to inspect time-sheets and to interview employees on any matter connected with their employment. Such accredited official before entering such establishment or premises shall produce the authority in writing mentioned on a demand by the employer or his representative for such production.

ACCOMMODATION.

70. Adequate accommodation apart from rooms to which the public have access shall be provided for dressing, and reasonable accommodation shall be provided for employees to have their meals.

PERIODICAL ADJUSTMENT OF WAGES.

71. (a) The wages rates for adult males and barmaids set out in clause 2, and for adult males set out in clauses 36 and 52 (b) are based upon the following basic wage rates and pursuant to the provisions of section 21 of the *Factories and Shops Act 1934* shall be automatically adjusted as prescribed by clause 72.

Basic Wage.

Place.	Basic Wage (Adjustable).	Index Number Set Assigned.
Within a radius of 25 miles of the G.P.O., Melbourne, 5 miles of the G.P.O., Geelong, and in Mildura	£ s. d. 11 4 0	Melbourne
Elsewhere Hotels and Wine Saloons 3s. less than the contemporaneous basic wage for Melbourne		

(b) The wages rates for adult females are based on a basic wage being 75 per cent. of the basic wage for adult males calculated to the nearest 6d., half or less than half of 6d. to be disregarded. The wages rates for adult females shall be adjusted by increasing or decreasing such rates by the amount of the difference from time to time in the said basic wage for females: Provided that the wages of a midday waitress or midday kitchenmaid or pantrymaid in Clubs or Restaurants shall be increased or decreased by half the amount of the difference from time to time in the said basic wage for females, and the wages of a midday waitress or midday kitchen maid or pantrymaid in Hotels and Wine Saloons shall be adjusted proportionately on an original rate of 73s. 6d. and a female basic wage of 121s. 6d. and that the rate for "All other parts of Victoria" shall be 1s. less.

JUNIOR RATES.

(c) (i) The minimum rates of wage for juniors in clause 2 shall be the undermentioned percentages prescribed for the area in which they are employed and in addition thereto the additional amounts specified.

Males.

Age.	Percentage of Basic Wage for Adult Males.	Additional Amount.
		<i>s. d.</i>
17 years of age	46	4 0
18 years of age	58	5 0
19 years of age	73	6 0
20 years of age	88	7 0

Females.

Age.	Percentage of Basic Wage for Adult Females.	Additional Amount.
		<i>s. d.</i>
18 years of age	62	4 0
19 years of age	72	4 6
20 years of age	82	5 0

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

(iii) The amounts of the ordinary wage rates for all juniors in clauses 36 and 52 shall be the appropriate percentages as set out in clauses 36 and 52, such wages shall be calculated to the nearest 6d., half or less than half of 6d. to be disregarded.

(d) The rates for board and lodging for adults shall be increased or decreased by One shilling for every Five shillings per week alteration in the Basic Wage as follows:—

Table.

Hotels.				Clubs, Restaurants, &c.			
Deductions for Board and Lodging.		Basic Wage Weighted Average for S.M.B.H.		Deductions for Board and Lodging.		Basic Wage for Melbourne.	
<i>s. d.</i>		<i>s. d.</i>	<i>s. d.</i>	<i>s. d.</i>		<i>s. d.</i>	<i>s. d.</i>
42 0	.. .. .	201 0	to 205 0	40 0	.. .. .	199 0	to 203 0
43 0	.. .. .	206 0	to 210 0	41 0	.. .. .	204 0	to 208 0
44 0	.. .. .	211 0	to 215 0	42 0	.. .. .	209 0	to 213 0
45 0	.. .. .	216 0	to 220 0	43 0	.. .. .	214 0	to 218 0
46 0	.. .. .	221 0	to 225 0	44 0	.. .. .	219 0	to 223 0
47 0	.. .. .	226 0	to 230 0	45 0	.. .. .	224 0	to 228 0
48 0	.. .. .	231 0	to 235 0	46 0	.. .. .	229 0	to 233 0
49 0	.. .. .	236 0	to 240 0	47 0	.. .. .	234 0	to 238 0
50 0	.. .. .	241 0	to 245 0	48 0	.. .. .	239 0	to 243 0
51 0	.. .. .	246 0	to 250 0	49 0	.. .. .	244 0	to 248 0

ADJUSTMENT OF BASIC WAGE.

72. (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, 1952, the amounts of the basic wage shall be as prescribed in clause 71.

(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 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 .103 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.

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

J. V. WILLOX, Secretary.

Melbourne, 9th October, 1952.

